

ŽENEVSKE KONVENCIJE  
IN  
DOPOLNILNI PROTOKOLI

I. del - Konvencije



Zbirka Mednarodno pravo  
Mednarodni dokumenti

**ŽENEVSKE KONVENCIJE IN DOPOLNILNI PROTOKOLI,**  
**I. DEL – KONVENCIJE**  
**Zbirka Mednarodno pravo**  
**Mednarodni dokumenti**

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*Pomagati, ne da bi se spraševali, komu!*

*To help, without asking whom!*



## PREDGOVOR

70. obletnica ženevskih konvencij iz leta 1949 je pomembna priložnost za premislek o vplivu teh ključnih pogodb mednarodnega humanitarnega prava na potek oboroženih spopadov: da poudarimo, kaj smo s temi pogodbami dosegli, in izrazimo ogorčenje nad nesprejemljivimi kršitvami mednarodnega humanitarnega prava, ki se dogajajo po svetu.

12. avgusta 1949, po drugi svetovni vojni, je bila za zaščito ranjenih, bolnih ali pridržanih vojakov in civilnih oseb med vojno sprejeta četrta ženevska konvencija. Konvencije, ki jih dopolnjujeta dopolnilna protokola iz leta 1977, so temelj mednarodnega humanitarnega prava. Podprle so jih vse države, zato so splošno sprejete, kar je med večstranskimi mednarodnimi pogodbami redkost.

Države so v skladu z ženevskimi konvencijami odgovorne za podpiranje in razširjanje njihove vsebine. Konvencij jim ni treba prevesti v državni jezik, zato je tak prevod vreden pohvale. Slovenija objavlja svoj uradni prevod ženevskih konvencij v posebej primernem času – ob njihovi obletnici. V času, ko nekateri pravijo, da ženevske konvencije ne ustrezajo več stvarnosti sodobnih spopadov, je pomembno znova potrditi in vztrajati, da imajo ključno vlogo pri ohranjanju človeških življenj in dostojanstva v vojnah.

## PREFACE

The seventieth anniversary of the 1949 Geneva Conventions is an important opportunity to consider the impact these key treaties of international humanitarian law (IHL) have on the way armed conflicts are fought: to highlight what they have achieved, but also to express outrage at the unacceptable violations of IHL the world is witnessing.

On 12 August 1949, after the Second World War, the fourth Geneva Convention was adopted to protect, in war, not only wounded, sick or detained soldiers but also civilians. The conventions, supplemented by their 1977 Additional Protocols, are the cornerstone of IHL. They have been endorsed by all states and are therefore universal, a rarity in the field of multilateral treaties.

Under the Geneva Conventions, states are responsible for upholding and disseminating their content. Although there is no obligation to translate the conventions into national language, such translation is a commendable step. It is particularly timely for Slovenia to publish its official translation of the Geneva Conventions in this anniversary year. Indeed, at a time when some say that the Geneva Conventions are no longer relevant to the realities of contemporary conflicts, it is important to reaffirm and insist on their key role in preserving human life and dignity in the midst of wars.

Nekateri tudi pravijo, da so ženevske konvencije zastarele in niso prilagojene sodobnim izzivom v današnjih oboroženih spopadih. Težava seveda ni v vsebini ženevskih konvencij, ampak v pomanjkanju njihovega spoštovanja. Pravila ženevskih konvencij danes ne samo veljajo, ampak so tudi zelo potrebna.

V svetu, v katerem potekajo siloviti spopadi, ki povzročajo ogromno trpljenja, vidimo pobito ali ranjeno civilno prebivalstvo, ki ne dobi nujno potrebne zdravstvene oskrbe, napade na bolnišnice in pobito zdravstveno osebje, milijone razseljenih ljudi, ki so prisiljeni zapustiti svoje domove, ter otroke, ki se med begom ločijo od svojih staršev ali pa so pohabljeni, mednarodno humanitarno pravo in ženevske konvencije prinašajo človečnost in zelo potrebna pravila za njeno ohranjanje in zaščito.

Mednarodni odbor Rdečega križa (ICRC), ki deluje na območjih spopadov po vsem svetu, je seznanjen s trpljenjem žrtev spopadov in kršitvami mednarodnega humanitarnega prava. Prav tako je seznanjen tudi z vsakodnevnimi dosežki mednarodnega humanitarnega prava, ki pa niso vedno vidni javnosti – ranjena oseba, ki ji je dovoljen prehod prek kontrolne točke, otrok, ki dobi nujno potrebno hrano, pridržane osebe, ki lahko svoji družini pošljejo sporočilo, in mnogi drugi primeri. Taki primeri jasno kažejo, da je mednarodno humanitarno pravo mogoče spoštovati; da se spoštuje in da njegovo izvajanje pomeni znaten napredek.

Indeed, the Geneva Conventions are currently being branded by some as outdated and not adapted to contemporary challenges faced in today's armed conflicts. However, the issue is not with the content of the Geneva Conventions, but rather with their lack of respect. The rules themselves are not only applicable today, but also much needed.

In a world where we witness conflicts raging and causing immense suffering; civilians killed or wounded, unable to receive the medical care they so desperately need; hospitals attacked and medical personnel killed; millions displaced by conflict and obliged to flee their homes; and children separated from their parents when fleeing or maimed – in this world, IHL and the Geneva Conventions bring humanity and much needed rules to preserve and protect it.

The International Committee of the Red Cross (ICRC), which works in conflict areas around the world, sees the suffering of victims of conflicts and violations of IHL. However, it also witnesses the everyday achievements of IHL, some not always visible to the public – a wounded person allowed through a checkpoint, a child who receives necessary food, detainees able to send a message to their families and many other examples. In such instances, it is clear that respect for IHL is possible, that it is occurring and that its implementation makes a meaningful difference.

Cilj ženevskih konvencij je ohraniti bistvo naše človečnosti v najhujših časih. Ta obletnica nas navdihuje, da storimo še več in smo še boljši ter tako izpolnimo ta močna pričakovanja ob njej. Zato je tudi tako zelo pomembno in pohvalno, da Slovenija objavlja svoj uradni prevod ženevskih konvencij in dopolnilnih protokolov, saj s tem priznava njihov pomen v današnjem času.

Peter Maurer  
predsednik ICRC

The Geneva Conventions aim to preserve the core of our common humanity at the worst of times. This anniversary is an appeal for all of us to do more, to do better, in order to live up to this powerful call. It is therefore of utmost importance and commendable that Slovenia is publishing its official translations of the Geneva Conventions and Additional Protocols, thereby recognising their contemporary relevance.

Peter Maurer  
ICRC President

## SPREMNA BESEDA

### Trajna vrednost ženevskih konvencij in njihovih dopolnilnih protokolov

V letu 2019 obeležujemo 70-letnico sprejema štirih ženevskih konvencij,<sup>1</sup> sprejetih 12. avgusta 1949 z namenom preprečiti preštevne žrtve in grozljivo razdejanje, kakor jih je povzročila 2. svetovna vojna, v prihodnosti. Kljub častitljivim letom vrednost in pomen zaščite, ki jo nudijo žrtvam žal še vedno preštevlnih oboroženih spopadov po svetu, danes nista nič manjša kot v času njihovega sprejetja. Kljub spreminjanju značilnosti oboroženih spopadov, ko so zdaj bolj kakor klasične vojne med državami pogosti nemednarodni oboroženi spopadi z mnogimi neznačilnimi stranmi, npr. oboroženimi terorističnimi skupinami, in kljub razvoju novih orožij in tehnik (vključno s kibernetiskim bojevanjem in vzpostavljanjem avtonomnih oborožitvenih sistemov), bojevanju v urbanih naseljih in še bi lahko naštevali, pomen pravil, zajetih v teh konvencijah, in njihovo (ne)spoštovanje v praksi odločilno vplivata na življenja in preživetje posameznikov, držav in mednarodne skupnosti kot celote.

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1 Ženevska konvencija za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču, Ženevska konvencija za izboljšanje položaja ranjencev, bolnikov in brodolomcev v oboroženih silah na morju, Ženevska konvencija o ravnanju z vojnimi ujetniki, Ženevska konvencija o zaščiti civilnih oseb med vojno.

## FOREWORD

### **The lasting value of the Geneva Conventions and Additional Protocols**

In 2019, we celebrate the 70th anniversary of the adoption of the four Geneva Conventions<sup>1</sup>, which were adopted on 12 August 1949 to prevent a repeat of the horrors of the Second World War and reduce the number of victims in the future. Despite the considerable age of the four Geneva Conventions, the value and importance of protection they provide for victims of, unfortunately, still too many armed conflicts around the world are today the same as they were at the time of their adoption. Despite the fact that certain characteristics of armed conflicts have changed over time and that, rather than war in the classical sense of the word, the prevailing type of armed conflict today is armed conflict not of an international character, involving many untypical parties such as armed terrorist groups, and considering the development of new weapons and techniques (including cyber warfare and the development of autonomous weapons systems), urban warfare and so forth, the relevance of the rules of the Geneva Conventions and (non-)compliance with these rules in

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1 The Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the Geneva Convention relative to the Treatment of Prisoners of War, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

Omeniti velja, da konvencije iz leta 1949 niso prve t.i. “ženevske konvencije”. Že leta 1864<sup>2</sup> je bila namreč sprejeta prva ženevska konvencija za izboljšanje položaja ranjencev in bolnikov v obo-roženih silah na bojišču, ki je prvič v zgodovini združila države v sprejemu mednarodnopravne obveznosti za organizacijo prostovolj-nih društev za pomoč bolnim in ranjenim na bojišču in priznala posebno zaščito zdravstvenemu osebju ter določila tudi zaščitni raz-poznavni znak, tj. rdeči križ. Izbira znaka, ki simbolizira barvno obrnjeno postavitev švicarske zastave, je bila tudi svojevrstno pri-znanje švicarski vladi, ki je sklicala to prvo ženevsko konferenco na pobudo ženevskega filantropa in trgovca Henryja Dunanta, ki je s somišljeniki ustanovil prvo nacionalno društvo rdečega križa. Povod za to je bila predvsem njegova osebna pretresljiva izkušnja, ko je na službeni poti videl razdejanje na bojišču bitke pri Solfe-rinu leta 1859. Nepopisno in nepotrebno trpljenje mnogih ranje-nih in bolnih vojakov, ki so umirali na bojišču oziroma ob njem zaradi pomanjkanja ustrezne zdravstvene oskrbe, je leta 1862 doži-veto opisal v knjižici Spomin na Solferino<sup>3</sup>, ki je prevedena tudi v slovenščino<sup>4</sup>.

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2 Konvencija je bila nadgrajena z novima različicama v letih 1906 in 1929 (tega leta je bila sprejeta tudi prva Ženevska konvencija o statusu vojnih ujetnikov), pozneje pa nadomeščena z ženevsko konvencijo iz leta 1949. Novost leta 1949 pa je bila četrta ženevska konvencija o zaščiti civilnih oseb, kar je med drugim odražalo tudi odziv na grozote holokavsta.

3 Dunant, Henry, *Un souvenir de Solférino*, Genève: Imprimerie Jules-Guillaume Fick, 1862. Dunant je leta 1901 prejel tudi prvo Nobelovo nagrado za mir.

4 [https://www.rks.si/sl/Knjige/Spomin\\_na\\_Solferino/](https://www.rks.si/sl/Knjige/Spomin_na_Solferino/).

practice have a decisive impact on the lives and survival of individuals, States and the international community as a whole.

It should be noted that the conventions of 1949 are not the first “Geneva conventions”. As early as in 1864<sup>2</sup> the First Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field was adopted, uniting, for the first time in history, countries in their acceptance of the international legal obligation to organise voluntary relief societies to help the sick and wounded in the field, providing for special protection to medical personnel, and defining the distinctive emblem of protection, the red cross. The selection of the emblem, which represents an inverted Swiss flag, was a tribute to the Swiss Government that convened the first Geneva conference at the proposal of Henry Dunant, a philanthropist and businessman from Geneva, who, together with similarly minded individuals, founded the first national Red Cross society. This decision was largely influenced by his personal, deeply moving experience of witnessing the horrors of war on the battlefield of Solferino in 1859 while on a business trip. He vividly described the untold and unnecessary suffering of the many wounded and sick soldiers who were dying on the battlefield due to lack of appropriate

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2 The Convention was revised in 1906 and 1929 (this same year, the Geneva Convention relative to the Treatment of Prisoners of War was adopted) and subsequently replaced by the Geneva Convention of 1949. However, the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War was first adopted in 1949, among other things, in response of the atrocities of the Holocaust.

Ženevske konvencije, ki so danes med najširše sprejetimi mednarodnimi pogodbami na svetu in so kot univerzalno ratificirane prešle v običajno mednarodno pravo ter tako od njihovega nastanka dalje zavezujejo tudi vse novonastale države, so bile pozneje dopoljene še s protokoli iz let 1977<sup>5</sup> in 2005<sup>6</sup>.

Korpus teh mednarodnih pogodb pomeni najbolj temeljno zaščito oseb v času oboroženih spopadov in je postopoma prerasel v civilizacijsko normo sodobnega časa, njegovo poznavanje in spoštovanje v praksi pa nujni imperativ za delovanje predvsem za vse, ki so odgovorni za omejevanje nepotrebne nasilja v primeru oboroženega spopada, in tudi za vse druge.

Uradni prevod ženevskih konvencij in dopolnilnih protokolov v uradni jezik/jezike vsake države ter objava teh besedil v knjižni obliki in na način, ki omogoča dostop vsem prebivalcem, čeprav ne gre za pogodbeno dolžnost države, je *sine qua non* za učinkovito upoštevanje namena norm, ki jih zajemajo te mednarodne pogodbe. Slovenski prevod v knjižni obliki je bil sicer na voljo že dlje časa,<sup>7</sup> a je šlo za neuradne prevode, ki so se sčasoma izkazali tudi za zastarele.

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5 Dopolnilni protokol k ženevskim konvencijam z dne 12. avgusta 1949 o zaščiti žrtev nemednarodnih oboroženih spopadov (Protokol II) in Dopolnilni protokol k ženevskim konvencijam z dne 12. avgusta 1949 o zaščiti žrtev mednarodnih oboroženih spopadov (Protokol I). Protokol I je pomembno nadgradil zaščito v mednarodnih oboroženih spopadih, Protokol II, ki je precej krajši, pa je bil sprejet za namene urejanja nemednarodnih oboroženih spopadov.

6 Dopolnilni protokol k ženevskim konvencijam z dne 12. avgusta 1949 o sprejetju dodatnega razpoznavnega znaka (Protokol III).

7 Neuradni prevod v slovenščino dr. Antona Dolenca je bil objavljen v Medicinskih razgledih leta 1989, v letih 1995-1996 pa so bili neuradni prevodi

medical care in his book *A Memory of Solferino*<sup>3</sup>, published in 1862, which has also been translated into Slovenian<sup>4</sup>.

The Geneva Conventions, which today stand as the most widely adopted treaties in the world and, as universally ratified treaties, have evolved into customary international law, which is thus binding also on all new States as of the moment of their establishment, were subsequently supplemented by protocols of 1977<sup>5</sup> and 2005<sup>6</sup>.

The corpus of said treaties enshrines the most fundamental protection for persons during armed conflicts and has gradually evolved into the civilisation standard of modern times; therefore, it is imperative that particularly, but not only, those who are responsible for limiting unnecessary violence in the event of armed conflict understand and comply with it.

Although there is no legal obligation for Contracting Parties to do so, providing an official translation of the Geneva Conventions and the Additional Protocols into their official language/languages and publishing such texts in book form, thereby making them available

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3 Dunant, Henry, *Un souvenir de Solferino*, Genève: Imprimerie de Jules-Guillaume Fick, 1862. In 1901 Henry Dunant received the first Nobel Peace Prize.

4 [https://www.rks.si/sl/Knjige/Spomin\\_na\\_Solferino/](https://www.rks.si/sl/Knjige/Spomin_na_Solferino/).

5 Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) and Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I). Protocol I significantly upgraded protection in international armed conflicts, while the much shorter Protocol II was adopted for the purposes of regulating non-international armed conflicts.

6 Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Adoption of an Additional Distinctive Emblem (Protocol III).

Ta knjižica je zato neprecenljivi pripomoček za izobraževanje na vseh stopnjah in za delo v slovenskem prostoru in v tujini, vključno z delovanjem državnih organov, zlasti Slovenske vojske, hkrati pa tudi primer dobre prakse, ki je lahko zgled tudi drugje, saj bi bilo glede na pomen teh dokumentov treba slehernemu posamezniku omogočiti, da se na enostaven način seznaní z njihovo vsebino v svojem jeziku.

Prav vse, kar lahko prispeva k preprečevanju ali vsaj lajšanju trpljenja premnogih žrtev oboroženih spopadov po svetu, je neprecenljivo, zato vloga in pomen ženevskih konvencij ter njihovih dopolnilnih protokolov ne bosta nikoli minila.

Prof. dr. Vasilka Sancin  
članica Odbora ZN za človekove pravice

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ženevskih konvencij in dopolnilnih protokolov I in II vključeni v publikacijo *Človekove pravice: zbirka mednarodnih dokumentov. Univerzalni dokumenti*, ki je izšla pri Društvu za Združene narode za Republiko Slovenijo.

to all residents, is a *sine qua non* for effectively pursuing the purpose of the standards enshrined in these treaties. There has been a Slovenian translation in book form available for years,<sup>7</sup> however, that is only an unofficial translation which has eventually also proved to be outdated.

That is why this booklet is an invaluable resource for education at all levels and for work of national authorities, particularly the Slovenian Armed Forces, in Slovenia and abroad, and is an example of good practice for others to follow, since, considering the importance of said documents, their contents should be made easily available to everyone in their own language.

Anything that may contribute to preventing or at least alleviating the suffering of the many victims of armed conflicts around the world is priceless, which is why the Geneva Conventions and the Additional Protocols are of lasting relevance and importance.

Professor Vasilka Sancin  
Member of the UN Human Rights Committee

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7 The unofficial translation into Slovenian, by Dr Anton Dolenc, was published in the *Medicinski razgledi* periodical in 1989, and in 1995 and 1996 the unofficial translation of the Geneva Conventions and Additional Protocols I and II was included in the publication *Človekove pravice: zbirka mednarodnih dokumentov. Univerzalni dokumenti (Human Rights: A Compilation of International Instruments: Universal Instruments)*, published by the United Nations Association of Slovenia.

## UVOD

Ministrstvo za zunanje zadeve je leta 2016 sprejelo odločitev, da se izdela uradni slovenski prevod štirih ženevskih konvencij iz leta 1949. Odločitev smo podprli tudi člani Stalne koordinacijske skupine za mednarodno humanitarno pravo. Te konvencije skupaj s tremi dopolnilnimi protokoli iz let 1977 in 2005 pomenijo temelj povojne ureditve mednarodnega humanitarnega prava. Nekdanja Jugoslavija je ženevskim konvencijam pripisovala velik pomen. Ratificirala jih je leto dni po njihovem sprejetju. Srbohrvaški prevod je objavila v glasilu prezidija Ljudske skupščine FLRJ, št. 6/50 in 24/50.

Dr. Anton Dolenc, ugledni profesor na Medicinski fakulteti Univerze v Ljubljani, se je zavedal, da srbohrvaški prevod v slovenskem prostoru ne zadostuje in da je treba te konvencije in protokola iz leta 1977 prevesti v slovenski jezik. Slovenski prevod je bil po njegovi zaslugi objavljen v Medicinskih razgledih leta 1989. Nekaj let pozneje so ob napadu JLA na Slovenijo slovenski organi prvič tudi v praksi uporabili ženevske konvencije. Dolencev prevod je pridobil še dodatno vrednost.

## INTRODUCTION

In 2016, the Ministry of Foreign Affairs adopted a decision to provide an official Slovenian translation of the four Geneva Conventions of 1949. The decision was endorsed by the members of the Permanent Coordination Group for International Humanitarian Law. The Geneva Conventions and three Additional Protocols of 1977 and 2005 are the foundation of post-war international humanitarian law. The former Yugoslavia attributed great importance to the Geneva Conventions, ratifying them a year after their adoption. It published the Serbo-Croatian translation of the Geneva Conventions in the *Presidium of the People's Assembly of the Federal People's Republic of Yugoslavia*, Nos 6/50 and 24/50.

Dr Anton Dolenc, a distinguished professor at the Faculty of Medicine of the University of Ljubljana, was aware that, in Slovenia, a Serbo-Croatian translation did not suffice and that the conventions and protocols of 1977 needed to be translated into Slovenian as well. Thanks to him, the Slovenian translation was published in the *Medicinski razgledi* periodical in 1989. A few years later, when Slovenia was attacked by the Yugoslav People's Army (JNA), Slovenian authorities applied, for the first time, the Geneva Conventions in practice. The translation undertaken by Dr Dolenc thus gained additional value.

Slovenija je po osamosvojitvi dosledno zagovarjala pomen spoštovanja načel in norm mednarodnega humanitarnega prava. Kot država naslednica nekdanje Jugoslavije je Slovenija nasledila štiri ženevske konvencije in oba dopolnilna protokola.<sup>1</sup>

Dolenčev neuradni slovenski prevod je imel neprecenljivo vrednost v zgodovinskem obdobju nastajanja slovenske države. Bil je tudi podlaga pri pripravi novega slovenskega prevoda ženevskih konvencij in dveh protokolov iz leta 1977.

Stalna koordinacijska skupina za redakcijo slovenskih besedil mednarodnih aktov, ki se objavijo v Uradnem listu Republike Slovenije (v nadaljevanju redakcijska komisija), je Dolenčev prevod sprva pregledala. Po pregledu je ugotovila terminološka neskladja med besedili in zastarelost posameznih prevodov. Nov prevod je redakcijska komisija pregledala, ugotovljena neskladja odpravila in zastarele izraze posodobila. Ta novi prevod je objavljen v Uradnem listu Republike Slovenije – Mednarodne pogodbe, št. 7/19 (Uradni list RS, št. 27/19).

V redakcijski komisiji nismo sodelovali le člani Stalne koordinacijske skupine za mednarodno humanitarno pravo. Zaradi zahtevnega prevoda, ki sega na številna področja (npr. obrambe, prava – notranjega in mednarodnega, medicine, zdravstvene nege, ekonomije in financ itd.), so sodelovali tudi drugi strokovnjaki. Skupinsko delo strokovnjakov, ki smo končne odločitve sprejemali s konsenzom,

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1 Akt o notifikaciji nasledstva glede konvencij Sveta Evrope, ženevskih konvencij in dodatnih protokolov o zaščiti žrtev vojne in mednarodnih sporazumov s področja kontrole oborožitve, za katere so depozitarji tri glavne jedske sile, je objavljen v Uradnem listu RS, št. 14/92.

Since gaining independence, Slovenia has consistently advocated the importance of respect for the principles and norms of international humanitarian law. As a successor state to the former Yugoslavia, Slovenia succeeded the four Geneva Conventions and both Additional Protocols.<sup>1</sup>

The unofficial Slovenian translation by Dr Dolenc was of immeasurable value in the period of the creation of the Slovenian state. It also served as the basis for the new Slovenian translation of the Geneva Conventions and the two protocols of 1977.

The Permanent Coordination Group for the Revision of the Slovenian Texts of International Instruments to be Published in the Official Gazette of the Republic of Slovenia (hereinafter: revision commission) first reviewed Dr Dolenc's translation. As a result of the review, it found that there were terminological inconsistencies in the texts and that individual translated terms were outdated. The new translation was reviewed by the revision commission, which eliminated the inconsistencies found and updated the outmoded terminology. The new translation is published in the Official Gazette of the Republic of Slovenia – International Treaties, No. 7/19 (Official Gazette of the Republic of Slovenia, No. 27/19).

The revision commission, however, did not consist only of members of the Permanent Coordination Group for International Humanitarian

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1 The Act Notifying Succession to Conventions of the Council of Europe, the Geneva Conventions and the Additional Protocols on the Protection of War Victims and International Agreements in the Field of Arms Control, for which three nuclear powers are depositaries, is published in the Official Gazette of the Republic of Slovenia, No. 14/92.

je bilo ključnega pomena pri pregledu doslej najobsežnejšega prevoda mednarodnih pogodb, ki imajo skupaj več kot petsto členov. V nadaljevanju so navedeni nekateri primeri, ki dokazujejo nepogrešljivost strokovnjakov pri izbiri posameznih strokovnih izrazov.

Ker se v angleškem izvirniku ženevskih konvencij pogosto pojavljajo izrazi “capture,” “detain” in “retain”, smo se člani redakcijske komisije po posvetovanjih s strokovnjakom za obrambo odločili, da izberemo slovenske izraze “zajeti,” “pridržati” in “zadržati”. Nasprotna stran vojaka najprej zajame (capture), nato pridrži (detain), zato da prisilno ostane na enem mestu, in zadrži (retain).

Večni izziv na redakcijah pravnih besedil je, kako prevesti angleški izraz “subject to”. Ker je ta izraz pogosto zelo trd oreh za prevajalce, je bilo koristno sodelovanje članov Stalne koordinacijske skupine za mednarodno humanitarno pravo, ki poznajo vsebino ženevskih konvencij. Kadar gre za vsebinsko povezanost npr. dveh odstavkov v členu konvencije, smo člani redakcijske komisije izbrali slovenski termin “ob upoštevanju”.<sup>2</sup> “Subject to” se lahko prevaja tudi z “ne glede na to”, kadar se želi poudariti izjema od predhodno navedenih dejstev, vendar pri pregledu prevoda tega izraza nismo izbrali.

Razumevanje sobesedila in pomoč pravnih strokovnjakov sta bila dobrodošla pri redakciji prevoda angleškega izraza “regulations”.

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2 Glej npr. prvi in drugi odstavek 37. člena Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949.

tarian Law. Due to the difficulty of translation and the many areas covered (defence, domestic and international law, medicine, health-care, the economy, finance, etc.), other experts were also involved. The team work of experts, who reached final decisions by consensus, was instrumental in the review of the most extensive translation to date of the international treaties, which in total comprise over 500 articles. The examples below show how indispensable the experts involved were in the selection of individual terms.

Some of the terms that were often used in the English original of the Geneva Conventions are “capture”, “detain” and “retain”, and the members of the revision commission decided, after consultation with an expert in defence, to translate the aforementioned terms into Slovenian as “*zajeti*”, “*pridržati*” and “*zadržati*” respectively. The adverse Party first captures (*zajame*) a soldier, detains (*pridrži*) him, thus forcing him to remain at one place, and then retains (*zadržī*) him there.

In the process of editing legal texts, translating the English term “subject to” into Slovenian is a constant challenge. Since translating this term is often a tough nut to crack for translators, cooperation between members of the Permanent Coordination Group for International Humanitarian Law, who are familiar with the contents of the Geneva Conventions, has been very useful in this respect. In cases where this term connected, in substance, two paragraphs of an article of the Convention, for example, the Slovenian term “ob upoštevanju” was used.<sup>2</sup> In cases where it is stressed that there is an exception to the previously stated facts, “subject to” may also be

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2 See, for example, the first and second paragraphs of Article 37 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949.

Člani redakcijske komisije smo se odločili, da glede na sobesedilo izberemo različne slovenske izraze: predpisi,<sup>3</sup> pravila<sup>4</sup> in pravilnik.<sup>5</sup>

Izkušnje pri redakcijah pravnih besedil so bile pomembne pri razreševanju dileme, katerega od slovenskih izrazov “narodna pripadnost” ali “državljanstvo” izbrati pri redakciji prevoda angleškega izraza “nationality”. Pomembno je bilo sodelovanje strokovnjakinje, ki nam je razložila vsebinsko razliko med njima. Prvi izraz pomeni pripadnost določenemu narodu (prepoved razlikovanja glede na npr. vero, ... narodno pripadnost<sup>6</sup> ali razporeditev vojnih ujetnikov v taborišča glede na to pripadnost),<sup>7</sup> drugi označuje pravni odnos med posameznikom in državo, iz katerega izhajajo medsebojne pravice in obveznosti (npr. oseba ima albansko narodno pripadnost, a ima makedonsko državljanstvo).

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3 “Ob začetku sovražnosti vsaka stran v spopadu uradno obvesti nasprotno stran o zakonih in drugih predpisih, ki njenim državljanom dovoljujejo ali prepovedujejo sprejeti izpustitev na podlagi dane besede ali obljube.” (Tretji odstavek 21. člena Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949, poudarek dodan).

4 “Tako imenovana oseba upošteva vsa pravila glede discipline in vojaške varnosti, ki jih določi sila, ki pridržuje vojne ujetnike.” (37. člen Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949, poudarek dodan).

5 Ženevska konvencija o zaščiti civilnih oseb med vojno z dne 12. avgusta 1949 – priloga II, osnutek pravilnika o skupinski pomoči.

6 16. člen Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949.

7 Peti odstavek 79. člena Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949.

translated into Slovenian as “ne glede na to”, but this term was not used in the translation.

The understanding of the context and the help of legal experts was also very useful in the editing of the translation of the English term “regulations”. Members of the revision commission have decided to use different Slovenian terms for this, i.e. *predpisi*,<sup>3</sup> *pravila*<sup>4</sup> and *pravilnik*.<sup>5</sup>

Experience with editing legal texts was of considerable importance in resolving the dilemma of which Slovenian term (*narodna pripadnost* or *državljanstvo*) to use when translating the English term “nationality”. The help of an expert who explained the difference in meaning between the two Slovenian terms was very important in this respect. The former Slovenian term means allegiance to a particular nation (the prohibition of discrimination based on, for example, religion or

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3 “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.”, (the third paragraph of Article 21 of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949, underlining added for emphasis).

4 “The person thus appointed shall comply with all regulations established by the Detaining Power in the interests of discipline and military security.”, (Article 37 of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949, underlining added for emphasis).

5 The Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 – Annex II, Draft Regulations concerning Collective Relief.

Kar nekaj časa smo člani redakcijske komisije pozornost namenili redakciji prevoda angleškega izraza “accused”. Zaradi razmeroma širokega pomenskega razpona, v katerem se izraz uporablja v angleškem izvirniku, smo se po nasvetu strokovnjaka za kazensko pravo odločili za slovenski izraz “obdolženec” oziroma “obdolženi”.<sup>8</sup>

Zelo koristna je bila vključitev profesorja medicine v delo redakcijske komisije, zlasti pri redakciji prevoda priloge I k ženevski konvenciji o ravnanju z vojnimi ujetniki, ki vsebuje številne medicinske izraze.

Včna zagata pri redakcijah pravnih besedil je prevod angleškega izraza “parties concerned”. Čeprav smo pravniki zelo naklonjeni prevodu “zadevne strani,” smo se zaradi jezikovne pravilnosti, na katero je opozorila lektorica za slovenski jezik, člani redakcijske komisije odločili izbrati izraz “te strani”. To je bila še toliko lažja odločitev, saj je iz sobesedila jasno, katere strani so mišljene.<sup>9</sup>

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8 Ženevska konvencija o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949: npr. drugi odstavek 84. člena, 95. člen, četrti odstavek 96. člena, tretji odstavek 99. člena in tretji odstavek 100. člena.

9 “Visoke pogodbenice lahko že v miru, strani v spopadu pa po začetku sovražnosti na svojem ozemlju in po potrebi na okupiranih območjih ustanovijo bolnišnična območja in kraje ...” (Prvi odstavek 23. člena Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949).

“Ob začetku ali med trajanjem sovražnosti te strani lahko sklenejo sporazume o vzajemnem priznavanju tako ustanovljenih bolnišničnih območij ali krajev.” (Drugi odstavek 23. člena te ženevske konvencije, poudarek dodan).

*narodna pripadnost*<sup>6</sup> or the placement of prisoners of war into camps based on that allegiance),<sup>7</sup> while the latter denotes a legal relationship between an individual and a state from which mutual rights and obligations arise (e.g. a person identifies themselves as Albanian (*narodna pripadnost*), but has a Macedonian nationality, i.e. citizenship (*državljanstvo*).

The members of the revision commission have also devoted considerable time to the translation of the English term “accused”. Since the English term as used in the English original has a relatively broad meaning, we decided to translate it as “*obdolženec*” or “*obdolženi*” as advised by an expert in criminal law.<sup>8</sup>

The involvement of a professor of medicine in the work of the group was very useful in this respect, particularly when it came to editing the translation of Annex I to the Geneva Convention relative to the Treatment of Prisoners of War, which contains a number of medical terms.

One of the constant dilemmas faced when editing legal texts is how to translate the English expression “parties concerned”. Despite the fact that lawyers are very fond of the expression “*zadevne strani*”, we decided to use the expression “*te strani*”, this being a preferable term from the linguistic point of view, as pointed out by the Slovenian

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6 Article 16 of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949.

7 The fifth paragraph of Article 79 of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949.

8 The Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949, e.g. the second paragraph of Article 84, Article 95, the fourth paragraph of Article 96, the third paragraph of Article 99 and the third paragraph of Article 100.

Pri pregledu prevoda angleških izrazov “monies”, “cheques”, “bonds”, “allowances” in “the form of credits” s področja financ in ekonomije, smo člani redakcijske komisije na predlog strokovnjakinje izbrali slovenske izraze<sup>10</sup> “denar,” “čeki,” “vrednostni papirji,” “sredstva” in “v obliki dobroimetja.” Člani smo se strinjali, da ti izrazi v sodobnem slovenskem jeziku (kolikor je to mogoče glede na čas nastanka teh besedil) terminološko ustrezajo današnjemu času.

Ker Tretji dopolnilni protokol zaokrožuje pogodbeno ureditev t. i. ženevskega prava, se je Ministrstvo za zunanje zadeve odločilo, da v tej knjižici objavi angleški izvornik in slovenski prevod tega protokola. Protokol je leta 2005 uvedel še en dodatni prepoznavni znak – rdeči kristal. Slovenija je protokol leta 2008 ratificirala. Istega leta je takratna redakcijska komisija slovenski prevod protokola pregledala. Angleški izvornik in slovenski prevod protokola sta objavljena v Uradnem listu Republike Slovenije.<sup>11</sup>

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10 “Interniranci smejo zadržati predmete za osebno rabo. Denar, čeki, vrednostni papirji itd. in dragocenosti, ki jih imajo pri sebi, se jim lahko odvzamejo samo v skladu z ustaljenim postopkom. Žanje se jim izda podrobno potrdilo.” (Prvi odstavek 97. člena Ženevske konvencije o zaščiti civilnih oseb med vojno z dne 12. avgusta 1949, poudarek dodan).

“Vsi interniranci redno prejemajo sredstva, ki zadoščajo za nakup blaga in predmetov, kot so tobak, toaletne potrebščine itd. Ta sredstva so lahko v obliki dobroimetja ali nakupovalnih bonov.” (Prvi odstavek 98. člena Ženevske konvencije o zaščiti civilnih oseb med vojno z dne 12. avgusta 1949, poudarka dodana).

11 Uredba o ratifikaciji dopolnilnega protokola k ženevskim konvencijam z dne 12. avgusta 1949 o sprejetju dodatnega razpoznavnega znaka je bila objavljena v Ur. l. RS, št. 15/08 (Uradni list RS – Mednarodne pogodbe, št. 3/08).

language editor. This decision was even easier to make as it is clear from the original which parties are meant.<sup>9</sup>

In reviewing the translation of the English terms “monies”, “cheques”, “bonds”, “allowances” and “the form of credits” in the areas of finance and the economy, the members of the revision commission, on the proposal of an expert, used the Slovenian terms<sup>10</sup> “denar”, “čeki”, “vrednostni papirji”, “sredstva” and “v obliki dobroimetja”. The members agreed that, in the modern Slovenian language, these terms (insofar as possible given the time when these texts were created) reflect the terminology of the present time.

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9 “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....” (the first paragraph of Article 23 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949). “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.” (the second paragraph of Article 23 of said Geneva Convention, underlining added for emphasis).

10 “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 first paragraph of Article 97 of Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949; underlining added for emphasis).

“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.” (the first paragraph of Article 98 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949; underlining added for emphasis).

Veseli me, da uradni slovenski prevod štirih ženevskih konvencij in treh dopolnilnih protokolov v knjižici objavljamo v letu, ko obeležujemo 70. obletnico sprejetja ženevskih konvencij. Kljub “visokemu jubileju” konvencije še danes ohranjajo svojo veljavo zaradi številnih pravil, ki ščitijo vedno številčnejše žrtve oboroženih spopadov. Pomen teh pravil krepi tudi objava posodobljenega slovenskega prevoda v knjižici. Vrednost teh pravil, ki jih dopolnjujejo običajna pravila mednarodnega humanitarnega prava, nadgrajuje etično načelo spoštovanja človeškega dostojanstva.

Knjižica je koristen učni pripomoček pri rednih in dodatnih izobraževanjih, ki so za pripadnike slovenskih oboroženih sil in policije organizirana pred odhodom na mednarodne operacije in misije. Ker slovenski prevod prispeva k širitvi znanja o mednarodnem humanitarnem pravu, je prav tako namenjena fakultetam (zlasti pravni, medicinski in družboslovni), Rdečemu križu Slovenije, znanstvenim ustanovam, pravosodnim organom, novinarjem in civilnemu prebivalstvu.

Ministrstvo za zunanje zadeve Republike Slovenije bo ob izdaji te knjižice depozitarju – Švicarskemu zveznemu svetu – poslalo uradni slovenski prevod štirih ženevskih konvencij in dveh protokolov iz leta 1977. Slovenija bo tako enainšestdeseta država, uvrščena na seznam držav, ki imajo prevod ženevskih konvencij v svojem jeziku shranjen pri depozitarju.

As the Third Additional Protocol completes the treaties enshrining the Geneva law, the Ministry of Foreign Affairs has decided to publish the English original and the Slovenian translation of this Protocol in a booklet. In 2005, the Protocol introduced an additional emblem – the red crystal. Slovenia ratified the Protocol in 2008. The same year, the Slovenian translation of the Protocol was reviewed by the then revision commission. The English original and the Slovenian translation of the Protocol are published in the Official Gazette of the Republic of Slovenia.<sup>11</sup>

I am pleased to see the official Slovenian translation of the four Geneva Conventions and the three Additional Protocols being published in the booklet in the year in which we celebrate the 70th anniversary of the adoption of the Geneva Conventions. Despite their impressive anniversary, the Conventions still remain valid, due to a number of rules protecting the increasing number of victims of armed conflict. The importance of these rules is also strengthened by the publication of an updated Slovenian translation in the booklet. The value of these rules, which are complemented by the customary rules of international humanitarian law, upgrades the ethical principle of respect for human dignity.

The booklet is a useful teaching aid in regular and additional training organised for members of the Slovenian Armed Forces and the police before their deployment in international operations and missions.

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11 The Decree ratifying the Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Adoption of an Additional Distinctive Emblem (Protocol III) was published in the Official Gazette of the Republic of Slovenia, No. 15/08 (Official Gazette of the Republic of Slovenia – International Treaties, No. 3/08).

Prepričana sem, da je izdaja knjižice pomemben korak k ozaveščanju slovenske javnosti o pomenu temeljnih načel in norm mednarodnega humanitarnega prava. Na mednarodni ravni Slovenija dokazuje svojo verodostojnost in krepi zavezanost spoštovanju mednarodnega prava. To je ena temeljnih nalog slovenske zunanje politike.

Naj ta uvod sklenem z upanjem, da bodo države končno spoznale, kako nesmiselne so vojne in kakšno zlo povzročajo nedolžnemu civilnemu prebivalstvu. Na to nas opominja Picassova slika *Guernica*. Zdi se, da se iz preteklih tragičnih dogodkov v Srebrenici, Ruandi in zdajšnjih v Siriji in Jemnu nismo ničesar naučili.

Znanje o mednarodnem humanitarnem pravu lahko pomembno prispeva k zmanjševanju napetosti, ki v mednarodnem okolju pogosto vodijo v oborožene spopade. Vendar napredka v smeri doslednega spoštovanja načel in norm mednarodnega humanitarnega prava brez politične volje držav ni mogoče pričakovati.

Tega prevoda ne bilo brez vestnega in prizadevnega dela članov redakcijske komisije. Zahvaljujem se vsem članom, ki so s svojim strokovnim znanjem in izkušnjami prispevali h kakovostnemu slovenskemu prevodu, še posebej mag. Dominiki Marolt-Maver (Ministrstvo za notranje zadeve), dr. Gregorju Potočniku (Ministrstvo za obrambo), prof. dr. Jožetu Balažicu (rednemu profesorju na Medicinski fakulteti Univerze v Ljubljani), mag. Magdaleni Petrič (zunanjji strokovnjakinji), Majdi Tome (nekdanji lektorici v Sektorju za prevajanje Generalnega sekretariata Vlade RS), Mihi Movrinu (Ministrstvo za pravosodje), Neži Kompare (Ministrstvo za zdravje), mag. Sonji Turnšek (Ministrstvo za obrambo),

Since the Slovenian translation contributes to the dissemination of information about international humanitarian law, it is also intended for faculties (in particular the Faculty of Law, the Faculty of Medicine and the Faculty of Social Sciences), the Red Cross of Slovenia, scientific institutions, judicial authorities, journalists and the civilian population.

Upon the publication of the booklet, the Ministry of Foreign Affairs of the Republic of Slovenia will deposit the official Slovenian translation of the four Geneva Conventions and the two Protocols of 1977 with the Swiss Federal Council – the depositary of the Conventions. Slovenia will thus be the 61st country to be included in the list of countries that have deposited the translation of the Geneva Conventions in their own language with the depositary.

I am convinced that the publication of the booklet is an important step towards raising the awareness of the Slovenian public about the significance of the fundamental principles and norms of international humanitarian law. At the international level, Slovenia has again demonstrated its credibility, strengthening its commitment to respect for international law. This is one of the fundamental tasks of Slovenian foreign policy.

Please allow me to conclude this introduction with hope that all countries will eventually realise how futile war is and what harm it does to the innocent civil population. Picasso's *Guernica* is a reminder of this. It seems that we have learned too little from the past tragic events in Srebrenica and Ruanda and the present events in Syria and Yemen. The knowledge of international humanitarian law can significantly contribute to reducing tensions, which in the international environment often lead to armed conflicts. However, without the political will

dr. Savinu Joganu (zunanjemu strokovnjaku), Špeli Dejak Motoh (prevajalki v Sektorju za prevajanje Generalnega sekretariata Vlade RS), Tini Kralj (lektorici za slovenski jezik v Sektorju za prevajanje Generalnega sekretariata Vlade RS), Tamari Derman-Zadavec (Ministrstvo za obrambo) in prof. dr. Vasilki Sancin (izredni profesorici na Pravni fakulteti Univerze v Ljubljani). Hvala tudi Ministrstvu za obrambo, ki je sofinanciralo izdajo knjižice.

Mag. Mateja Grašek  
predsedujoča redakcijski komisiji in  
Stalni koordinacijski skupini za mednarodno humanitarno pravo

of countries, there can be no progress towards consistent compliance with the principles and norms of international humanitarian law.

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Humanitarian Law



**ŽENEVSKE KONVENCIJE**

**GENEVA CONVENTIONS**

# **ŽENEVSKA KONVENCIJA ZA IZBOLJŠANJE POLOŽAJA RANJENCEV IN BOLNIKOV V OBOROŽENIH SILAH NA BOJIŠČU (KONVENCIJA I) Z DNE 12. AVGUSTA 1949**

Podpisani pooblašчени predstavniki vlad, zastopanih na diplomatski konferenci, ki je potekala v Ženevi od 21. aprila do 12. avgusta 1949, so se z namenom spremeniti Ženevsko konvencijo o pomoči ranjencem in bolnikom v vojskah na bojišču z dne 27. julija 1929 dogovorili:

## **I. POGLAVJE SPLOŠNE DOLOČBE**

### *1. člen*

Visoke pogodbenice se zavezujejo, da bodo spoštovale to konvencijo in zagotavljale, da se upošteva v vseh okoliščinah.

### *2. člen*

Poleg določb, ki se izvajajo že v miru, se ta konvencija uporablja v vsaki napovedani vojni ali vsakem drugem oboroženem spopadu, ki bi se lahko začel med dvema visokima pogodbenicama ali več visokimi pogodbenicami, tudi če katera od njih vojnega stanja ne prizna.

**GENEVA CONVENTION  
FOR THE AMELIORATION OF THE  
CONDITION OF THE WOUNDED AND  
SICK IN ARMED FORCES IN THE FIELD  
(CONVENTION I) 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

Konvencija se uporablja tudi v vseh primerih delne ali popolne okupacije ozemlja visoke pogodbenice, tudi če proti okupaciji ni oboroženega odpora.

Tudi če ena od sil v spopadu ni pogodbenica te konvencije, ta v medsebojnih odnosih še naprej zavezuje sile, ki so njene pogodbenice. Poleg tega jih konvencija zavezuje v razmerju do te sile, če ta njene določbe sprejema in uporablja.

### *3. člen*

V oboroženem spopadu, ki ni mednaroden in se začne na ozemlju ene od visokih pogodbenc, vsako stran v spopadu zavezujejo najmanj te določbe:

1. Z osebami, ki pri sovražnostih ne sodelujejo dejavno, vključno s pripadniki oboroženih sil, ki so odložili orožje, in tistimi, ki ne morejo sodelovati v boju zaradi bolezni, ran, pridržanja ali drugega vzroka, se vedno ravna človeško, brez razlikovanja glede na raso, barvo, vero ali prepričanje, spol, rojstvo, premoženjsko stanje ali kakršno koli drugo podobno merilo.

V zvezi z navedenimi osebami so in ostajajo vedno in povsod prepovedana ta dejanja:

- a) napad na življenje in telo, še posebej umori vseh vrst, pohabljenje, okrutno ravnanje in mučenje;
- b) jemanje talcev;

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) napad na osebno dostojanstvo, še posebej zaničevalno in poniževalno ravnanje;
  - d) izrekanje kazni in izvajanje usmrtitev brez predhodne sodbe pravilno ustanovljenega sodišča, ki zagotavlja vsa pravna jamstva, ki so pri civiliziranih narodih priznana kot nujna.
2. Ranjence in bolnike je treba zbrati in oskrbeti.

Nepristranska humanitarna organizacija, kot je Mednarodni odbor Rdečega križa, lahko stranem v spopadu ponudi svojo pomoč.

Strani v spopadu si poleg tega s posebnimi sporazumi prizadevajo v celoti ali delno uveljaviti tudi druge določbe te konvencije.

Uporaba predhodnih določb ne vpliva na pravni položaj strani v spopadu.

#### *4. člen*

Nevtralne sile določbe te konvencije smiselno uporabljajo za ranjence in bolnike ter zdravstveno in versko osebje oboroženih sil strani v spopadu, ki so sprejeti na njihovo ozemlje ali tam internirani, in tudi za najdene mrtve.

#### *5. člen*

Za zaščitene osebe, ki padejo v roke sovražniku, se ta konvencija uporablja vse do njihove dokončne repatriacije.

- (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.

## *6. člen*

Visoke pogodbenice poleg sporazumov, ki jih izrecno določajo 10., 15., 23., 28., 31., 36., 37. in 52. člen, lahko sklenejo še druge posebne sporazume o vseh zadevah, ki jih je treba po njihovi presoji posebej urediti. Noben posebni sporazum ne sme neugodno vplivati na položaj ranjencev in bolnikov, zdravstvenega ali verskega osebja, kot ga določa ta konvencija, niti omejevati pravic, ki jim jih priznava.

Ranjenci in bolniki ter zdravstveno in versko osebje uživajo ugodnosti po teh sporazumih, dokler se konvencija zanje uporablja, razen če navedeni ali poznejši sporazumi izrecno ne določajo nasprotno ali če ena ali druga stran v spopadu ne sprejme ugodnejših ukrepov v zvezi z njimi.

## *7. člen*

Ranjenci in bolniki ter zdravstveno in versko osebje se nikakor ne morejo niti delno niti v celoti odpovedati pravicam, ki jim jih zagotavljajo ta konvencija in morebitni posebni sporazumi iz prejšnjega člena.

## *8. člen*

Ta konvencija se uporablja v sodelovanju s silami zaščitnicami, katerih naloga je zavarovati interese strani v spopadu, in pod nadzorom teh sil. Za ta namen lahko sile zaščitnice poleg svojega diplomatskega ali konzularnega osebja iz vrst lastnih državljanov ali državljanov drugih nevtralnih sil imenujejo delegate. Odobri jih sila, s katero bodo opravljali svoje naloge.

### *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.

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 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 cooperation 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,

Strani v spopadu kar najbolj omogočajo delo predstavnikov ali delegatov sil zaščitnic.

Predstavniki ali delegati sil zaščitnic nikakor ne smejo preseči svojih pooblastil po tej konvenciji. Zlasti upoštevajo nujne varnostne potrebe države, v kateri opravljajo svoje naloge. Izjemoma in začasno se njihovo delovanje omeji le, če je to potrebno zaradi neizogibne vojaške nujnosti.

### *9. člen*

Določbe te konvencije niso ovira za humanitarno delovanje Mednarodnega odbora Rdečega križa ali katere koli druge nepristranske humanitarne organizacije, ki ga odobrijo strani v spopadu, da se zaščitijo ranjenci in bolniki, zdravstveno in versko osebje ter se jim pomaga.

### *10. člen*

Visoke pogodbenice se lahko kadar koli dogovorijo, da za opravljanje nalog, za katere so po tej konvenciji zavezane sile zaščitnice, zadolžijo organizacijo, ki zagotavlja nepristranskost in učinkovitost.

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.

Če ranjenci in bolniki ter zdravstveno in versko osebje iz kakršnega koli razloga ne uživajo pomoči sile zaščitnice ali druge organizacije iz prejšnjega odstavka ali jo prenehajo uživati, sila, ki jih pridržuje, zaprosi nevtralno državo ali tako organizacijo, da prevzame naloge, ki jih po tej konvenciji opravlja sila zaščitnica, ki jo imenujejo strani v spopadu.

Če zaščite teh oseb ni mogoče ustrezno zagotoviti, sila, ki jih pridržuje, ob upoštevanju določb tega člena zaprosi humanitarno organizacijo, kot je Mednarodni odbor Rdečega križa, ali sprejme njeno ponudbo, da prevzame humanitarne naloge, ki jih opravljajo sile zaščitnice po tej konvenciji.

Vsaka nevtralna sila ali organizacija, ki jo povabi ta sila ali ki se ponudi za ta namen, mora delovati z vso odgovornostjo do strani v spopadu, od katere so odvisne osebe, ki jih ščiti ta konvencija, in predložiti zadostna zagotovila, da je sposobna prevzeti določene naloge in jih opravljati nepristransko.

Navedenih določb ni mogoče razveljaviti s posebnimi sporazumi med silami, od katerih se ena, pa čeprav le začasno, zaradi vojaških dogodkov, zlasti delne ali popolne okupacije svojega ozemlja, ne more svobodno pogajati z drugo silo ali njenimi zaveznicami.

Kadar koli se v tej konvenciji omenja sila zaščitnica, se ta izraz nanaša tudi na organizacije, ki jo v smislu tega člena nadomeščajo.

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 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.

## *11. člen*

Sile zaščitnice za rešitev nesoglasij ponudijo dobre usluge, kadar presodijo, da je to v korist zaščiteneh oseb, zlasti kadar se strani v spopadu ne morejo sporazumeti o uporabi ali razlagi določb te konvencije.

Za ta namen lahko vsaka sila zaščitnica na povabilo ene strani v spopadu ali na lastno pobudo predlaga stranem v spopadu sestanek njihovih predstavnikov, zlasti oblasti, odgovornih za ranjenec in bolnike ter zdravstveno in versko osebje, če je le mogoče na ustrezno izbranem nevtralnem ozemlju. Strani v spopadu morajo upoštevati v zvezi s tem dane predloge. Sile zaščitnice po potrebi lahko predlagajo stranem v spopadu v odobritev osebo, ki pripada nevtralni sili ali jo pooblasti Mednarodni odbor Rdečega križa, in je povabljena, da sodeluje na sestanku.

## **II. POGLAVJE RANJENCI IN BOLNIKI**

### *12. člen*

Pripadnike oboroženih sil in druge osebe iz naslednjega člena, ki so ranjeni ali bolni, je treba vedno spoštovati in zaščititi.

Stran v spopadu, pod katere oblastjo so, z njimi ravna človeško in jih oskrbuje brez kakršnega koli razlikovanja glede na spol, raso, narodno pripadnost, vero, politično prepričanje ali kakršno koli drugo podobno merilo. Vsak napad na njihovo življenje in telo ali nasilje nad njimi je strogo prepovedano; zlasti jih je prepovedano ubijati, iztrebljati, mučiti ali na njih opravljati biološke poskuse; ne

### *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

smeta se jim namerno odklanjati zdravniška pomoč in oskrba niti se ne smejo izpostavljati nevarnostim okužb ali nalezljivih bolezni.

Prednostno obravnavo upravičujejo le nujni medicinski razlogi.

Z ženskami je treba ravnati z vsem spoštovanjem do njihovega spola.

Stran v spopadu, ki je svoje ranjence ali bolnike prisiljena prepustiti sovražniku, pusti z njimi, kolikor je to mogoče zaradi vojaških razlogov, del svojega zdravstvenega osebja in materiala za pomoč pri njihovi oskrbi.

### *13. člen*

Ta konvencija se uporablja za te skupine ranjencev in bolnikov:

1. pripadnike oboroženih sil ene od strani v spopadu in pripadnike milic ali prostovoljnih enot, ki so del teh oboroženih sil;
2. pripadnike drugih milic in drugih prostovoljnih enot, vključno s pripadniki organiziranih odporniških gibanj, ki pripadajo strani v spopadu in delujejo znotraj ali zunaj lastnega ozemlja, tudi če je to ozemlje okupirano, če take milice ali prostovoljne enote, vključno s takimi organiziranimi odporniškimi gibanji, izpolnjujejo te pogoje:
  - a) poveljuje jim oseba, odgovorna za svoje podrejene;
  - b) imajo določen od daleč opazen razpoznavni znak;
  - c) odkrito nosijo orožje;
  - d) pri vodenju svojih operacij spoštujejo vojno pravo in običaje vojne;

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.

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 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;

3. pripadnike rednih oboroženih sil, ki se opredelijo za vlado ali oblast, ki je sila, ki jih pridržuje, ne priznava;
4. osebe, ki spremljajo oborožene sile in niso njihovi pripadniki, kot so civilni člani posadk vojaških zrakoplovov, vojni dopisniki, oskrbovalci, člani delovnih enot ali služb, odgovornih za podporo vojski, če jih odobrijo oborožene sile, ki jih spremljajo;
5. člane posadk trgovske mornarice, vključno s poveljniki, krmarji in pripravniki, ter posadk civilnega letalstva strani v spopadu, ki po drugih določbah mednarodnega prava ne uživajo ugodnejše obravnave;
6. prebivalstvo neokupiranega ozemlja, ki ob približevanju sovražnika spontano prime za orožje, da bi se prodirajočim silam uprlo, in ni imelo časa, da bi se organiziralo v redne oborožene enote, če odkrito nosi orožje ter spoštuje vojno pravo in običaje vojne.

#### *14. člen*

Ob upoštevanju določb 12. člena so ranjenci in bolniki vojskujoče se strani, ki padejo v roke sovražniku, vojni ujetniki in se zanje uporabljajo določbe mednarodnega prava o vojnih ujetnikih.

- (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.

## *15. člen*

Strani v spopadu vedno, zlasti pa po spopadu, brez odlašanja ukrepejo vse potrebno, da poiščejo in zberejo ranjence in bolnike, jih zaščitijo pred plenjenjem in grdim ravnanjem ter jim zagotovijo ustrezno oskrbo, poiščejo mrtve in preprečijo ropanje trupel.

Kadar koli okoliščine to dopuščajo, se sklene premirje ali dogovor o prekinitvi ognja ali se sklenejo krajevni dogovori o evakuaciji, izmenjavi in prevozu ranjencev, ki so ostali na bojišču.

Prav tako strani v spopadu lahko sklenejo krajevne dogovore o evakuaciji ranjencev in bolnikov z obleganega ali obkoljenega območja ali njihovi izmenjavi ter o prehodu zdravstvenega in verskega osebja in opreme na poti na to območje.

## *16. člen*

Strani v spopadu o vsaki ranjeni, bolni ali mrtvi osebi nasprotne strani, ki pade v njihove roke, čim prej zabeležijo vse podatke, ki bi lahko pomagali pri njeni identifikaciji.

Če je le mogoče, naj ti podatki vključujejo:

- a) označbo sile, ki ji ta oseba pripada;
- b) ime vojske, vojaško enoto, osebno ali službeno številko;
- c) priimek;
- d) ime ali imena;
- e) datum rojstva;
- f) katere koli druge podatke iz identifikacijske izkaznice ali z razpoznavne značke;
- g) datum in kraj zajetja ali smrti;
- h) podatke o ranah, boleznih ali vzroku smrti.

### *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.

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.

Ti podatki se čim prej pošljejo informacijskemu uradu, opisane mu v 122. členu Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949, ki jih prek sile zaščitnice in osrednje agencije za vojne ujetnike pošlje sili, ki ji te osebe pripadajo.

Strani v spopadu pripravijo potrdila o smrti ali pravilno overjene sezname mrtvih in jih prek istega urada pošljejo druga drugi. Prav tako zberejo in si prek istega urada pošljejo eno polovico dvojne razpoznavne značke, oporoko ali druge dokumente, pomembne za bližnje sorodnike, denar in na splošno vse predmete, ki imajo stvarno ali čustveno vrednost, najdene pri mrtvem. Ti predmeti se skupaj z neidentificiranimi predmeti pošljejo v zapečatenem paketu, ki sta mu priložena izjava z vsemi podatki, potrebnimi za identifikacijo umrlih lastnikov, in popoln seznam vsebine paketa.

### *17. člen*

Strani v spopadu zagotovijo, da se pred pokopom ali upepelitvijo mrtvih, ki se opravi posamično, kolikor okoliščine to dopuščajo, opravi skrben, če je le mogoče zdravniški pregled trupel zaradi potrditve smrti, ugotovitve identitete in možnosti priprave poročila. Druga polovica dvojne razpoznavne značke ali celotna razpoznavna značka, če je enojna, ostane s truplom.

Trupla se ne upepelijo, razen če to je to potrebno zaradi nujnih higienskih razlogov ali razlogov na podlagi veroizpovedi umrlih. Pri upepelitvi se okoliščine in razlogi za upepelitev podrobno navedejo v potrdilu o smrti ali na overjenem seznamu mrtvih.

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

Strani v spopadu poleg tega zagotovijo, da so mrtvi dostojno pokopani, če je le mogoče v skladu z obredom veroizpovedi, ki so ji pripadali, da se njihovi grobovi spoštujejo in so, če je le mogoče, razvrščeni po narodni pripadnosti umrlih, ustrezno vzdrževani in označeni tako, da jih je vedno mogoče najti. Za ta namen strani v spopadu ob začetku sovražnosti vzpostavijo uradno službo za popis grobov, da se omogočijo poznejši izkopi ter zagotovita identifikacija trupel ne glede na mesto grobov in morebitni prenos posmrtnih ostankov v domovino. Te določbe veljajo tudi za pepel umrlih, ki ga hrani služba za popis grobov, dokler ji država umrlih ne sporoči, kaj naj stori z njim.

Takoj ko okoliščine to dopuščajo, najpozneje pa ob koncu sovražnosti te službe prek informacijskega urada iz drugega odstavka 16. člena izmenjajo sezname s podatki o točnem mestu in označitvi grobov ter podatke o mrtvih, ki so tam pokopani.

### *18. člen*

Vojaške oblasti prebivalstvo lahko pozovejo k dobrodelnosti, in sicer da prostovoljno po njihovih navodilih zbira in oskrbuje ranjence in bolnike, ter osebam, ki se na poziv odzovejo, zagotovijo potrebno zaščito in ugodnosti. Če nasprotna stran prevzame nadzor nad območjem ali ga znova prevzame, tem osebam zagotovi enako zaščito in enake ugodnosti.

Vojaške oblasti prebivalstvu in društvom za pomoč tudi na napadenih ali okupiranih območjih dovolijo, da na lastno pobudo zbirajo ranjence in bolnike ter jih oskrbijo ne glede na njihovo narodno pripadnost. Civilno prebivalstvo te ranjence in bolnike spoštuje, zlasti pa se mora vzdržati vsakega nasilja nad njimi.

stated in detail in the death certificate or on the authenticated list of the dead.

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

Nihče ne sme biti nadlegovan ali obsojen, ker je negoval ranjen-  
ce ali bolnike.

Določbe tega člena okupacijske sile ne odvezujejo obveznosti,  
da ranjencem in bolnikom zagotovi nego in duhovno oskrbo.

### **III. POGLAVJE**

#### **ZDRAVSTVENE ENOTE IN USTANOVE**

##### *19. člen*

Zdravstvenih ustanov in mobilnih enot zdravstvene službe ni-  
kakor ni dovoljeno napadati, ampak jih strani v spopadu vedno  
spoštujejo in zaščitijo. Če padejo v roke nasprotni strani, njihovo  
osebje lahko nadaljuje svoje delo, dokler sila, ki ga je zajela, sama  
ne zagotovi potrebne oskrbe ranjencev in bolnikov v teh ustanovah  
in enotah.

Odgovorne oblasti zagotovijo, da se navedene zdravstvene usta-  
nove in enote, kolikor je le mogoče, razporedijo tako, da napadi na  
vojaške cilje ne ogrozijo njihove varnosti.

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.

## *20. člen*

Bolnišničnih ladij, ki so upravičene do zaščite po Ženevski konvenciji za izboljšanje položaja ranjencev, bolnikov in brodolomcev v oboroženih silah na morju z dne 12. avgusta 1949, s kopnega ni dovoljeno napadati.

## *21. člen*

Zaščita, do katere so upravičene zdravstvene ustanove in mobilne enote zdravstvene službe, ne preneha, razen če se poleg tega, da opravljajo humanitarne naloge, uporabljajo tudi za sovražniku škodljiva dejanja. Zaščita v vseh ustreznih primerih lahko preneha šele po tem, ko ni bilo upoštevano dano opozorilo, v katerem je določen razumen časovni rok.

## *22. člen*

Zaščita, ki jo zdravstveni enoti ali ustanovi zagotavlja 19. člen, velja tudi v teh okoliščinah:

1. osebe enote ali ustanove je oboroženo in orožje uporablja za lastno obrambo ali obrambo ranjencev in bolnikov v njegovi oskrbi;
2. zaradi pomanjkanja oboroženega osebja enoto ali ustanovo štiti vojaška enota, straža ali oboroženo spremstvo;
3. v enoti ali ustanovi sta najdena lahko orožje in strelivo, ki sta bila odvzeta ranjencem in bolnikom ter še nista bila predana pristojni službi;

### *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.

### *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. v enoti ali ustanovi sta osebje in material veterinarske službe, ki nista njen sestavni del;
5. humanitarno delovanje zdravstvenih enot in ustanov ali njihovega osebja je razširjeno tudi na oskrbo ranjenega in bolnega civilnega prebivalstva.

### *23. člen*

Visoke pogodbenice lahko že v miru, strani v spopadu pa po začetku sovražnosti na svojem ozemlju in po potrebi na okupiranih območjih ustanovijo bolnišnična območja in kraje, organizirane tako, da pred učinki vojne zaščitijo ranjence in bolnike, ter določijo osebje, ki je zadolženo za organizacijo in upravljanje teh območij in krajev ter oskrbo tam nastanjenih oseb.

Ob začetku ali med trajanjem sovražnosti te strani lahko sklenejo sporazume o vzajemnem priznavanju tako ustanovljenih bolnišničnih območij in krajev. Za ta namen lahko uporabijo določbe iz osnutka sporazuma, priloženega tej konvenciji, s takimi spremembami, kot se jim zdijo potrebne.

Sile zaščitnice in Mednarodni odbor Rdečega križa lahko ponudijo svoje dobre usluge, da pomagajo pri ustanovitvi in priznanju teh bolnišničnih območij in krajev.

- (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.

## IV. POGLAVJE OSEBJE

### *24. člen*

Zdravstveno osebje, določeno izključno za iskanje ali zbiranje, prenos, prevoz ali oskrbo ranjencev ali bolnikov ali preprečevanje bolezni, osebje, določeno izključno za upravljanje zdravstvenih enot in ustanov, ter versko osebje, dodeljeno oboroženim silam, je treba vedno spoštovati in zaščititi.

### *25. člen*

Prav tako je treba spoštovati in zavarovati pripadnike oboroženih sil, ki so za primer potrebe posebej usposobljeni za bolničarje ali pomožne prenašalce nosil, pri iskanju ali zbiranju, prenosu, prevozu ali oskrbi ranjencev in bolnikov, če pri opravljanju teh nalog pridejo v stik s sovražnikom ali mu padejo v roke.

### *26. člen*

Osebje nacionalnih društev Rdečega križa in drugih prostovoljnih društev za pomoč, ki so ga njihove vlade pravilno priznale in pooblastile za opravljanje enakih nalog, kot jih opravlja osebje iz 24. člena, je z njim izenačeno, če za osebje takih društev veljajo vojaški zakoni in drugi vojaški predpisi.

## 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.

### *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.

Vsaka visoka pogodbenica uradno obvesti drugo visoko pogodbenico o imenih pooblaščenih društev, ki pod njeno odgovornostjo pomagajo redni zdravstveni službi njenih oboroženih sil, in to že v miru, ob začetku sovražnosti ali med njimi, vsekakor pa pred njihovo dejansko vključitvijo.

#### *27. člen*

Priznano društvo nevtralne države lahko s svojim zdravstvenim osebjem in enotami pomaga strani v spopadu samo s predhodnim soglasjem svoje vlade in po odobritvi te strani v spopadu. To osebe in te enote so pod nadzorom te strani v spopadu.

Nevtralna vlada o svojem soglasju uradno obvesti nasprotnika države, ki tako pomoč sprejme. Stran v spopadu, ki sprejme pomoč, mora o njej uradno obvestiti nasprotno stran, še preden jo začne prejemati.

Ta pomoč nikakor ne pomeni vmešavanja v spopad.

Članom osebja iz prvega odstavka se priskrbijo ustrezne identifikacijske izkaznice iz 40. člena, še preden zapustijo nevtralno državo, ki ji pripadajo.

#### *28. člen*

Osebe iz 24. in 26. člena, ki pade v roke nasprotni strani, se zadrži le, če je to potrebno zaradi zdravstvenega stanja, duhovnih potreb in števila vojnih ujetnikov.

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.

Tako zadržano osebje se ne šteje za vojne ujetnike. Ne glede na to je upravičeno vsaj do ugodnosti po vseh določbah Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949. V okviru vojaških zakonov in drugih vojaških predpisov sile, ki ga je pridržala, in pod nadzorom njene pristojne službe v skladu s svojo poklicno etiko še naprej opravlja svoje zdravstvene in duhovne naloge za vojne ujetnike, zlasti za pripadnike oboroženih sil, ki jim samo pripada. Poleg tega pri opravljanju zdravstvenih ali duhovnih nalog uživa te ugodnosti:

- a) upravičeno je do rednih obiskov vojnih ujetnikov v delovnih enotah ali bolnišnicah zunaj taborišča. Sila, ki ga pridržuje, mu da na voljo potrebna prevozna sredstva;
- b) v vsakem taborišču je vojaški zdravnik z najvišjim činom odgovoren za strokovno delovanje zadržanega zdravstvenega osebja pred vojaškim vodstvom taborišča. Za ta namen se strani v spopadu že ob začetku sovražnosti sporazumejo o primerljivosti činov svojega zdravstvenega osebja, vključno z osebjem društev iz 26. člena. Ta vojaški zdravnik in versko osebje imata glede vseh vprašanj, ki izhajajo iz njunih nalog, neposreden dostop do vojaških in zdravstvenih oblasti taborišča, ki jima zagotovijo ugodnosti, potrebne za dopisovanje v zvezi s temi vprašanji;
- c) čeprav za zadržano osebje v taborišču velja notranja taboriščna disciplina, se od njega ne sme zahtevati opravljanje nobenega dela, ki ne spada k njegovim zdravstvenim ali verskim nalogam. Med sovražnostmi se strani v spopadu dogovorijo o morebitni izpustitvi zadržanega osebja in določijo postopek izpustitve.

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 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.

Nobena od predhodnih določb ne odvezuje sile, ki pridržuje to osebje, njenih obveznosti glede zdravstvene in duhovne oskrbe vojnih ujetnikov.

### *29. člen*

Člani osebja iz 25. člena, ki padejo v roke sovražniku, so vojni ujetniki, po potrebi pa lahko opravljajo zdravstvene naloge.

### *30. člen*

Kadar zadrževanje osebja na podlagi 28. člena ni nujno, se to osebje vrne strani v spopadu, ki ji pripada, takoj ko je pot za vrnitev odprta in vojaške potrebe to dopuščajo.

To osebje se do svoje vrnitve ne šteje za vojne ujetnike. Ne glede na to je upravičeno vsaj do ugodnosti po vseh določbah Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949.

Po ukazih nasprotne strani še naprej opravlja svoje naloge in se, če je le mogoče, zadolži za oskrbo ranjencev in bolnikov strani v spopadu, ki ji pripada.

Ob odhodu vzame s seboj svoje stvari, osebne predmete, dragocenosti in instrumente.

### *31. člen*

Izbor osebja za vrnitev po 30. členu se opravi ne glede na raso, vero ali politično prepričanje, če je le mogoče, pa se upoštevata časovni vrstni red njegovega zajetja in njegovo zdravstveno stanje.

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

Strani v spopadu lahko že ob začetku sovražnosti s posebnim sporazumom določijo odstotek osebja, ki ga bodo zadržale, glede na število ujetnikov in razporeditev tega osebja po taboriščih.

### *32. člen*

Osebe iz 27. člena, ki padejo v roke nasprotni strani, se ne smejo pridržati.

Če ni dogovorjeno drugače, se jim dovoli vrnitev v domovino, ali če to ni mogoče, na ozemlje strani v spopadu, ki so ji služile, takoj ko je pot za njihovo vrnitev odprta in je to mogoče zaradi vojaških razlogov.

Do vrnitve še naprej opravljajo svoje delo po navodilih nasprotni strani; če je mogoče, se zadolžijo za oskrbo ranjencev in bolnikov strani v spopadu, ki so ji služile.

Ob odhodu vzamejo s seboj svoje stvari, osebne predmete, dragocenosti, instrumente, orožje, in če je mogoče, svoja prevozna sredstva.

Dokler je to osebje pod oblastjo strani v spopadu, mu te zagotavljajo enako hrano, nastanitev, prejemke in plačo kot ustreznemu osebju svojih oboroženih sil. Hrana mora biti vedno ustrezna glede količine, kakovosti in raznovrstnosti, da to osebje ohranja normalno zdravstveno stanje.

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.

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.

## V. POGLAVJE ZGRADBE IN MATERIAL

### *33. člen*

Material mobilnih zdravstvenih enot oboroženih sil, ki padejo v roke sovražniku, se nameni za oskrbo ranjencev in bolnikov.

Za zgradbe, material in skladišča zdravstvenih ustanov oboroženih sil še naprej velja vojno pravo ter se ne smejo uporabljati za druge namene, dokler so potrebni za oskrbo ranjencev in bolnikov. Poveljniki sil na bojišču jih kljub temu lahko uporabijo zaradi vojaške nujnosti, če prej poskrbijo za ranjence in bolnike, ki se zdravijo v njih.

Material in skladišča iz tega člena se ne smejo namerno uničevati.

### *34. člen*

Nepremično in premično premoženje društev za pomoč, ki jim ta konvencija priznava ugodnosti, se šteje za zasebno lastnino.

Z vojnim pravom in običaji vojne priznana pravica vojskujočih se strani do zasega se izvaja le, če je to neizogibno potrebno ter po tem, ko je bila zagotovljena oskrba ranjencev in bolnikov.

## 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.

## VI. POGlavJE ZDRAVSTVENI PREVOZI

### *35. člen*

Prevozi ranjencev in bolnikov ali medicinske opreme se spoštujejo in zaščitijo enako kot mobilne zdravstvene enote.

Če taki prevozi ali vozila padejo v roke nasprotni strani zanje velja vojno pravo, pod pogojem, da stran v spopadu, ki jih zajame, vedno zagotovi oskrbo ranjencev in bolnikov v njih.

Za civilno osebje in vsa zasežena prevozna sredstva veljajo splošna pravila mednarodnega prava.

### *36. člen*

Zdravstveni zrakoplovi, torej zrakoplovi, ki se uporabljajo izključno za evakuacijo ranjencev in bolnikov ter za prevoz zdravstvenega osebja in opreme, se ne napadajo, ampak jim vojskujoče se strani pustijo, da letijo na višini, v času in po rutah, o katerih se vojskujoče se strani posebej dogovorijo.

Zrakoplovi so spodaj, zgoraj in na stranskih površinah jasno označeni z razpoznavnim znakom, določenim v 38. členu, skupaj z barvami države. Označeni so s kakršnimi koli drugimi znaki ali sredstvi za razpoznavanje, o katerih se vojskujoče se strani lahko dogovorijo ob začetku ali med trajanjem sovražnosti.

Če ni dogovorjeno drugače, so preleti čez sovražnikovo ozemlje ali ozemlje, ki ga je sovražnik okupiral, prepovedani.

## 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 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.

Zdravstveni zrakoplovi upoštevajo vsak ukaz za pristanek. Po takem pristanku ter morebitnem pregledu zrakoplova in tistih, ki so v njem, zrakoplov lahko nadaljuje polet.

Ob neprostovoljnem pristanku na sovražnikovem ozemlju ali ozemlju, ki ga je sovražnik okupiral, so ranjenci in bolniki ter člani posadke zrakoplova vojni ujetniki. Z zdravstvenim osebjem se ravna v skladu s 24. členom in nadaljnjimi člani.

### *37. člen*

Ob upoštevanju določb drugega odstavka zdravstveni zrakoplovi strani v spopadu lahko preletijo ozemlje nevtralnih sil in v nujnih primerih tam pristanejo ali ga uporabijo za vmesni pristanek. Nevtralne sile predhodno obvestijo o svojem preletu čez njihovo ozemlje in upoštevajo vsak ukaz za pristanek na kopnem ali vodi. Pred napadi so zaščiteni samo, kadar letijo po rutah, na višini in v času, o katerih se te strani v spopadu in nevtralna sila posebej dogovorijo.

Nevtralne sile zdravstvenim zrakoplovom lahko postavijo pogoje ali določijo omejitve za prelet ali pristanek na svojem ozemlju. Taki morebitni pogoji ali omejitve se uporabljajo enako za vse strani v spopadu.

Razen če se nevtralna sila in strani v spopadu ne dogovorijo drugače, ranjence in bolnike, ki so z dovoljenjem lokalnih oblasti izkrcani iz zdravstvenega zrakoplova na nevtralnem ozemlju, nevtralna sila pridrži, kadar to zahteva mednarodno pravo, da ne bi mogli več sodelovati v vojnih operacijah. Stroške njihove nastanitve in interniranja krije sila, ki ji pripadajo.

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.

## VII. POGlavJE RAZPOZNAVNI ZNAK

### *38. člen*

Heraldični znak rdeči križ na beli podlagi, oblikovan z zamenjavo barv konfederacije, je kot priznanje Švici ohranjen za znamenje in razpoznavni znak zdravstvene službe oboroženih sil.

Za države, ki namesto rdečega križa kot znak že uporabljajo rdeči polmesec ali rdečega leva in sonce na beli podlagi, se s to konvencijo priznava tudi ta znak.

### *39. člen*

Znak se pod nadzorom pristojne vojaške oblasti namesti na zastave, rokavne trakove in vso opremo, ki se uporablja v zdravstveni službi.

### *40. člen*

Osebjem iz 24., 26. in 27. člena na levi roki nosi vodoodporen rokavni trak z razpoznavnim znakom, ki ga je izdala in z žigom opremila vojaška oblast.

To osebjem ima poleg razpoznavne značke iz 16. člena tudi posebno identifikacijsko izkaznico z razpoznavnim znakom. Ta izkaznica je vodoodporna in take velikosti, da jo je mogoče nositi v žepu. Je v državnem jeziku, vsebuje najmanj priimek in imena, datum rojstva, čin in službeno številko imetnika ter navedbo, v kakšni vlogi je upravičen do zaščite po tej konvenciji.

## 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 an 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.

### *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

Na izkaznici sta fotografija imetnika in njegov podpis ali prstni odtis ali oboje. Opremljena je s suhim žigom vojaške oblasti.

Identifikacijska izkaznica je enotna v posamezni oboroženi sili in kolikor je mogoče podobne oblike v oboroženih silah visokih pogodbenic. Strani v spopadu se lahko zgledujejo po obrazcu, ki je kot vzorec priložen tej konvenciji. Ob začetku sovražnosti se medsebojno obvestijo o vzorcu, ki ga uporabljajo. Identifikacijske izkaznice so, če je le mogoče, izdane v najmanj dveh izvodih, od katerih enega hrani država izvora.

Navedenemu osebju se nikakor ne smejo odvzeti njegove oznache, identifikacijske izkaznice niti pravica, da nosi rokavni trak. Ob izgubi je upravičeno do dvojnika izkaznic in nadomestnih označb.

#### *41. člen*

Osebe iz 25. člena nosi bel rokavni trak, ki ima na sredini pomanjšan razpoznavni znak, toda samo med opravljanjem zdravstvenih nalog; rokavni trak izda in z žigom opremi vojaška oblast.

V vojaških identifikacijskih dokumentih, ki jih ima to osebe, so navedbe o njegovem posebnem usposabljanju, njegovih začasnih nalogah in dovoljenju za nošenje rokavnega traku.

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.

#### *42. člen*

Razpoznavna zastava iz te konvencije se izobesi samo na zdravstvenih enotah in ustanovah, ki se spoštujejo po tej konvenciji, in le s soglasjem vojaških oblasti.

Na mobilnih enotah in ustanovah je lahko izobešena skupaj z državno zastavo strani v spopadu, ki ji pripada enota ali ustanova.

Zdravstvene enote, ki padejo v roke sovražniku, kljub temu ne izobesijo druge zastave kot tisto iz te konvencije.

Kolikor je to mogoče zaradi vojaških razlogov, strani v spopadu sprejmejo potrebne ukrepe, da so razpoznavni znaki, ki označujejo zdravstvene enote in ustanove, dobro vidni sovražnim kopenskim, zračnim in pomorskim silam, da se preprečijo morebitna sovražna dejanja.

#### *43. člen*

Zdravstvene enote nevtralnih držav, ki so pooblašcene, da pod pogoji iz 27. člena ponudijo svoje storitve eni od vojskujočih se strani, poleg zastave iz te konvencije izobesijo tudi državno zastavo vojskujoče se strani, kadar ta izkoristi možnost iz 42. člena.

Če pristojne vojaške oblasti ne ukažejo drugače, lahko izobesijo svojo državno zastavo ob vsaki priložnosti, celo če padejo v roke nasprotni strani.

### *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 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.

#### 44. člen

Razen primerov, navedenih v naslednjih odstavkih tega člena, znaka rdečega križa na beli podlagi in besed “Rdeči križ” ali “Ženevski križ” ni dovoljeno uporabljati niti v miru niti v vojni, razen za označevanje ali zaščito zdravstvenih enot in ustanov, osebja in materiala, ki jih ščitijo ta konvencija ter druge konvencije, ki urejajo podobne zadeve. To velja tudi za znake iz drugega odstavka 38. člena za države, ki jih uporabljajo. Nacionalna društva Rdečega križa in druga društva iz 26. člena imajo pravico uporabljati razpoznavni znak, ki jim zagotavlja zaščito po konvenciji, le v okviru tega odstavka.

Poleg tega lahko nacionalna društva Rdečega križa (Rdečega polmeseca, Rdečega leva in sonca) v skladu s svojo notranjo zakonodajo v miru uporabljajo ime in znak Rdečega križa za svoje druge dejavnosti, ki so v skladu z načeli, sprejetimi na mednarodnih konferencah Rdečega križa. Če se te dejavnosti opravljajo v vojni, se znak uporabi tako, da se ne more šteti, da zagotavlja zaščito po konvenciji; znak mora biti razmeroma majhen in ne sme biti nameščen na rokavnih trakovih ali strehah zgradb.

Mednarodne organizacije Rdečega križa in njihovo pravilno pooblaščen osebje smejo vedno uporabljati znak rdeči križ na beli podlagi.

Znak iz konvencije se kot izredni ukrep v skladu z notranjo zakonodajo in izrecnim dovoljenjem enega od nacionalnih društev Rdečega križa (Rdečega polmeseca, Rdečega leva in sonca) lahko uporablja v miru za označevanje reševalnih vozil in postaj prve pomoči, namenjenih izključno za brezplačno zdravljenje ranjencev ali bolnikov.

#### *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

## VIII. POGLAVJE IZVAJANJE KONVENCIJE

### *45. člen*

Vsaka stran v spopadu prek svojih poveljujočih zagotovi podrobno izvajanje prejšnjih členov in uredi ukrepanje v nepredvidenih primerih v skladu s splošnimi načeli te konvencije.

### *46. člen*

Povračilni ukrepi zoper ranjence, bolnike, osebje, zgradbe ali opremo, ki jih štiti konvencija, so prepovedani.

### *47. člen*

Visoke pogodbenice se zavezujejo, da bodo v svojih državah v miru in vojni čim bolj širile poznavanje besedila te konvencije, zlasti da jo bodo vključile v programe vojaškega, in če je le mogoče tudi civilnega usposabljanja, tako da se z njenimi načeli lahko seznanijo vse prebivalstvo, zlasti pa oborožene sile v spopadu ter zdravstveno in versko osebje.

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 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.

#### *48. člen*

Visoke pogodbenice si prek Švicarskega zveznega sveta, med sovrážnostmi pa prek sil zaščitnic izmenjajo uradne prevode te konvencije ter zakone in druge predpise, ki jih lahko sprejmejo za zagotavljanje njene uporabe.

### **IX. POGlavJE KAZNOVANJE ZLORAB IN KRŠITEV**

#### *49. člen*

Visoke pogodbenice se zavezujejo, da bodo sprejele zakonodajo, potrebno za zagotovitev učinkovitih kazenskih sankcij za osebe, ki storijo ali ukažejo storiti katero koli od hudih kršitev te konvencije, opredeljenih v naslednjem členu.

Vsaka visoka pogodbenica mora poiskati osebe, ki so domnevno storile ali ukazale storiti tako hudo kršitev, in jih privedi pred svoje sodišče ne glede na njihovo državljanstvo. Če se ji zdi ustrezneje, jih lahko v skladu z določbami svoje zakonodaje izroči v sojenje drugi visoki pogodbenici, če ta zadostno izkaže utemeljene obtožbe proti njim.

Vsaka visoka pogodbenica sprejme potrebne ukrepe za preprečevanje vseh dejanj, ki so v nasprotju z določbami te konvencije in niso hude kršitve, opredeljene v naslednjem členu.

Obdolžencem se vedno zagotovijo pravna jamstva glede sodnega postopka in obrambe, ki niso manj ugodna od tistih iz 105. člena in nadaljnjih členov Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949.

*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.

#### *50. člen*

Huda kršitev iz prejšnjega člena je katero koli od teh dejanj, če je storjeno zoper osebe ali premoženje, ki jih štiti konvencija: naklepno pobijanje, mučenje ali nečloveško ravnanje, vključno z biološkimi poskusi, naklepno povzročanje velikega trpljenja ali hudih telesnih poškodb ali okvar zdravja ter obsežno uničevanje in prilaščanje premoženja, ki ju vojaška nujnost ne upravičuje ter sta storjena protipravno in samovoljno.

#### *51. člen*

Nobeni visoki pogodbenici ni dovoljeno, da sebe ali drugo visoko pogodbenico odveže odgovornosti v zvezi s kršitvami iz prejšnjega člena, ki jo ima sama ali druga visoka pogodbenica.

#### *52. člen*

Na zahtevo ene od strani v spopadu se ob vsaki domnevni kršitvi konvencije uvede preiskava na način, o katerem se dogovorijo zainteresirane strani.

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.

*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.

Če se dogovor o postopku preiskave ne doseže, se strani sporazumejo o izbiri ravnodnika, ki določi nadaljnji postopek.

Ko se ugotovi kršitev, jo strani v spopadu zatrejo in čim prej kaznujejo.

### *53. člen*

Vsem posameznikom, društvom, javnim ali zasebnim podjetjem ali družbam, razen tistim, ki jim to dovoljuje ta konvencija, je vedno prepovedana uporaba znaka ali poimenovanja "Rdeči križ" ali "Ženevski križ" pa tudi vsakega znaka ali poimenovanja, ki ga posnema, ne glede na namen uporabe in datum njegovega sprejetja.

Zaradi priznanja Švici z uporabo zamenjanih barv konfederacije in možne zamenjave švicarskega grba z razpoznavnim znakom iz konvencije je zasebnikom, društvom ali podjetjem vedno prepovedana uporaba grba Švicarske konfederacije ali znakov, ki ga posnemajo, kot blagovnih ali trgovskih znamk ali delov teh znamk ali za namen, nasproten trgovski poštenosti, oziroma v okoliščinah, ki lahko prizadenejo švicarski narodni ponos.

Visoke pogodbenice, ki niso bile pogodbenice ženevske konvencije z dne 27. julija 1929, lahko dotakratnim uporabnikom znakov, poimenovanj, znamenj ali označb iz prvega odstavka določijo rok, ki ni daljši od treh let po začetku veljavnosti te konvencije, do katerega jih morajo prenehati uporabljati, če taka uporaba v vojni ne vzbuja vtisa, da zagotavlja zaščito po konvenciji.

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.

Prepoved iz prvega odstavka tega člena velja tudi za znake in označbe, navedene v drugem odstavku 38. člena, vendar ne vpliva na pravice, pridobljene s predhodno uporabo.

#### *54. člen*

Če njihova zakonodaja še ni ustrezna, visoke pogodbenice sprejmejo potrebne ukrepe za trajno preprečevanje in kaznovanje zlorab iz 53. člena.

### **KONČNE DOLOČBE**

#### *55. člen*

Ta konvencija je sestavljena v angleškem in francoskem jeziku. Besedili sta enako verodostojni.

Švicarski zvezni svet zagotovi uradna prevoda konvencije v ruski in španski jezik.

#### *56. člen*

Danes sprejeta konvencija je na voljo za podpis do 12. februarja 1950 za sile, ki so imele predstavnike na konferenci, ki se je začela v Ženevi 21. aprila 1949, pa tudi za sile, ki na tej konferenci niso imele predstavnikov, so pa pogodbenice ženevskih konvencij o pomoči ranjencem in bolnikom v vojskah na bojišču iz leta 1864, 1906 ali 1929.

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.

### *57. člen*

Ta konvencija se čim prej ratificira, listine o ratifikaciji pa se deponirajo v Bernu.

O deponiranju vsake listine o ratifikaciji se sestavi zapisnik, overjeno kopijo zapisnika pa Švicarski zvezni svet pošlje vsem silam, v imenu katerih je bila konvencija podpisana ali ki so ga o svojem pristopu uradno obvestile.

### *58. člen*

Ta konvencija začne veljati šest mesecev po deponiranju najmanj dveh listin o ratifikaciji.

Zatem za vsako visoko pogodbenico začne veljati šest mesecev po deponiranju njene listine o ratifikaciji.

### *59. člen*

V odnosih med visokimi pogodbenicami ta konvencija nadomesti konvencije z dne 22. avgusta 1864, z dne 6. julija 1906 in z dne 27. julija 1929.

### *60. člen*

K tej konvenciji lahko po dnevu začetka veljavnosti pristopi vsaka sila, v imenu katere ni bila podpisana.

*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 the 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.

### *61. člen*

O pristopu se uradno pisno obvesti Švicarski zvezni svet, pristop pa začne učinkovati šest mesecev po dnevu prejema uradnega obvestila o pristopu.

Švicarski zvezni svet obvesti o pristopu vse sile, v imenu katerih je bila konvencija podpisana ali ki so ga o svojem pristopu uradno obvestile.

### *62. člen*

Ob nastopu razmer iz 2. in 3. člena imajo deponiranje listin o ratifikaciji, ki ga strani v spopadu opravijo pred začetkom sovražnosti ali okupacije ali po tem, in uradna obvestila o pristopu, ki jih pošljejo pred začetkom sovražnosti ali okupacije ali po tem, takojšnji učinek. Švicarski zvezni svet kar najhitreje pošlje obvestilo o ratifikacijah ali pristopih strani v spopadu.

### *63. člen*

Vsaka visoka pogodbenica lahko odpove to konvencijo.

Uradno pisno obvestilo o odpovedi se pošlje Švicarskemu zveznemu svetu, ki ga pošlje vladam vseh visokih pogodbenic.

Odpoved začne učinkovati leto dni po dnevu, ko je Švicarski zvezni svet o njej uradno obveščen. Odpoved, o kateri se pošlje uradno obvestilo v času, ko sila, ki jo je sporočila, sodeluje v spopadu, ne učinkuje, dokler ni sklenjen mir in niso končani postopki v zvezi z osvoboditvijo in repatriacijo oseb, ki jih ta konvencija ščiti.

### *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

Odpoved velja samo za silo, ki jo sporoči. Ne vpliva na obveznosti, ki še naprej zavezujejo strani v spopadu na podlagi načel mednarodnega prava, kot izhajajo iz običajev, ustaljenih med civiliziranimi narodi, zakonov človečnosti in zapovedi javne vesti.

#### *64. člen*

Švicarski zvezni svet to konvencijo registrira pri sekretariatu Organizacije združenih narodov. Švicarski zvezni svet sekretariat Organizacije združenih narodov obvešča o vseh ratifikacijah, pristopih in odpovedih, ki jih prejme v zvezi s to konvencijo.

V potrditev tega so podpisani, ki so predložili ustrezna pooblastila, podpisali to konvencijo.

Sestavljeno v Ženevi 12. avgusta 1949 v angleškem in francoskem jeziku. Izvirnik se hrani v arhivu Švicarske konfederacije. Švicarski zvezni svet pošlje overjeno kopijo konvencije vsaki državi podpisnici in vsaki državi, ki pristopi k njej.

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 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.

## PRILOGA I

### *Osnutek sporazuma o bolnišničnih območjih in krajih*

#### *1. člen*

Bolnišnična območja so namenjena samo osebam iz 23. člena Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949 ter osebju, zadolženemu za organizacijo in upravljanje teh območij in krajev ter oskrbo tam nastanjenih oseb.

Kljub temu imajo osebe, ki stalno prebivajo na teh območjih, pravico ostati tam.

#### *2. člen*

Osebe, ki v kakršni koli vlogi prebivajo na bolnišničnem območju, ne smejo niti znotraj niti zunaj njega opravljati del, neposredno povezanih z vojaškimi operacijami ali proizvodnjo vojaškega materiala.

#### *3. člen*

Sila, ki ustanovi bolnišnično območje, sprejme vse potrebne ukrepe za prepoved dostopa vsem osebam, ki nimajo pravice do prebivanja na njem ali vstopa nanj.

#### *4. člen*

Bolnišnična območja izpolnjujejo te pogoje:

## 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) obsegajo le manjši del ozemlja, ki ga upravlja sila, ki jih je ustanovila;
- b) glede na možnosti nastanitve so redko poseljena;
- c) oddaljena so od vseh vojaških ciljev in na njih ni nobenih vojaških ali velikih industrijskih objektov ali upravnih ustanov;
- d) niso na območjih, ki bi zelo verjetno lahko postala pomembna za vodenje vojne.

#### *5. člen*

Za bolnišnična območja veljajo te obveznosti:

- a) oskrbovalne poti in prevozna sredstva, ki so na njih, se ne uporabljajo za prevoz vojaškega osebja ali materiala, niti v tranzitu;
- b) nikakor se ne branijo z vojaškimi sredstvi.

#### *6. člen*

Bolnišnična območja se označijo z rdečim križem (rdečim polmesecem, rdečim levom in soncem) na beli podlagi, nameščeni na zunanji meji območja in zgradbah. Ponoči so lahko podobno označena z ustrezno osvetlitvijo.

#### *7. člen*

Sile že v miru ali na začetku sovražnosti pošljejo vsem visokim pogodbenicam seznam bolnišničnih območij, ustanovljenih na ozemljih pod njihovo oblastjo. Obvestijo jih tudi o vsakem novem območju, ustanovljenem med sovražnostmi.

- (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.

#### *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.

Takoj ko nasprotna stran prejme navedeno obvestilo, je območje pravilno ustanovljeno.

Če nasprotna stran meni, da pogoji iz tega sporazuma niso izpolnjeni, lahko priznanje območja zavrne, pri čemer mora o tem nemudoma obvestiti stran, ki je za to območje pristojna, lahko pa svoje priznanje tega območja pogojuje z uvedbo nadzora iz 8. člena.

#### *8. člen*

Vsaka sila, ki je priznala eno ali več bolnišničnih območij, ki jih je ustanovila nasprotna stran, ima pravico zahtevati, da posebna komisija ali več posebnih komisij preveri, ali območja izpolnjujejo pogoje in obveznosti iz tega sporazuma.

Zato imajo člani posebnih komisij vedno prost dostop do različnih območij in lahko tudi stalno prebivajo tam. Zagotovi se jim vse potrebno za opravljanje njihovih nalog v zvezi s takim nadzorom.

#### *9. člen*

Če posebne komisije ugotovijo kakršna koli dejstva, za katera menijo, da so v nasprotju z določbami tega sporazuma, na to opozorijo silo, ki območje upravlja, in določijo petdnevni rok za odpravo nepravilnosti. O tem obvestijo silo, ki je območje priznala.

Če sila, ki območje upravlja, po izteku tega roka ne upošteva opozorila, lahko nasprotna stran izjavi, da je ta sporazum v zvezi s tem območjem ne zavezuje več.

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 fulfil 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

### *10. člen*

Vsaka sila, ki vzpostavi eno ali več bolnišničnih območij in krajev, ter nasprotne strani, ki so bile o obstoju območij obveščene, imenujejo člane posebnih komisij iz 8. in 9. člena ali pa jih imenujejo nevtralne sile.

### *11. člen*

Bolnišnična območja se nikakor ne smejo napasti. Strani v spopadu jih vedno zaščitijo in spoštujejo.

### *12. člen*

Med okupacijo ozemlja se bolnišnična območja na tem ozemlju še naprej spoštujejo in uporabljajo kot taka.

Okupacijska sila lahko spremeni njihov namen pod pogojem, da sprejme vse ukrepe za zagotovitev varnosti oseb na njih.

### *13. člen*

Ta sporazum velja tudi za kraje, ki jih sile lahko uporabljajo za enake namene kot bolnišnična območja.

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.

*Article 13*

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

## PRILOGA II

### Sprednja stran



(Prostor za ime države  
in vojaške oblasti,  
ki je to izkaznico izdala).



# IDENTIFIKACIJSKA IZKAZNICA

**za pripadnike zdravstvenega in verskega osebja  
v sestavi oboroženih sil**

Priimek .....

Imena .....

Datum rojstva .....

Čin .....

Vojaška identifikacijska številka .....

Imetnika te identifikacijske izkaznice štiti Ženevska konvencija za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949 v vlogi

.....


Datum izdaje                      Številka izkaznice

.....                                      .....

### Zadnja stran

Fotografija imetnika

Podpis imetnika ali  
odtisi ali oboje



Višina	Oči	Lasje
.....	.....	.....

Druga razpoznavna znamenja

.....



.....

.....


.....

## ANNEX II

### Front

	(Space reserved for the name of the country and military authority issuing this card)	
<b>IDENTITY CARD</b>		
<b>for members of medical and religious personnel attached to the armed forces</b>		
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	Signature of bearer or fingerprints or both	
		
Height	Eyes	Hair
.....	.....	.....
Other distinguishing marks .....		
.....		
.....		
.....		
.....		

**ŽENEVSKA KONVENCIJA  
ZA IZBOLJŠANJE POLOŽAJA RANJENCEV,  
BOLNIKOV IN BRODOLOMCEV V  
OBOROŽENIH SILAH NA MORJU  
(KONVENCIJA II)  
Z DNE 12. AVGUSTA 1949**

Podpisani pooblašчени predstavniki vlad, zastopanih na diplomatski konferenci, ki je potekala v Ženevi od 21. aprila do 12. avgusta 1949, so se z namenom spremeniti X. Haško konvencijo z dne 18. oktobra 1907 za prilagoditev bojevanja na morju načelom ženevske konvencije iz leta 1906 dogovorili:

**I. POGlavJE  
SPLOŠNE DOLOČBE**

*1. člen*

Visoke pogodbenice se zavezujejo, da bodo spoštovale to konvencijo in zagotavljale, da se upošteva v vseh okoliščinah.

*2. člen*

Poleg določb, ki se izvajajo že v miru, se ta konvencija uporablja v vsaki napovedani vojni ali vsakem drugem oboroženem spopadu, ki bi se lahko začel med dvema visokima pogodbenicama ali več

**GENEVA CONVENTION  
FOR THE AMELIORATION OF THE  
CONDITION OF WOUNDED, SICK AND  
SHIPWRECKED MEMBERS OF ARMED  
FORCES AT SEA (CONVENTION II)  
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

visokimi pogodbenicami, tudi če katera od njih vojnega stanja ne prizna.

Konvencija se uporablja tudi v vseh primerih delne ali popolne okupacije ozemlja visoke pogodbenice, tudi če proti okupaciji ni oboroženega odpora.

Tudi če ena od sil v spopadu ni pogodbenica te konvencije, ta v medsebojnih odnosih še naprej zavezuje sile, ki so njene pogodbenice. Poleg tega jih konvencija zavezuje v razmerju do te sile, če ta njene določbe sprejema in uporablja.

### *3. člen*

V oboroženem spopadu, ki ni mednaroden in se začne na ozemlju ene od visokih pogodbenic, vsako stran v spopadu zavezujejo najmanj te določbe:

1. Z osebami, ki pri sovražnostih ne sodelujejo dejavno, vključno s pripadniki oboroženih sil, ki so odložili orožje, in tistimi, ki ne morejo sodelovati v boju zaradi bolezni, ran, pridržanja ali drugega vzroka, se vedno ravna človeško, brez razlikovanja glede na raso, barvo, vero ali prepričanje, spol, rojstvo, premoženjsko stanje ali kakršno koli drugo podobno merilo.

V zvezi z navedenimi osebami so in ostajajo vedno in povsod prepovedana ta dejanja:

- a) napad na življenje in telo, še posebej umori vseh vrst, pohabljenje, okrutno ravnanje in mučenje;
- b) jemanje talcev;

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) napad na osebno dostojanstvo, še posebej zaničevalno in poniževalno ravnanje;
  - d) izrekanje kazni in izvajanje usmrtitev brez predhodne sodbe pravilno ustanovljenega sodišča, ki zagotavlja vsa pravna jamstva, ki so pri civiliziranih narodih priznana kot nujna.
2. Ranjence, bolnike in brodolomce je treba zbrati in oskrbeti.

Nepristranska humanitarna organizacija, kot je Mednarodni odbor Rdečega križa, lahko stranem v spopadu ponudi svojo pomoč.

Strani v spopadu si poleg tega s posebnimi sporazumi prizadevajo v celoti ali delno uveljaviti tudi druge določbe te konvencije.

Uporaba predhodnih določb ne vpliva na pravni položaj strani v spopadu.

#### *4. člen*

Pri sovražnostih med kopenskimi in pomorskimi silami strani v spopadu se določbe te konvencije uporabljajo le za vkrcane sile.

Za izkrcane sile začnejo takoj veljati določbe Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949.

- (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, 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.

## *5. člen*

Nevtralne sile določbe te konvencije smiselno uporabljajo za ranjence, bolnike in brodolomce ter zdravstveno in versko osebje oboroženih sil strani v spopadu, ki so sprejeti na njihovo ozemlje ali tam internirani, in tudi za najdene mrtve.

## *6. člen*

Visoke pogodbenice poleg sporazumov, ki jih izrecno določajo 10., 18., 31., 38., 39., 40., 43. in 53. člen, lahko sklenejo še druge posebne sporazume o vseh zadevah, ki jih je treba po njihovi presoji posebej urediti. Noben posebni sporazum ne sme neugodno vplivati na položaj ranjencev, bolnikov in brodolomcev ter zdravstvenega ali verskega osebja, kot ga določa ta konvencija, niti omejevati pravic, ki jim jih priznava.

Ranjenci, bolniki in brodolomci ter zdravstveno in versko osebje uživajo ugodnosti po teh sporazumih, dokler se konvencija zanje uporablja, razen če navedeni ali poznejši sporazumi izrecno ne določajo nasprotno ali če ena ali druga stran v spopadu ne sprejme ugodnejših ukrepov v zvezi z njimi.

## *7. člen*

Ranjenci, bolniki in brodolomci ter zdravstveno in versko osebje se nikakor ne morejo niti delno niti v celoti odpovedati pravicam, ki jim jih zagotavljajo ta konvencija in morebitni posebni sporazumi iz prejšnjega člena.

### *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

## *8. člen*

Ta konvencija se uporablja v sodelovanju s silami zaščitnicami, katerih naloga je zavarovati interese strani v spopadu, in pod nadzorom teh sil. Za ta namen lahko sile zaščitnice poleg svojega diplomatskega ali konzularnega osebja iz vrst lastnih državljanov ali državljanov drugih nevtralnih sil imenujejo delegate. Odobri jih sila, s katero bodo opravljali svoje naloge.

Strani v spopadu kar najbolj omogočajo delo predstavnikov ali delegatov sil zaščitnic.

Predstavniki ali delegati sil zaščitnic nikakor ne smejo preseči svojih pooblastil po tej konvenciji. Zlasti upoštevajo nujne varnostne potrebe države, v kateri opravljajo svoje naloge. Izjemoma in začasno se njihovo delovanje omeji le, če je to potrebno zaradi neizogibne vojaške nujnosti.

## *9. člen*

Določbe te konvencije niso ovira za humanitarno delovanje Mednarodnega odbora Rdečega križa ali katere koli druge nepristranske humanitarne organizacije, ki gaodobrijo strani v spopadu, da se zaščitijo ranjenci, bolniki, brodolomci, zdravstveno in versko osebje ter se jim pomaga.

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 cooperation 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,

## 10. člen

Visoke pogodbenice se lahko kadar koli dogovorijo, da za opravljanje nalog, za katere so po tej konvenciji zavezane sile zaščitnice, zadolžijo organizacijo, ki zagotavlja nepristranskost in učinkovitost.

Če ranjenci, bolniki in brodolomci ter zdravstveno in versko osebe iz kakršnega koli razloga ne uživajo pomoči sile zaščitnice ali druge organizacije iz prejšnjega odstavka ali jo prenehajo uživati, sila, ki jih pridržuje, zaprosi nevtralno državo ali tako organizacijo, da prevzame naloge, ki jih po tej konvenciji opravlja sila zaščitnica, ki jo imenujejo strani v spopadu.

Če zaščite teh oseb ni mogoče ustrezno zagotoviti, sila, ki jih pridržuje, ob upoštevanju določb tega člena zaprosi humanitarno organizacijo, kot je Mednarodni odbor Rdečega križa, ali sprejme njeno ponudbo, da prevzame humanitarne naloge, ki jih opravljajo sile zaščitnice po tej konvenciji.

Vsaka nevtralna sila ali organizacija, ki jo povabi ta sila ali ki se ponudi za ta namen, mora delovati z vso odgovornostjo do strani v spopadu, ki ji pripadajo osebe, zaščitene po tej konvenciji, in predložiti zadostna zagotovila, da je sposobna prevzeti določene naloge in jih opravljati nepristransko.

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.

Navedenih določb ni mogoče razveljaviti s posebnimi sporazumi med silami, od katerih se ena, pa čeprav le začasno, zaradi vojaških dogodkov, zlasti delne ali popolne okupacije svojega ozemlja, ne more svobodno pogajati z drugo silo ali njenimi zaveznicami.

Kadar koli se v tej konvenciji omenja sila zaščitnica, se ta izraz nanaša tudi na organizacije, ki jo v smislu tega člena nadomeščajo.

### *11. člen*

Sile zaščitnice za rešitev nesoglasij ponudijo dobre usluge, kadar presodijo, da je to v korist zaščitenih oseb, zlasti kadar se strani v spopadu ne morejo sporazumeti o uporabi ali razlagi določb te konvencije.

Za ta namen lahko vsaka sila zaščitnica na povabilo ene strani v spopadu ali na lastno pobudo predlaga stranem v spopadu sestank njihovih predstavnikov, zlasti oblasti, odgovornih za ranjence, bolnike in brodolomce ter zdravniško in versko osebje, če je le mogoče na ustrezno izbranem nevtralnem ozemlju. Strani v spopadu morajo upoštevati v zvezi s tem dane predloge. Sile zaščitnice po potrebi lahko predlagajo stranem v spopadu v odobritev osebo, ki pripada nevtralni sili ali jo pooblasti Mednarodni odbor Rdečega križa, in je povabljena, da sodeluje na sestanku.

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, 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.

## II. POGlavJE

### RANJENCI, BOLNIKI IN BRODOLOMCI

#### *12. člen*

Pripadnike oboroženih sil in druge osebe iz naslednjega člena, ki so na morju in so ranjeni, bolni ali so doživeli brodolom, je treba vedno spoštovati in zaščititi, pri čemer izraz brodolom pomeni vsak brodolom ne glede na njegov vzrok in vključuje tudi zasilni pristonek zrakoplova na morju ali njegov padec v morje.

Strani v spopadu, pod oblastjo katerih so, z njimi ravnajo človeško in jih oskrbujejo brez kakršnega koli razlikovanja glede na spol, raso, narodno pripadnost, vero, politično prepričanje ali kakršno koli drugo podobno merilo. Vsak napad na njihovo življenje in telo ali nasilje nad njimi je strogo prepovedano; zlasti jih je prepovedano ubijati, iztrebljati, mučiti ali na njih opravljati biološke poskuse; ne smeta se jim namerno odklanjati zdravniška pomoč in oskrba niti se ne smejo izpostavljeni nevarnostim okužb ali nalezljivih bolezni.

Prednostno obravnavo upravičujejo le nujni medicinski razlogi.

Z ženskami je treba ravnati z vsem spoštovanjem do njihovega spola.

#### *13. člen*

Ta konvencija se uporablja za te skupine ranjencev, bolnikov in brodolomcev na morju:

1. pripadnike oboroženih sil ene od strani v spopadu in pripadnike milic ali prostovoljnih enot, ki so del teh oboroženih sil;

## 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. pripadnike drugih milic in drugih prostovoljnih enot, vključno s pripadniki organiziranih odporniških gibanj, ki pripadajo strani v spopadu in delujejo znotraj ali zunaj lastnega ozemlja, tudi če je to ozemlje okupirano, če take milice ali prostovoljne enote, vključno s takimi organiziranimi odporniškimi gibanji, izpolnjujejo te pogoje:
  - a) poveljuje jim oseba, odgovorna za svoje podrejene;
  - b) imajo določen od daleč opazen razpoznavni znak;
  - c) odkrito nosijo orožje;
  - d) pri vodenju svojih operacij spoštujejo vojno pravo in običaje vojne;
3. pripadnike rednih oboroženih sil, ki se opredelijo za vlado ali oblast, ki je sila, ki jih pridržuje, ne priznava;
4. osebe, ki spremljajo oborožene sile in niso njihovi pripadniki, kot so civilni člani posadk vojaških zrakoplovov, vojni dopisniki, oskrbovalci, člani delovnih enot ali služb, odgovornih za podporo vojski, če jih odobrijo oborožene sile, ki jih spremljajo;
5. člane posadk trgovske mornarice, vključno s poveljniki, krmarji in pripravniki, ter posadk civilnega letalstva strani v spopadu, ki po drugih določbah mednarodnega prava ne uživajo ugodnejše obravnave;
6. prebivalstvo neokupiranega ozemlja, ki ob približevanju sovražnika spontano prime za orožje, da bi se prodirajočim silam uprlo, in ni imelo časa, da bi se organiziralo v redne oborožene enote, če odkrito nosi orožje ter spoštuje vojno pravo in običaje vojne.

- (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.
- (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.

#### *14. člen*

Vsaka vojaška ladja vojskujoče se strani ima pravico zahtevati, da se ji predajo ranjenci, bolniki in brodolomci, ki so na vojaških bolnišničnih ladjah in bolnišničnih ladjah, ki pripadajo društvom za pomoč ali posameznikom, ter na trgovskih ladjah, jahtah ali drugih plovilih, ne glede na njihovo narodno pripadnost, če so v primerem stanju za premestitev ter so na vojaški ladji zagotovljene ustrezne zmogljivosti in oprema za potrebno zdravljenje.

#### *15. člen*

Če ranjence, bolnike ali brodolomce sprejme nevtralna vojaška ladja ali nevtralni vojaški zrakoplov, je treba zagotoviti, kadar to zahteva mednarodno pravo, da ne sodelujejo več v vojnih operacijah.

#### *16. člen*

Ob upoštevanju določb 12. člena so ranjenci, bolniki in brodolomci vojskujoče se strani, ki padejo v roke sovražniku, vojni ujetniki in se zanje uporabljajo določbe mednarodnega prava o vojnih ujetnikih. Sila, ki jih je zajela, se glede na okoliščine odloči, ali jih bo zadržala ali prepeljala v pristanišče v svoji državi, nevtralno pristanišče ali celo v pristanišče na sovražnikovem ozemlju. V zadnjem primeru vojni ujetniki, ki se tako vrnejo v domovino, med to vojno ne smejo več služiti v vojski.

#### *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.

### *17. člen*

Kadar to zahteva mednarodno pravo, nevtralna sila nadzoruje ranjence, bolnike ali brodolomce, ki so z dovoljenjem lokalnih oblasti izkrcani v nevtralnem pristanišču, tako da ne morejo več sodelovati v vojnih operacijah, razen če je z vojskujočimi se stranmi sklenila drugačen dogovor.

Stroške hospitalizacije in interniranja krije sila, ki ji ranjenci, bolniki ali brodolomci pripadajo.

### *18. člen*

Strani v spopadu po vsakem spopadu brez odlašanja ukrenejo vse potrebno, da poiščejo in zberejo brodolomce, ranjence in bolnike, jih zaščitijo pred plenjenjem in grdīm ravnanjem ter jim zagotovijo ustrezno oskrbo, poiščejo mrtve in preprečijo ropanje trupel.

Kadar koli okoliščine to dopuščajo, strani v spopadu sklenejo krajevne dogovore o evakuaciji ranjencev in bolnikov z obleganega ali obkoljenega območja po morju ter o prehodu zdravstvenega in verskega osebja in opreme na poti na to območje.

### *19. člen*

Strani v spopadu o vsakem brodolomcu, ranjeni, bolni ali mrtvi osebi nasprotne strani, ki pade v njihove roke, čim prej zabeležijo vse podatke, ki bi lahko pomagali pri njeni identifikaciji. Če je le mogoče, naj ti podatki vključujejo:

### *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.

### *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

- a) označbo sile, ki ji ta oseba pripada;
- b) ime vojske, vojaško enoto, osebno ali službeno številko;
- c) priimek;
- d) ime ali imena;
- e) datum rojstva;
- f) katere koli druge podatke iz identifikacijske izkaznice ali z razpoznavne značke;
- g) datum in kraj zajetja ali smrti;
- h) podatke o ranah, bolezni ali vzroku smrti.

Ti podatki se čim prej pošljejo informacijskemu uradu, opisane mu v 122. členu Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949, ki jih prek sile zaščitnice in osrednje agencije za vojne ujetnike pošlje sili, ki ji te osebe pripadajo.

Strani v spopadu pripravijo potrdila o smrti ali pravilno overjene sezname mrtvih in jih prek istega urada pošljejo druga drugi. Prav tako zberejo in si prek istega urada pošljejo eno polovico dvojne razpoznavne značke ali razpoznavno značko, če je enojna, oporoško ali druge dokumente, pomembne za bližnje sorodnike, denar in na splošno vse predmete, ki imajo stvarno ali čustveno vrednost, najdene pri mrtvem. Ti predmeti se skupaj z neidentificiranimi predmeti pošljejo v zapečatenem paketu, ki sta mu priložena izjava z vsemi podatki, potrebnimi za identifikacijo umrlih lastnikov, in popoln seznam vsebine paketa.

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.

## *20. člen*

Strani v spopadu zagotovijo, da se pred pokopom mrtvih na morju, ki se opravi posamično, kolikor okoliščine to dopuščajo, opravi skrben, če je le mogoče zdravniški pregled trupel zaradi potrditve smrti, ugotovitve identitete in možnosti priprave poročila. Če se uporabljajo dvojne razpoznavne značke, polovica razpoznavne značke ostane s truplom.

Če so mrtvi prepeljani na kopno, se zanje uporabljajo določbe Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949.

## *21. člen*

Strani v spopadu poveljnike nevtralnih trgovskih ladij, jaht ali drugih plovil lahko pozovejo k dobrodelnosti, in sicer da naj nanje sprejmejo ranjence, bolnike ali brodolomce in jih oskrbujejo ter da naj zbirajo mrtve.

Plovila vseh vrst, ki se odzovejo temu pozivu, in tista, ki na lastno pobudo zbirajo in prevzemajo ranjence, bolnike ali brodolomce, pri taki pomoči uživajo posebno zaščito in ugodnosti.

Zaradi takega prevoza se nikakor ne smejo zajeti, vendar pa se, če jim ni bilo obljubljeno drugače, lahko zajamejo zaradi vsake morebitne kršitve nevtralnosti.

## *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.

## *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.

### III. POGLAVJE BOLNIŠNIČNE LADJE

#### *22. člen*

Vojaških bolnišničnih ladij, to je ladij, ki so jih sile zgradile ali opremile posebej in izključno za pomoč ranjencem, bolnikom in brodolomcem ter za njihovo zdravljenje in prevoz, nikakor ni dovoljeno napadati ali zajeti, ampak se vedno spoštujejo in zaščitijo, pod pogojem, da se njihova imena in opisi sporočijo stranem v spopadu deset dni pred njihovo uporabo.

Lastnosti, ki jih je treba navesti v napovedi, so bruto registrska tonaža, dolžina od ladijskega kljuna do krme, število jamborov in dimnikov.

#### *23. člen*

Ustanove na obali, ki so upravičene do zaščite po Ženevski konvenciji za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949, so zaščitene pred napadi z morja ali bombardiranjem.

#### *24. člen*

Bolnišnične ladje, ki jih uporabljajo nacionalna društva Rdečega križa, uradno priznana društva za pomoč ali zasebniki, uživajo enako zaščito kot vojaške bolnišnične ladje in jih ni dovoljeno zajeti, če jim je stran v spopadu, ki ji pripadajo, izdala uradno naročilo in če se upoštevajo določbe 22. člena o napovedi.

## 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 stem 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

Te ladje morajo imeti potrdilo pristojnih oblasti z izjavo, da so bile ladje ob opremljanju in odhodu pod njihovim nadzorom.

#### *25. člen*

Bolnišnične ladje, ki jih uporabljajo nacionalna društva Rdečega križa, uradno priznana društva za pomoč ali zasebniki nevtralnih držav, uživajo enako zaščito kot vojaške bolnišnične ladje in jih ni dovoljeno zajeti, če so prešle pod nadzor ene od strani v spopadu po predhodnem soglasju svojih vlad in z dovoljenjem te strani v spopadu ter se upoštevajo določbe 22. člena o napovedi.

#### *26. člen*

Zaščita iz 22., 24. in 25. člena velja za bolnišnične ladje kakršne koli tonaže in njihove rešilne čolne, kjer koli delujejo. Kljub temu si strani v spopadu zaradi zagotavljanja kar največje udobnosti in varnosti prizadevajo, da se za prevoz ranjencev, bolnikov in brodomolcev na dolge razdalje in odprtem morju uporabljajo samo bolnišnične ladje z nosilnostjo nad 2000 bruto registrskih ton.

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.

#### *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.

### *27. člen*

Pod enakimi pogoji, kot so določeni v 22. in 24. členu, se spoštujejo in zaščitijo tudi manjša plovila, ki jih za obalne reševalne akcije uporablja država ali uradno priznано društvo za pomoč, če operativne potrebe to dopuščajo.

Enako velja, kolikor je to mogoče, tudi za nepremične naprave za varno plovbo, ki jih za svoje humanitarne naloge uporabljajo izključno ta plovila.

### *28. člen*

Če boj poteka na vojaški ladji, je treba bolniške oddelke spoštovati in jim, kolikor je mogoče, prizanašati. Za bolniške oddelke in njihovo opremo še naprej velja vojno pravo ter se ne smejo uporabljati za druge namene, dokler so potrebni za oskrbo ranjencev in bolnikov. Poveljnik, pod oblastjo katerega so, jih kljub temu lahko uporabi za drugačne namene zaradi vojaške nujnosti, če ranjencem in bolnikom, ki se zdravijo v njih, pred tem zagotovi ustrezno oskrbo.

### *29. člen*

Vsaki bolnišnični ladji v pristanišču, ki pade v roke sovražniku, se dovoli zapustiti pristanišče.

### *30. člen*

Plovila iz 22., 24., 25. in 27. člena zagotovijo pomoč ranjencem, bolnikom in brodolomcem ne glede na njihovo narodno pripadnost.

### *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.

Visoke pogodbenice se zavezujejo, da teh plovil ne bodo uporabljale za vojaške namene.

Ta plovila ne smejo ovirati premikov borcev.

Med spopadom in po njem delujejo na lastno odgovornost.

### *31. člen*

Strani v spopadu imajo pravico nadzorovati in pregledovati plovila iz 22., 24., 25. in 27. člena. Lahko zavrnejo njihovo pomoč, jim ukažejo, naj odplovejo ali naj plovejo v določeni smeri, lahko nadzirajo uporabo njihovih brezžičnih in drugih komunikacijskih sredstev ter jih lahko celo pridržijo za največ sedem dni od dneva, ko so jih prestregle, če je to potrebno zaradi resnosti okoliščin.

Na plovilo lahko začasno pošljejo komisarja, katerega edina naloga je preverjati, ali se izpolnjujejo ukazi, dani na podlagi določb prejšnjega odstavka.

Kolikor je to mogoče, strani v spopadu v ladijski dnevnik bolnišnične ladje vpišejo ukaze, dane poveljniku ladje, v jeziku, ki ga ta razume.

Strani v spopadu lahko na podlagi ali enostranske odločitve ali posebnega sporazuma na svoje ladje pošljejo nevtralne opazovalce, ki preverjajo dosledno spoštovanje določb te konvencije.

### *32. člen*

Plovila iz 22., 24., 25. in 27. člena se glede postanka v nevtralnem pristanišču ne uvrščajo med vojaške ladje.

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 requires.

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.

### *Article 32*

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

### *33. člen*

Trgovske ladje, preurejene v bolnišnične ladje, se ves čas trajanja sovražnosti ne smejo uporabljati za druge namene.

### *34. člen*

Zaščita, do katere so upravičene bolnišnične ladje in bolniški oddelki, ne preneha, razen če se poleg tega, da opravljajo humanitarne naloge, uporabljajo tudi za sovražniku škodljiva dejanja. Zaščita v vseh ustreznih primerih lahko preneha šele po tem, ko ni bilo upoštevano dano opozorilo, v katerem je določen razumen časovni rok.

Bolnišnične ladje zlasti ne smejo imeti ali uporabljati tajnih šifer za oddajanje na svojih brezžičnih ali drugih komunikacijskih sredstvih.

### *35. člen*

Zaščita, do katere so upravičene bolnišnične ladje ali bolniški oddelki, velja tudi v teh okoliščinah:

1. posadke teh ladij ali bolniških oddelkov so oborožene za vzdrževanje reda, lastno obrambo ali obrambo ranjencev in bolnikov;
2. na ladji so naprave, namenjene izključno za navigacijo ali komuniciranje;
3. na bolnišničnih ladjah ali v bolniških oddelkih sta najdena osebno orožje in strelivo, ki sta bila odvzeta ranjencem, bolnikom in brodolomcem ter še nista bila predana pristojni službi;

### *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. humanitarno delovanje bolnišničnih ladij in bolniških oddelkov ali njihovega osebja je razširjeno tudi na oskrbo civilnih ranjenec, bolnikov ali brodolomcev;
5. bolnišnične ladje prevažajo opremo in osebje, ki sta namenjena izključno za opravljanje zdravstvenih nalog in presegata običajne potrebe.

#### **IV. POGlavJE**

##### **OSEBJE**

###### *36. člen*

Versko, zdravstveno in bolnišnično osebje bolnišničnih ladij in njihove posadke je treba spoštovati in zaščititi; ni jih dovoljeno zajeti, dokler na teh ladjah opravljajo svoje naloge, ne glede na to, ali so na njih ranjenci in bolniki ali ne.

###### *37. člen*

Versko, zdravstveno in bolnišnično osebje, dodeljeno za zdravstveno ali duhovno oskrbo oseb iz 12. in 13. člena, ki pade v roke sovražniku, je treba spoštovati in zaščititi; svoje naloge lahko opravlja še naprej, dokler je to potrebno za oskrbo ranjencev in bolnikov. Vrnjeno je, takoj ko poveljuječi, pod katerega oblastjo je, presodi, da je to mogoče. Ko zapušča ladjo, lahko s seboj odnese svoje osebne predmete.

Če je treba del tega osebja zadržati zaradi zdravstvenih ali duhovnih potreb vojnih ujetnikov, se sprejmejo vsi potrebni ukrepi za njegovo čimprejšnje izkrcanje.

- (4) The fact that the humanitarian activities of hospital ships and sick-bays of vessels or of the crews extend 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.

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.

Za zadržano osebje ob izkrcanju veljajo določbe Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949.

## V. POGLAVJE ZDRAVSTVENI PREVOZI

### *38. člen*

Ladjam, najetim za ta namen, je dovoljeno prevažati opremo, ki je namenjena izključno za zdravljenje ranjencev ali bolnikov v oboroženih silah ali za preprečevanje bolezni, če je nasprotna sila obveščena o podrobnih podatkih njihove plovbe in jih odobri. Nasprotna sila obdrži pravico, da te ladje pregleda, ne sme pa jih zajeti ali zapleniti opreme, ki jo prevažajo.

Če se strani v spopadu tako dogovorijo, se na te ladje lahko vkrcajo nevtralni opazovalci, da pregledajo opremo, ki jo prevažajo. Za ta namen se do opreme omogoči neoviran dostop.

### *39. člen*

Zdravstvenih zrakoplovov, torej zrakoplovov, ki se uporabljajo izključno za evakuacijo ranjencev, bolnikov in brodolomcev ter za prevoz zdravstvenega osebja in opreme, ni dovoljeno napadati, ampak jim strani v spopadu pustijo, da letijo na višini, v času in po rutah, o katerih se te strani v spopadu posebej dogovorijo.

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.

Zrakoplovi so spodaj, zgoraj in na stranskih površinah jasno označeni z razpoznavnim znakom, določenim v 41. členu, skupaj z barvami države. Označeni so s kakršnimi koli drugimi znaki ali sredstvi za razpoznavanje, o katerih se strani v spopadu lahko dogovorijo ob začetku ali med trajanjem sovražnosti.

Če ni dogovorjeno drugače, so preleti čez sovražnikovo ozemlje ali ozemlje, ki ga je sovražnik okupiral, prepovedani.

Zdravstveni zrakoplovi upoštevajo vsak ukaz za pristanek na kopnem ali vodi. Po takem pristanku ter morebitnem pregledu zrakoplova in tistih, ki so v njem, zrakoplov lahko nadaljuje polet.

Ob neprostovoljnem pristanku na kopnem ali vodi na sovražnikovem ozemlju ali ozemlju, ki ga je sovražnik okupiral, so ranjenci, bolniki, brodolomci in člani posadke zrakoplova vojni ujetniki. Z zdravstvenim osebjem se ravna v skladu s 36. in 37. členom.

#### *40. člen*

Ob upoštevanju določb drugega odstavka zdravstveni zrakoplovi strani v spopadu lahko preletijo ozemlje nevtralnih sil in v nujnih primerih tam pristanejo ali ga uporabijo za vmesni pristanek. O svojem preletu čez njihovo ozemlje predhodno obvestijo nevtralne sile in upoštevajo vsak ukaz za pristanek na kopnem ali vodi. Pred napadi so zaščiteni samo, kadar letijo po rutah, na višini in v času, o katerih se te strani v spopadu in nevtralna sila posebej dogovorijo.

Nevtralne sile zdravstvenim zrakoplovom lahko postavijo pogoje ali določijo omejitve za prelet ali pristanek na svojem ozemlju. Taki morebitni pogoji ali omejitve se uporabljajo enako za vse strani v spopadu.

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.

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.

Razen če se nevtralne sile in strani v spopadu ne dogovorijo drugače, ranjence, bolnike ali brodolomce, ki so z dovoljenjem lokalnih oblasti izkrcani iz zdravstvenega zrakoplova na nevtralnem ozemlju, nevtralna sila pridrži, kadar to zahteva mednarodno pravo, da ne bi mogli več sodelovati v vojnih operacijah. Stroške njihove nastanitve in interniranja krije sila, ki ji pripadajo.

## **VI. POGLAVJE**

### **RAZPOZNAVNI ZNAK**

#### *41. člen*

Znak rdeči križ na beli podlagi se pod nadzorom pristojne vojaške oblasti namesti na zastave, rokavne trakove in vso opremo, ki se uporablja v zdravstveni službi.

Za države, ki namesto rdečega križa kot znak že uporabljajo rdeči polmesec ali rdečega leva in sonce na beli podlagi, se s to konvencijo priznava tudi ta znak.

#### *42. člen*

Osebe iz 36. in 37. člena na levi roki nosi vodoodporen rokavni trak z razpoznavnim znakom, ki ga je izdala in z žigom opremila vojaška oblast.

To osebe ima poleg razpoznavne značke iz 19. člena tudi posebno identifikacijsko izkaznico z razpoznavnim znakom. Ta izkaznica

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, armbands and on all equipment employed in the Medical Service.

Nevertheless, in the case of countries which already use an 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 armband 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

je vodoodporna in take velikosti, da jo je mogoče nositi v žepu. Je v državnem jeziku, vsebuje najmanj priimek in imena, datum rojstva, čin in službeno številko imetnika ter navedbo, v kakšni vlogi je upravičen do zaščite po tej konvenciji. Na izkaznici sta fotografija imetnika in njegov podpis ali prstni odtis ali oboje. Opremljena je s suhim žigom vojaške oblasti.

Identifikacijska izkaznica je enotna v posamezni oboroženi sili in kolikor je mogoče podobne oblike v oboroženih silah visokih pogodbenic. Strani v spopadu se lahko zgledujejo po obrazcu, ki je kot vzorec priložen tej konvenciji. Ob začetku sovražnosti se medsebojno obvestijo o vzorcu, ki ga uporabljajo. Identifikacijske izkaznice so, če je le mogoče, izdane v najmanj dveh izvodih, od katerih enega hrani država izvora.

Navedenemu osebju se nikakor ne smejo odvzeti njegove oznache, identifikacijske izkaznice niti pravica, da nosi rokavni trak. Ob izgubi je upravičeno do dvojnika izkaznic in nadomestnih označb.

#### *43. člen*

Ladje iz 22., 24., 25. in 27. člena so vidno označene:

- a) vse zunanje površine so bele;
- b) na vsaki strani ladijskega trupa in na vodoravnih površinah je eden ali več kolikor je mogoče velikih temnordečih križev, tako da je zagotovljena največja možna vidnost z morja in iz zraka.

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*

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

- (a) All exterior surfaces shall be white.
- (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.

Vse bolnišnične ladje imajo zaradi razpoznavne dvignjeno državno zastavo, in če pripadajo nevtralni državi, še zastavo strani v spopadu, katere vodenje so sprejele. Bela zastava z rdečim križem mora biti čim višje na glavnem jamboru.

Reševalni čolni bolnišničnih ladij, obalni reševalni čolni in vsa majhna plovila, ki jih uporablja zdravstvena služba, so pobarvani belo in imajo dobro viden temnordeč križ ter na splošno upoštevajo način označevanja, predpisan za bolnišnične ladje.

Navedene ladje in plovila, ki želijo, da se jim ponoči in ob zmanjšani vidljivosti zagotovi zaščita, do katere so upravičeni, morajo z dovoljenjem strani v spopadu, pod katere oblastjo so, ukreniti vse potrebno, da sta njihova barva in razpoznavni znak dovolj vidna.

Bolnišnične ladje, ki jih sovražnik v skladu z 31. členom začasno pridrži, morajo spustiti zastavo strani v spopadu, za katero delujejo ali katere vodenje so sprejele.

Obalnim reševalnim čolnom, ki z dovoljenjem okupacijske sile še naprej delujejo iz okupiranega oporišča, se lahko dovoli, da zunaj svojega oporišča izobesijo svojo državno zastavo skupaj z zastavo z rdečim križem na beli podlagi, o čemer morajo biti predhodno obveščene vse strani v spopadu, na katere se to nanaša.

Vse določbe tega člena, ki se nanašajo na znak rdečega križa, se uporabljajo tudi za druge znake iz 41. člena.

Strani v spopadu si vedno prizadevajo skleniti medsebojne sporazume o uporabi najsodobnejših načinov, ki so jim na voljo za lažje prepoznavanje bolnišničnih ladij.

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 mainmast 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.

#### *44. člen*

Razpoznavni znaki iz 43. člena se tako v miru kot vojni uporabljajo samo za označevanje ali zaščito navedenih ladij, razen če druga mednarodna konvencija ali sporazum med vsemi stranmi v spopadu ne določa drugače.

#### *45. člen*

Če njihova zakonodaja še ni ustrezna, visoke pogodbenice sprejmejo potrebne ukrepe za trajno preprečevanje in kaznovanje zlorab razpoznavnih znakov iz 43. člena.

### **VII. POGlavJE IZVAJANJE KONVENCIJE**

#### *46. člen*

Vsaka stran v spopadu prek svojih poveljujočih zagotovi podrobno izvajanje prejšnjih členov in uredi ukrepanje v nepredvidenih primerih v skladu s splošnimi načeli te konvencije.

#### *47. člen*

Povračilni ukrepi zoper ranjence, bolnike in brodolomce, osebe, plovila ali premo, ki jih štiti konvencija, so prepovedani.

#### *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.

#### *Article 47*

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

#### *48. člen*

Visoke pogodbenice se zavezujejo, da bodo v svojih državah v miru in vojni čim bolj širile poznavanje besedila te konvencije, zlasti da jo bodo vključile v programe vojaškega, in če je le mogoče tudi civilnega usposabljanja, tako da se z njenimi načeli lahko seznanijo vse prebivalstvo, zlasti pa oborožene sile v spopadu ter zdravstveno in versko osebje.

#### *49. člen*

Visoke pogodbenice si prek Švicarskega zveznega sveta, med sovrážnostmi pa prek sil zaščitnic izmenjajo uradne prevode te konvencije ter zakone in druge predpise, ki jih lahko sprejmejo za zagotavljanje njene uporabe.

### **VIII. POGLAVJE KAZNOVANJE ZLORAB IN KRŠITEV**

#### *50. člen*

Visoke pogodbenice se zavezujejo, da bodo sprejele zakonodajo, potrebno za zagotovitev učinkovitih kazenskih sankcij za osebe, ki storijo ali ukažejo storiti katero koli od hudih kršitev te konvencije, opredeljenih v naslednjem členu.

Vsaka visoka pogodbenica mora poiskati osebe, ki so domnevno storile ali ukazale storiti tako hudo kršitev, in jih privedi pred svoje

*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,

sodišče ne glede na njihovo državljanstvo. Če se ji zdi ustreznejše, jih lahko v skladu z določbami svoje zakonodaje izroči v sojenje drugi visoki pogodbenici, če ta zadostno izkaže utemeljene obtožbe proti njim.

Vsaka visoka pogodbenica sprejme potrebne ukrepe za preprečevanje vseh dejanj, ki so v nasprotju z določbami te konvencije in niso hude kršitve, opredeljene v naslednjem členu.

Obdolžencem se vedno zagotovijo pravna jamstva glede sodnega postopka in obrambe, ki niso manj ugodna od tistih iz 105. člena in nadaljnjih členov Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949.

#### *51. člen*

Huda kršitev iz prejšnjega člena je katero koli od teh dejanj, če je storjeno zoper osebe ali premoženje, ki jih ščiti konvencija: naklepno pobijanje, mučenje ali nečloveško ravnanje, vključno z biološkimi poskusi, naklepno povzročanje velikega trpljenja ali hudih telesnih poškodb ali okvar zdravja ter obsežno uničevanje in prilaščanje premoženja, ki ju vojaška nujnost ne upravičuje ter sta storjena protipravno in samovoljno.

#### *52. člen*

Nobeni visoki pogodbenici ni dovoljeno, da sebe ali drugo visoko pogodbenico odveže odgovornosti v zvezi s kršitvami iz prejšnjega člena, ki jo ima sama ali druga visoka pogodbenica.

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, 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 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.

### *53. člen*

Na zahtevo ene od strani v spopadu se ob vsaki domnevni kršitvi konvencije uvede preiskava na način, o katerem se dogovorijo zainteresirane strani.

Če se dogovor o postopku preiskave ne doseže, se strani sporazumejo o izbiri razsodnika, ki določi nadaljnji postopek.

Ko se ugotovi kršitev, jo strani v spopadu zatrejo in čim prej kaznujejo.

## KONČNE DOLOČBE

### *54. člen*

Ta konvencija je sestavljena v angleškem in francoskem jeziku. Besedili sta enako verodostojni.

Švicarski zvezni svet zagotovi uradna prevoda konvencije v ruski in španski jezik.

### *55. člen*

Danes sprejeta konvencija je na voljo za podpis do 12. februarja 1950 za sile, ki so imele predstavnike na konferenci, ki se je začela v Ženevi 21. aprila 1949, pa tudi za sile, ki na tej konferenci niso imele predstavnikov, so pa pogodbenice X. Haaške konvencije z dne 18. oktobra 1907 za prilagoditev bojevanja na morju načelom ženevske konvencije iz leta 1906 ali ženevskih konvencij o pomoči ranjencem in bolnikom v vojskah na bojišču iz leta 1864, 1906 ali 1929.

### *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

#### *56. člen*

Ta konvencija se čim prej ratificira, listine o ratifikaciji pa se deponirajo v Bernu.

O deponiranju vsake listine o ratifikaciji se sestavi zapisnik, overjeno kopijo zapisnika pa Švicarski zvezni svet pošlje vsem silam, v imenu katerih je bila konvencija podpisana ali ki so ga o svojem pristopu uradno obvestile.

#### *57. člen*

Ta konvencija začne veljati šest mesecev po deponiranju najmanj dveh listin o ratifikaciji.

Potem za vsako visoko pogodbenico začne veljati šest mesecev po deponiranju njene listine o ratifikaciji.

#### *58. člen*

V odnosih med visokimi pogodbenicami ta konvencija nadomesti X. Haaško konvencijo z dne 18. oktobra 1907 za prilagoditev bojevanja na morju načelom ženevske konvencije iz leta 1906.

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.

*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.

### *59. člen*

K tej konvenciji lahko po dnevu začetka veljavnosti pristopi vsaka sila, v imenu katere ni bila podpisana.

### *60. člen*

O pristopu se uradno pisno obvesti Švicarski zvezni svet, pristop pa začne učinkovati šest mesecev po dnevu prejema uradnega obvestila o pristopu.

Švicarski zvezni svet obvesti o pristopu vse sile, v imenu katerih je bila konvencija podpisana ali ki so ga o svojem pristopu uradno obvestile.

### *61. člen*

Ob nastopu razmer iz 2. in 3. člena imajo deponiranje listin o ratifikaciji, ki ga strani v spopadu opravijo pred začetkom sovražnosti ali okupacije ali po tem, in uradna obvestila o pristopu, ki jih pošljejo pred začetkom sovražnosti ali okupacije ali po tem, takojšnji učinek. Švicarski zvezni svet kar najhitreje pošlje obvestilo o ratifikacijah ali pristopih strani v spopadu.

### *62. člen*

Vsaka visoka pogodbenica lahko odpove to konvencijo.

Uradno pisno obvestilo o odpovedi se pošlje Švicarskemu zveznemu svetu, ki ga pošlje vladam vseh visokih pogodbenic.

*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.

Odpoved začne učinkovati leto dni po dnevu, ko je Švicarski zvezni svet o njej uradno obveščen. Odpoved, o kateri se pošlje uradno obvestilo v času, ko sila, ki jo je sporočila, sodeluje v spopadu, ne učinkuje, dokler ni sklenjen mir in niso končani postopki v zvezi z osvoboditvijo in repatriacijo oseb, ki jih ta konvencija ščiti.

Odpoved velja samo za silo, ki jo sporoči. Ne vpliva na obveznosti, ki še naprej zavezujejo strani v spopadu na podlagi načel mednarodnega prava, kot izhajajo iz običajev, ustaljenih med civiliziranimi narodi, zakonov človečnosti in zapovedi javne vesti.

### *63. člen*

Švicarski zvezni svet to konvencijo registrira pri Sekretariatu Organizacije združenih narodov. Švicarski zvezni svet Sekretariat Organizacije združenih narodov obvešča o vseh ratifikacijah, pristopih in odpovedih, ki jih prejme v zvezi s to konvencijo.

V potrditev tega so podpisani, ki so predložili ustrezna pooblastila, podpisali to konvencijo.

Sestavljeno v Ženevi 12. avgusta 1949 v angleškem in francoskem jeziku. Izvirnik se hrani v arhivu Švicarske konfederacije. Švicarski zvezni svet pošlje overjeno kopijo konvencije vsaki državi podpisnici in vsaki državi, ki pristopi k njej.

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.


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.

# PRILOGA

## Sprednja stran



	(Prostor za ime države in vojaške oblasti, ki je to izkaznico izdala)	
<b>IDENTIFIKACIJSKA IZKAZNICA</b>		
<b>za pripadnike zdravstvenega in verskega osebja v sestavi oboroženih sil na morju</b>		
Priimek .....		
Imena .....		
Datum rojstva .....		
Čin .....		
Vojaška identifikacijska številka .....		
Imetnika te identifikacijske izkaznice štiti Ženevska konvencija za izboljšanje položaja ranjencev, bolnikov in brodolomcev v oboroženih silah na morju z dne 12. avgusta 1949 v vlogi		
.....		
Datum izdaje	Številka izkaznice	
.....	.....	

## Zadnja stran


Fotografija imetnika	Podpis imetnika ali odtisi ali oboje	
		
Višina	Oči	Lasje
.....	.....	.....
Druga razpoznavna znamenja		
.....		
.....		
.....		
.....		

# ANNEX

## Front

	(Space reserved for the name of the country and military authority issuing this card)	
<b>IDENTITY CARD</b>		
<b>for members of medical and religious personnel attached to the armed forces at sea</b>		
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, 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		
.....		
.....		
.....		
.....		

**ŽENEVSKA KONVENCIJA  
O RAVNANJU Z VOJNIMI UJETNIKI  
(KONVENCIJA III)  
Z DNE 12. AVGUSTA 1949**

Podpisani pooblašчени predstavniki vlad, zastopanih na diplomatski konferenci, ki je potekala v Ženevi od 21. aprila do 12. avgusta 1949, so se z namenom spremeniti Ženevsko konvencijo o ravnanju z vojnimi ujetniki, sklenjeno v Ženevi 27. julija 1929, dogovorili:

**I. DEL  
SPLOŠNE DOLOČBE**

*1. člen*

Visoke pogodbenice se zavezujejo, da bodo spoštovale to konvencijo in zagotavljale, da se upošteva v vseh okoliščinah.

*2. člen*

Poleg določb, ki se izvajajo že v miru, se ta konvencija uporablja v vsaki napovedani vojni ali vsakem drugem oboroženem spopadu, ki bi se lahko začel med dvema visokima pogodbenicama ali več visokimi pogodbenicami, tudi če katera od njih vojnega stanja ne prizna.

**GENEVA CONVENTION  
RELATIVE TO THE TREATMENT  
OF PRISONERS OF WAR  
(CONVENTION III) 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.

Konvencija se uporablja tudi v vseh primerih delne ali popolne okupacije ozemlja visoke pogodbenice, tudi če proti okupaciji ni oboroženega odpora.

Tudi če ena od sil v spopadu ni pogodbenica te konvencije, ta v medsebojnih odnosih še naprej zavezuje sile, ki so njene pogodbenice. Poleg tega jih konvencija zavezuje v razmerju do te sile, če ta njene določbe sprejema in uporablja.

### *3. člen*

V oboroženem spopadu, ki ni mednaroden in se začne na ozemlju ene od visokih pogodbenc, vsako stran v spopadu zavezujejo najmanj te določbe:

1. Z osebami, ki pri sovražnostih ne sodelujejo dejavno, vključno s pripadniki oboroženih sil, ki so odložili orožje, in tistimi, ki ne morejo sodelovati v boju zaradi bolezni, ran, pridržanja ali drugega vzroka, se vedno ravna človeško, brez razlikovanja glede na raso, barvo, vero ali prepričanje, spol, rojstvo, premoženjsko stanje ali kakršno koli drugo podobno merilo.

V zvezi z navedenimi osebami so in ostajajo vedno in povsod prepovedana ta dejanja:

- a) napad na življenje in telo, še posebej umori vseh vrst, pohabljenje, okrutno ravnanje in mučenje;
- b) jemanje talcev;
- c) napad na osebno dostojanstvo, še posebej zaničevalno in poniževalno ravnanje;

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) izrekanje kazni in izvajanje usmrtitev brez predhodne sodbe pravilno ustanovljenega sodišča, ki zagotavlja vsa pravna jamstva, ki so pri civiliziranih narodih priznana kot nujna.
2. Ranjence in bolnike je treba zbrati in oskrbeti.  
Nepristranska humanitarna organizacija, kot je Mednarodni odbor Rdečega križa, lahko stranem v spopadu ponudi svojo pomoč.  
Strani v spopadu si poleg tega s posebnimi sporazumi prizadevajo v celoti ali delno uveljaviti tudi druge določbe te konvencije.  
Uporaba predhodnih določb ne vpliva na pravni položaj strani v spopadu.

#### *4. člen*

- A. Vojni ujetniki v smislu te konvencije so osebe, ki pripadajo eni od teh skupin in so prišle pod oblast sovražnika:
1. pripadniki oboroženih sil ene od strani v spopadu in pripadniki milic ali prostovoljnih enot, ki so del teh oboroženih sil;
  2. pripadniki drugih milic in drugih prostovoljnih enot, vključno s tistimi pripadniki organiziranih odporiških gibanj, ki pripadajo eni od strani v spopadu in delujejo znotraj ali zunaj lastnega ozemlja, tudi če je to ozemlje okupirano, če te milice ali prostovoljne enote, vključno s temi organiziranimi odporiški gibanji, izpolnjujejo te pogoje:
    - a) poveljuje jim oseba, odgovorna za svoje podrejene;

(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) imajo določen od daleč opazen razpoznavni znak;
  - c) odkrito nosijo orožje;
  - d) pri vodenju svojih operacij spoštujejo vojno pravo in običaje vojne;
3. pripadniki rednih oboroženih sil, ki se opredelijo za vlado ali oblast, ki je sila, ki jih pridržuje, ne priznava;
  4. osebe, ki spremljajo oborožene sile in niso njihovi pripadniki, kot so civilni člani posadk vojaških zrakoplovov, vojni dopisniki, oskrbovalci, pripadniki delovnih enot ali služb, odgovornih za podporo vojski, če jih odobrijo oborožene sile, ki jih spremljajo; te jim v ta namen izdajo identifikacijsko izkaznico, podobno priloženemu vzorcu;
  5. člani posadk trgovske mornarice, vključno s poveljniki, krmarji in pripravniki, ter posadk civilnega letalstva strani v spopadu, ki po drugih določbah mednarodnega prava ne uživajo ugodnejše obravnave;
  6. prebivalstvo neokupiranega ozemlja, ki ob približevanju sovražnika spontano prime za orožje, da bi se prodirajočim silam uprlo, in ni imelo časa, da bi se organiziralo v redne oborožene enote, če odkrito nosi orožje ter spoštuje vojno pravo in običaje vojne.
- B. Kot vojni ujetniki se po tej konvenciji obravnavajo tudi:
1. osebe, ki pripadajo ali so pripadale oboroženim silam okupirane države, če okupacijska sila meni, da jih je treba zaradi njihove pripadnosti internirati, tudi če jih sprva, medtem ko se

- (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.
- 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

sovražnosti zunaj okupiranega ozemlja nadaljujejo, osvobodi, zlasti če se te osebe neuspešno poskušajo znova pridružiti obo-roženim silam, udeležnim v spopadu, ki jim pripadajo, ali če se ne odzovejo na poziv k interniranju;

2. osebe, ki pripadajo eni od skupin, naštetih v tem členu, in jih nevtralne sile ali sile, ki se ne vojskujejo, sprejmejo na svoje ozemlje ter jih morajo po mednarodnem pravu internirati, ne da bi to vplivalo na ugodnejšo obravnavo, ki jim jo te sile mor-da želijo dati, in določbe 8., 10. in 15. člena, petega odstavka 30. člena, 58. do vključno 67. člena ter 92. in 126. člena, ter kadar med temi stranmi v spopadu in nevtralno silo ali silo, ki se ne vojskuje, obstajajo diplomatski odnosi, tistih členov, ki se nanašajo na silo zaščitnico. Kadar taki diplomatski odnosi ob-stajajo, smejo strani v spopadu, ki jim te osebe pripadajo, v zvezi z njimi opravljati naloge, ki jih ima po tej konvenciji sila zašči-tnica, ne da bi to vplivalo na naloge, ki jih te strani praviloma opravljajo v skladu z diplomatskimi in konzularnimi običaji in pogodbami.
- C. Ta člen ne vpliva na status zdravstvenega in verskega osebja, kot ga določa 33. člen te konvencije.

### *5. člen*

Ta konvencija se uporablja za osebe iz 4. člena od trenutka, ko pridejo pod oblast sovražnika, do njihove dokončne osvoboditve in repatriacije.

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.

Če obstaja dvom, ali osebe, ki so vojaško delovale in padle v roke sovražniku, spadajo v eno od skupin iz 4. člena, te osebe uživajo zaščito po tej konvenciji, dokler pristojno sodišče ne ugotovi njihovega statusa.

#### *6. člen*

Visoke pogodbenice poleg sporazumov, ki jih izrecno določajo 10., 23., 28., 33., 60., 65., 66., 67., 72., 73., 75., 109., 110., 118., 119., 122. in 132. člen, lahko sklenejo še druge posebne sporazume o vseh zadevah, ki jih je treba po njihovi presoji posebej urediti. Noben posebni sporazum ne sme neugodno vplivati na položaj vojnih ujetnikov, kot ga določa ta konvencija, niti omejevati pravic, ki jim jih priznava.

Vojni ujetniki uživajo ugodnosti teh sporazumov, dokler se konvencija zanje uporablja, razen če navedeni ali poznejši sporazumi izrecno ne določajo nasprotno ali če ena ali druga stran v spopadu ne sprejme ugodnejših ukrepov v zvezi z njimi.

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.

### *7. člen*

Vojni ujetniki se nikakor ne morejo niti delno niti v celoti odpo-vedati pravicam, ki jim jih zagotavljajo ta konvencija in morebitni posebni sporazumi iz prejšnjega člena.

### *8. člen*

Ta konvencija se uporablja v sodelovanju s silami zaščitnicami, katerih naloga je zavarovati interese strani v spopadu, in pod nadzorom teh sil. Za ta namen lahko sile zaščitnice poleg svojega diplomatskega ali konzularnega osebja iz vrst lastnih državljanov ali državljanov drugih nevtralnih sil imenujejo delegate. Odobri jih sila, s katero bodo opravljali svoje naloge.

Strani v spopadu kar najbolj omogočajo delo predstavnikov ali delegatov sil zaščitnic.

Predstavniki ali delegati sil zaščitnic nikakor ne smejo preseči svojih pooblastil po tej konvenciji. Zlasti upoštevajo nujne varnostne potrebe države, v kateri opravljajo svoje naloge.

### *9. člen*

Določbe te konvencije niso ovira za humanitarno delovanje Mednarodnega odbora Rdečega križa ali katere koli druge nepristranske humanitarne organizacije, ki ga odobrijo strani v spopadu, da se zaščitijo vojni ujetniki in se jim pomaga.

### *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 cooperation 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

## 10. člen

Visoke pogodbenice se lahko kadar koli dogovorijo, da opravljanje nalog, za katere so po tej konvenciji zavezane sile zaščitnice, zaupajo organizaciji, ki zagotavlja nepristranskost in učinkovitost.

Če vojni ujetniki iz kakršnega koli razloga ne uživajo pomoči sile zaščitnice ali druge organizacije iz prejšnjega odstavka ali jo prenehajo uživati, sila, ki jih pridržuje, zaprosi nevtralno državo ali tako organizacijo, da prevzame naloge, ki jih po tej konvenciji opravlja sila zaščitnica, ki jo imenujejo strani v spopadu.

Če zaščite teh oseb ni mogoče ustrezno zagotoviti, sila, ki jih pridržuje, ob upoštevanju določb tega člena zaprosi humanitarno organizacijo, kot je Mednarodni odbor Rdečega križa, ali sprejme njeno ponudbo, da prevzame humanitarne naloge, ki jih opravljajo sile zaščitnice po tej konvenciji.

Vsaka nevtralna sila ali organizacija, ki jo povabi ta sila ali ki se ponudi za ta namen, mora delovati z vso odgovornostjo do strani v spopadu, ki ji pripadajo osebe, zaščitene po tej konvenciji, in predložiti zadostna zagotovila, da je sposobna prevzeti določene naloge in jih opravljati nepristransko.

Navedenih določb ni mogoče razveljaviti s posebnimi sporazumi med silami, od katerih se ena, pa čeprav le začasno, zaradi vojaških dogodkov, zlasti delne ali popolne okupacije svojega ozemlja, ne more svobodno pogajati z drugo silo ali njenimi zaveznicami.

Kadar koli se v tej konvenciji omenja sila zaščitnica, se ta izraz nanaša tudi na organizacije, ki jo v smislu tega člena nadomeščajo.

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 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

## *11. člen*

Sile zaščitnice za rešitev nesoglasij ponudijo dobre usluge, kadar presodijo, da je to v korist zaščitениh oseb, zlasti kadar se strani v spopadu ne morejo sporazumeti o uporabi ali razlagi določb te konvencije.

Za ta namen lahko vsaka sila zaščitnica na povabilo ene strani v spopadu ali na lastno pobudo predlaga stranem v spopadu sestane njihovih predstavnikov, zlasti oblasti, odgovornih za vojne ujetnike, če je le mogoče na ustrezno izbranem nevtralnem ozemlju. Strani v spopadu morajo upoštevati v zvezi s tem dane predloge. Sile zaščitnice po potrebi lahko predlagajo stranem v spopadu v odobritev osebo, ki pripada nevtralni sili ali jo pooblasti Mednarodni odbor Rdečega križa, in je povabljen, da sodeluje na sestanku.

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.

## II. DEL

### SPLOŠNA ZAŠČITA VOJNIH UJETNIKOV

#### *12. člen*

Vojni ujetniki so pod oblastjo sovražne sile, ne pa posameznikov ali vojaških enot, ki so jih zajele. Ne glede na morebitno odgovornost posameznikov je za ravnanje z njimi odgovorna sila, ki jih pridržuje.

Sila, ki pridržuje vojne ujetnike, jih lahko preda le sili, ki je pogodbenica te konvencije, potem ko se prepriča o njeni pripravljenosti in sposobnosti za uporabo te konvencije. Kadar so vojni ujetniki predani pod takimi pogoji, je za uporabo te konvencije odgovorna sila, ki jih je sprejela, dokler so pod njenim nadzorom.

Če ta sila ne izvaja določb te konvencije glede katerega koli pomembnega vidika, sila, ki ji je predala vojne ujetnike, potem ko jo je o tem uradno obvestila sila zaščitnica, sprejme učinkovite ukrepe za izboljšanje stanja ali zahteva vrnitev vojnih ujetnikov. To zahtevo je treba upoštevati.

#### *13. člen*

Z vojnimi ujetniki je treba vedno ravnati človeško. Vsako nezakonito dejanje ali opustitev dejanja s strani sile, ki jih pridržuje, ki povzroči smrt ali hudo ogroža zdravje vojnega ujetnika pod njenim nadzorom, je prepovedano in se šteje za hudo kršitev te konvencije. Zlasti je prepovedano vojnega ujetnika fizično pohabiti ali ga uporabiti za kakršne koli medicinske ali znanstvene poskuse, ki niso upravičljivi kot zdravstvena, zobozdravstvena ali bolnišnična obravnava ujetnika niti niso storjeni v njegovo korist.

## 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.

### *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

Prav tako je treba vojne ujetnike vedno ščititi, zlasti pred nasilnimi dejanji, zastraševanjem, žalitvami in radovedno javnostjo.

Povračilni ukrepi proti vojnim ujetnikom so prepovedani.

#### *14. člen*

Vojni ujetniki imajo vedno pravico, da se spoštujeta njihova osebnost in čast.

Z ženskami je treba ravnati z vsem spoštovanjem do njihovega spola in jim vedno zagotoviti enako ugodno obravnavo kot moškim.

Vojni ujetniki obdržijo polno pravno sposobnost, kot so jo imeli ob svojem zajetju. Sila, ki jih pridržuje, sme uveljavljanje pravic, ki izhajajo iz te sposobnosti, na svojem ozemlju ali zunaj njega omejiti samo toliko, kolikor je to potrebno zaradi ujetništva.

#### *15. člen*

Sila, ki pridržuje vojne ujetnike, jim mora zagotoviti brezplačno vzdrževanje in zdravstveno oskrbo, ki jo zahteva njihovo zdravstveno stanje.

#### *16. člen*

Sila, ki pridržuje vojne ujetnike, ob upoštevanju določb te konvencije, ki se nanašajo na čin in spol, ter ob upoštevanju ugodnosti zaradi zdravstvenega stanja, starosti ali poklicne usposobljenosti vse vojne ujetnike obravnava enako brez razlikovanja glede na raso, narodno pripadnost, versko ali politično prepričanje ali kakršno koli drugo podobno merilo.

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

**III. DEL**  
**UJETNIŠTVO**  
**I. ODDELEK**  
**ZAČETEK UJETNIŠTVA**

*17. člen*

Vsak vojni ujetnik je med izpraševanjem dolžan povedati le svoj priimek, imena in čin, datum rojstva, ime vojske, vojaško enoto, osebno ali službeno številko, oziroma če tega ni, druge primerljive podatke.

Če namerno prekrši to pravilo, tvega, da se mu omejijo ugodnosti, ki mu pripadajo po činu in položaju.

Vsaka stran v spopadu mora osebam pod svojo pristojnostjo, ki lahko postanejo vojni ujetniki, izdati identifikacijsko izkaznico, ki vsebuje imetnikov priimek, imena, čin, ime vojske, vojaško enoto, osebno ali službeno številko ali druge primerljive podatke ter datum rojstva. Identifikacijska izkaznica lahko poleg tega vsebuje še podpis ali prstne odtise imetnika ali oboje in vsak drug podatek, ki ga stran v spopadu želi dodati o osebah, ki pripadajo njenim oboroženim silam. Če je mogoče, izkaznica meri 6,5 × 10 cm in je izdana v dvojniku. Identifikacijsko izkaznico mora vojni ujetnik na zahtevo pokazati, nikakor pa mu je ni dovoljeno odvzeti.

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.

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 × 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.

Vojni ujetniki se ne smejo telesno ali duševno mučiti niti se ne smejo nad njimi izvajati druge oblike prisile, da bi se od njih pridobile kakršne koli informacije. Vojnim ujetnikom, ki ne želijo odgovarjati, se ne sme groziti, ne smejo se žaliti ali izpostavljati neprijetnostim ali se kakor koli drugače zapostavljati.

Vojni ujetniki, ki zaradi svojega telesnega ali duševnega stanja niso sposobni dati osebnih podatkov, se predajo zdravstveni službi. Njihova identiteta se določi z vsemi možnimi sredstvi ob upoštevanju določb prejšnjega odstavka.

Izpraševanje vojnih ujetnikov poteka v jeziku, ki ga razumejo.

#### *18. člen*

Vsi osebni predmeti in predmeti za osebno rabo razen orožja, konjev, vojaške opreme in vojaških dokumentov ostanejo v posesti vojnih ujetnikov, prav tako njihove kovinske čelade in plinske maske ter podobni predmeti za osebno zaščito. V njihovi posesti ostanejo tudi osebni predmeti in predmeti, ki se uporabljajo za oblačenje in hranjenje, tudi če spadajo v njihovo predpisano vojaško opremo.

Vojni ujetniki morajo imeti vedno pri sebi identifikacijske dokumente. Vojnim ujetnikom, ki jih nimajo, jih priskrbi sila, ki jih pridržuje.

Vojnim ujetnikom se ne smejo odvzeti oznake čina in državljanstva, odlikovanja in predmeti, ki imajo zanje predvsem osebno ali čustveno vrednost.

Denar, ki ga imajo vojni ujetniki pri sebi, se jim ne sme odvzeti, razen po ukazu častnika, potem ko se znesek in podrobni podatki o

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

lastniku zabeležijo v poseben register in se izda podrobno potrdilo o odvzemu s čitljivo napisanim imenom, činom in enoto osebe, ki je to potrdilo izdala. Zneski, ki so v valuti sile, ki pridržuje vojne ujetnike, ali so zamenjani v to valuto na zahtevo ujetnika, se pripišejo v dobroimetje na ujetnikovem računu, kot to določa 64. člen.

Sila, ki pridržuje vojne ujetnike, jim vrednostne predmete lahko odvzame samo zaradi varnostnih razlogov; v takem primeru se uporabi enak postopek kot pri odvzemu denarja.

Te predmete in odvzete zneske v kateri koli valuti, ki ni valuta sile, ki pridržuje vojne ujetnike, in katere zamenjave lastniki niso zahtevali, sila, ki pridržuje vojne ujetnike, hrani in jih v njihovem prvotnem stanju vrne vojnim ujetnikom ob koncu njihovega ujetništva.

### *19. člen*

Vojne ujetnike je treba čim prej po njihovem zajetju preseliti v taborišča, ki so dovolj oddaljena od območja bojevanja, da ujetniki niso v nevarnosti.

Na nevarnem območju se lahko začasno zadržijo samo tisti vojni ujetniki, ki bi bili zaradi ran ali bolezni bolj ogroženi med evakuacijo, kot so, če ostanejo, kjer so.

Vojni ujetniki se med čakanjem na evakuacijo z območja bojevanja po nepotrebnem ne izpostavljajo nevarnosti.

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.

#### *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.

## *20. člen*

Evakuacija vojnih ujetnikov se vedno opravi človeško in v razmerah, ki so podobne tistim pri premeščanju oboroženih sil sile, ki jih pridržuje.

Sila, ki pridržuje vojne ujetnike, jih med evakuacijo oskrbi z dovolj hrane, pitne vode in potrebnimi oblačili ter jim zagotovi zdravstveno oskrbo. Prav tako sprejme vse ustrezne ukrepe za zagotovitev njihove varnosti med evakuacijo in čim prej sestavi seznam evakuiranih vojnih ujetnikov.

Če se morajo vojni ujetniki med evakuacijo nastaniti v prehodnih taboriščih, je njihovo bivanje v njih čim krajše.

## II. ODDELEK INTERNIRANJE VOJNIH UJETNIKOV *I. POGLAVJE* *SPLOŠNO*

## *21. člen*

Sila, ki pridržuje vojne ujetnike, jih sme internirati. V taborišču, v katerem so internirani, lahko določi mejo, do katere se smejo oddaljiti, ali gibanje znotraj ograjenega prostora, če je taborišče ograjeno. Ob upoštevanju določb te konvencije, ki se nanašajo na kazenske in disciplinske sankcije, se vojni ujetniki ne smejo zapreti, razen če je to nujno za zaščito njihovega zdravja, in to le, dokler trajajo okoliščine, zaradi katerih je to zaprtje potrebno.

## *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.

Vojni ujetniki so lahko na podlagi dane besede ali obljube delno ali popolnoma izpuščeni na prostost, če to dovoljuje zakonodajna sila, ki ji pripadajo. Taki ukrepi se sprejmejo zlasti, kadar lahko pripomorejo k izboljšanju njihovega zdravstvenega stanja. Noben vojni ujetnik ne sme biti prisiljen, da sprejme izpustitev na podlagi dane besede ali obljube.

Ob začetku sovražnosti vsaka stran v spopadu uradno obvesti nasprotno stran o zakonih in drugih predpisih, ki njenim državljanom dovoljujejo ali prepovedujejo sprejeti izpustitev na podlagi dane besede ali obljube. Vojni ujetniki, ki so bili izpuščeni na podlagi dane besede ali obljube v skladu z zakoni in drugimi predpisi, o katerih sta se strani uradno obvestili, morajo sprejete obveze v zvezi z izpustitvijo na podlagi dane besede ali obljube zaradi lastne časti dosledno izpolnjevati tako do sile, ki ji pripadajo, kot do sile, ki jih je zajela. V takih primerih sila, ki ji pripadajo, ne sme od njih niti zahtevati niti sprejeti ničesar, kar bi bilo v nasprotju z dano besedo ali obljubo.

## *22. člen*

Vojni ujetniki so lahko internirani samo v objektih na kopnem, kjer so zagotovljene ustrezne higienske in zdravstvene razmere. Ne smejo biti internirani v ustanovah za prestajanje kazni, razen v posebnih primerih, kadar je to v njihovo korist.

Vojne ujetnike, internirane na nezdravih območjih ali na območjih, kjer je podnebje zanje škodljivo, je treba čim prej preseliti na območje z ugodnejšim podnebjem.

Sila, ki pridržuje vojne ujetnike, jih v taboriščih ali delih taborišč razporedi glede na njihovo narodno pripadnost, jezik in običaje, pri

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.

### *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

čemer niso ločeni od vojnih ujetnikov, pripadnikov oboroženih sil, v katerih so služili ob zajetju, razen če se strinjajo s tem.

### *23. člen*

Vojni ujetniki se ne smejo nikoli poslati na območja, kjer bi bili lahko izpostavljeni ognju z območja bojevanja, ali pridrževati tam, njihova prisotnost pa se ne sme zlorabiti za zavarovanje posameznih mest ali območij pred vojaškimi operacijami.

Vojni ujetniki morajo imeti pred zračnimi bombnimi napadi in drugimi vojnimi nevarnostmi na voljo zaklonišča enako kot krajevno civilno prebivalstvo. Vojni ujetniki razen tistih, ki so zadolženi za zaščito svojih nastanitvenih objektov pred temi nevarnostmi, se čim prej po alarmu lahko umaknejo v zaklonišča. Zanje veljajo tudi vsi drugi zaščitni ukrepi, sprejeti v korist prebivalstva.

Sile, ki pridržujejo vojne ujetnike, silam, na katere se to nanaša, po silah zaščitnicah sporočijo vse koristne informacije o zemljepisni legi taborišč za vojne ujetnike.

Če vojaški razlogi to dopuščajo, se taborišča za vojne ujetnike podnevi označijo s črkama PW ali PG, ki morata biti jasno vidni iz zraka. Te sile se lahko dogovorijo tudi o drugačnem načinu označevanja. Tako smejo biti označena le taborišča za vojne ujetnike.

### *24. člen*

Razmere v prehodnih ali stalnih zbirnih taboriščih morajo biti podobne, kot je opisano v tem oddelku, z vojnimi ujetniki v njih pa je treba ravnati enako kot v drugih taboriščih.

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.

*II. POGLAVJE*  
*NASTANITVENI PROSTORI, PREHRANA IN OBLAČILA VOJNIH*  
*UJETNIKOV*

*25. člen*

Vojni ujetniki se nastanijo v razmerah, ki so enako ugodne kot tiste, v katerih so na istem območju nastanjene oborožene sile, ki pridrži vojnne ujetnike. Pri tem se upoštevajo navade in običaji vojnih ujetnikov, te razmere pa nikakor ne smejo škodovati njihovega zdravju.

Navedene določbe se nanašajo predvsem na spalne prostore vojnih ujetnikov tako glede celotne površine in minimalne prostornine kot glede splošne opremljenosti prostorov, posteljnine in odej.

Prostori za vojne ujetnike, ki so namenjeni za individualno ali skupinsko uporabo, so popolnoma zaščiteni pred vlago, ustrezno ogrevani in osvetljeni, zlasti od mraka do ugašanja luči. Sprejmejo se vsi potrebni ukrepi za zaščito pred požarom.

V taboriščih, kjer so vojne ujetnice nastanjene skupaj z vojnimi ujetniki, se jim zagotovijo ločene spalnice.

*26. člen*

Osnovni dnevni obroki hrane so ustrezni glede količine, kakovosti in raznovrstnosti, da se ohrani dobro zdravstveno stanje vojnih ujetnikov in prepreči izguba telesne teže ali podhranjenost. Upoštevajo se tudi prehranske navade vojnih ujetnikov.

Sila, ki pridrži vojnne ujetnike, vojnemu ujetniku, ki delajo, zagotovi take dodatne obroke hrane, kot so potrebni za opravljanje njihovega dela.

*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.

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.

Vojnim ujetnikom se zagotovi dovolj pitne vode. Dovoljena je uporaba tobaka.

Vojni ujetniki, kolikor je mogoče, sodelujejo pri pripravi svojih obrokov; za ta namen se lahko zaposlijo v kuhinjah. Poleg tega se jim omogoči, da si sami pripravljajo dodatno hrano, ki jo imajo.

Za jedilnice se zagotovijo ustrezni prostori.

Skupinski disciplinski ukrepi, ki se nanašajo na hrano, so prepovedani.

### *27. člen*

Sila, ki pridržuje vojne ujetnike, jim zagotovi zadostno količino oblačil, spodnjega perila in obutve ter pri tem upošteva podnebje kraja, kjer so pridržani. Uniforme sovražnih oboroženih sil, ki jih je zajela sila, ki pridržuje vojne ujetnike, se uporabijo za oblačila vojnih ujetnikov, če so primerne podnebjem.

Sila, ki jih pridržuje, zagotovi redno menjavo in popravilo navedenih stvari. Poleg tega vojni ujetniki, ki delajo, dobijo ustrezna oblačila, če je to potrebno zaradi njihovega dela.

### *28. člen*

V vseh taboriščih se postavijo kantine, v katerih si vojni ujetniki lahko priskrbijo živila, milo, tobak in običajne predmete za vsakdnevno uporabo. Cene ne smejo biti višje od krajevnih tržnih cen.

Dobiček taboriščnih kantin se uporabi v korist vojnih ujetnikov; za ta namen se ustanovi poseben sklad. Predstavniki vojnih ujetnikov ima pravico sodelovati pri upravljanju kantine in tega sklada.

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.

Ko se taborišče zapre, se sredstva iz posebnega sklada predajo mednarodni humanitarni organizaciji, da jih uporabi v korist vojnih ujetnikov z istim državljanstvom, kot ga imajo tisti, ki so v sklad prispevali. Ob splošni repatriaciji obdrži dobiček sila, ki je pridrževala vojne ujetnike, razen če se sile, na katere se to nanaša, ne dogovorijo drugače.

### *III. POGLAVJE* *HIGIENA IN ZDRAVSTVENA OSKRBA*

#### *29. člen*

Sila, ki pridržuje vojne ujetnike, mora sprejeti vse potrebne higienske ukrepe, da se v taborišču zagotovita čistoča in zdravje ter preprečijo epidemije.

Vojni ujetniki imajo podnevi in ponoči na voljo sanitarije, ki ustrezajo higienskemu merilu in se stalno čistijo. V taboriščih, kjer so nastanjene tudi vojne ujetnice, se jim zagotovijo ločene sanitarije.

Poleg kopalnic in prh, s katerimi morajo biti opremljena taborišča, je treba vojnim ujetnikom zagotoviti dovolj vode in mila za osebno higieno in pranje perila; za ta namen se jim zagotovijo potrebna oprema, prostori in čas.

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.

*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.

### 30. člen

Vsako taborišče ima primerno ambulanto, v kateri vojni ujetniki lahko dobijo potrebno oskrbo in ustrezno predpisano dieto. Če je treba, se za bolnike z nalezljivimi ali duševnimi boleznimi uredijo izolacijski oddelki.

Hudo bolne vojne ujetnike, ki potrebujejo posebno zdravljenje, kirurški poseg ali bolnišnično oskrbo, sprejme vsaka vojaška ali civilna zdravstvena ustanova, ki jim lahko zagotovi tako zdravljenje, tudi če je predvidena njihova skorajšnja repatriacija. Invalidom, zlasti slepim, se zagotovijo posebni pripomočki za njihovo oskrbo do njihove repatriacije.

Vojne ujetnike naj, če je to mogoče, neguje zdravstveno osebje sile, ki ji pripadajo, ki je njihove narodne pripadnosti.

Vojnim ujetnikom se ne sme preprečiti pregled pri zdravstvenih oblasteh. Oblasti, ki pridržujejo vojne ujetnike, vsakemu vojnemu ujetniku, ki je bil zdravljen, na njegovo zahtevo izdajo uradno potrdilo o njegovi bolezni ali poškodbi ter trajanju in načinu zdravljenja. Dvojniki tega potrdila se pošlje osrednji agenciji za vojne ujetnike.

Stroške zdravljenja, vključno s stroški potrebnih pripomočkov za vzdrževanje dobrega zdravstvenega stanja vojnih ujetnikov, zlasti zobnih in drugih protez ter očal, krije sila, ki jih pridržuje.

### *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.

### *31. člen*

Vojni ujetniki so najmanj enkrat na mesec zdravstveno pregledani. Pregled vključuje tehtanje vojnih ujetnikov in zapis njihove teže. Ti pregledi so namenjeni zlasti spremljanju splošnega zdravstvenega stanja, prehrane in čistoče vojnih ujetnikov ter odkrivanju nalezljivih bolezni, zlasti tuberkuloze, malarije in spolno prenosljivih bolezni. Za ta namen se uporabljajo najučinkovitejši razpoložljivi postopki, na primer redno splošno fluorografiranje za zgodnje odkrivanje tuberkuloze.

### *32. člen*

Sila, ki pridržuje vojne ujetnike, lahko od vojnih ujetnikov, ki so zdravniki, kirurgi, zobozdravniki, zdravstveni tehniki, medicinske sestre ali bolničarji, zahteva, da opravljajo svoje zdravstvene naloge v korist vojnih ujetnikov pod njeno oblastjo, čeprav v svojih oboroženih silah niso bili vključeni v zdravstveno službo. V tem primeru še naprej ostanejo vojni ujetniki, vendar se z njimi ravna enako kot z zdravstvenim osebjem, ki ga zadržuje sila, ki pridržuje vojne ujetnike. Oproščeni so vsakega drugega dela po 49. členu.

### *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 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.

*IV. POGLAVJE*  
*ZDRAVSTVENO IN VERSKO OSEBJE,*  
*ZADRŽANO, DA POMAGA VOJNIM UJETNIKOM*

*33. člen*

Člani zdravstvenega in verskega osebja, ki jih sila, ki pridržuje vojne ujetnike, zadrži zato, da bi pomagali vojnim ujetnikom, se ne štejejo za vojne ujetnike. Uživajo najmanj ugodnosti in zaščito po tej konvenciji, zagotovi pa se jim vse potrebno za zagotavljanje zdravstvene in verske oskrbe vojnim ujetnikom.

V okviru vojaških zakonov in predpisov sile, ki pridržuje vojne ujetnike, in pod nadzorom njenih pristojnih služb v skladu s svojo poklicno etiko še naprej opravljajo svoje zdravstvene in duhovne naloge v korist vojnih ujetnikov, zlasti pripadnikov oboroženih sil, ki jim sami pripadajo. Pri opravljanju zdravstvenih ali duhovnih nalog uživajo te ugodnosti:

- a) upravičeni so do rednih obiskov vojnih ujetnikov v delovnih enotah ali bolnišnicah zunaj taborišča. Za ta namen jim sila, ki jih pridržuje, da na voljo potrebna prevozna sredstva;
- b) v vsakem taborišču je vojaški zdravnik z najvišjim činom odgovoren za strokovno delovanje zadržanega zdravstvenega osebja pred vojaškim poveljstvom taborišča. Za ta namen se strani v spopadu že ob začetku sovražnosti sporazumejo o primerljivih činih svojega zdravstvenega osebja, vključno z osebjem društev iz 26. člena Ženevske konvencije za izboljšanje položaja ranjenec in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949. Ta vojaški zdravnik in versko osebje imata pravico, da se glede vseh vprašanj v zvezi s svojimi nalogami obrneta na

*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

pristojne oblasti taborišča. Te oblasti jima zagotovijo vse potrebno za dopisovanje v zvezi s temi vprašanji;

- c) čeprav za zadržano osebo velja notranja taboriščna disciplina, ga ne sme nihče siliti k nobenemu delu, ki ni povezano z njegovimi zdravstvenimi ali verskimi nalogami.

Med sovražnostmi se strani v sporadu dogovorijo o morebitni izpustitvi zadržanega osebja in določijo postopek izpustitve.

Nobena od predhodnih določb ne odvezuje sile, ki pridržuje vojne ujetnike, njenih obveznosti glede zdravstvene ali duhovne oskrbe vojnih ujetnikov.

## *V. POGLAVJE*

### *VERSKE, UMSKE IN TELESNE DEJAVNOSTI*

#### *34. člen*

Vojni ujetniki so pri opravljanju svojih verskih dolžnosti, vključno z udeležbo pri verskih obredih, popolnoma svobodni, pod pogojem, da upoštevajo disciplinska pravila, ki so jih predpisale vojaške oblasti.

Za verske obrede se zagotovijo ustrezni prostori.

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.

*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.

### *35. člen*

Člani verskega osebja, ki padejo v roke sovražni sili in ostanejo ali se zadržijo za pomoč vojnim ujetnikom, smejo v skladu s svojim verskim prepričanjem za vojne ujetnike iste vere in med njimi svobodno opravljati svoje naloge. Razporedijo se po različnih taboriščih in delovnih enotah, v katerih so vojni ujetniki, ki pripadajo istim oboroženim silam in govorijo isti jezik ali pripadajo isti veroizpovedi. Zagotovi se jim vse potrebno, vključno s prevoznimi sredstvi iz 33. člena, za obiskovanje vojnih ujetnikov zunaj njihovega taborišča. O zadevah v zvezi s svojimi verskimi nalogami si ob upoštevanju cenzure lahko svobodno dopisujejo z verskimi oblastmi v državi, v kateri so pridržani, in z mednarodnimi verskimi organizacijami. Pisma in dopisnice, poslane v ta namen, se dodajo h kvoti, določeni v 71. členu.

### *36. člen*

Vojni ujetniki, ki so člani verskega osebja, niso pa opravljali verskih obredov kot vojaški duhovniki v svojih oboroženih silah, smejo ne glede na svojo versko pripadnost za člane svoje skupnosti svobodno opravljati verske obrede. Z njimi se ravna enako kot z vojaškimi duhovniki, ki jih je zadržala sila, ki pridržuje vojne ujetnike. Niso dolžni opravljati nobenega drugega dela.

### *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.

### *37. člen*

Kadar vojni ujetniki nimajo pomoči zadržanega vojaškega duhovnika ali vojnega ujetnika, ki je član verskega osebja njihove veroizpovedi, se za opravljanje te službe na zahtevo zainteresiranih vojnih ujetnikov imenuje član verskega osebja njihove ali sorodne veroizpovedi, ali če ga ni, usposobljeni laik, če je to mogoče z vidika veroizpovedi. To imenovanje, za katero je potrebna odobritev sile, ki pridržuje vojne ujetnike, se opravi v dogovoru s skupnostjo vojnih ujetnikov, na katere se to nanaša, in po potrebi z odobritvijo lokalnih verskih oblasti iste veroizpovedi. Tako imenovana oseba upošteva vsa pravila glede discipline in vojaške varnosti, ki jih določa sila, ki pridržuje vojne ujetnike.

### *38. člen*

Sila, ki pridržuje vojne ujetnike, spoštuje osebne želje vsakega vojnega ujetnika in spodbuja njihove umske, izobraževalne, rekreacijske in športne dejavnosti ter sprejme potrebne ukrepe za izvajanje teh dejavnosti z zagotovitvijo primernih prostorov in potrebne opreme.

Vojnim ujetnikom je treba omogočiti telesno vadbo, vključno s športnimi dejavnostmi, in gibanje na prostem. Za to se v vseh taboriščih zagotovi dovolj odprtih prostorov.

### *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.

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.

## VI. POGLAVJE DISCIPLINA

### 39. člen

Vsako taborišče za vojne ujetnike je pod neposredno oblastjo odgovornega častnika, ki pripada rednim oboroženim silam sile, ki pridržuje vojne ujetnike. Ta častnik mora imeti kopijo te konvencije; zagotoviti mora, da sta z njenimi določbami seznanjena osebje taborišča in straža, ter je po navodilih svoje vlade odgovoren za njeno izvajanje.

Vojni ujetniki razen častnikov morajo pozdravljati vse častnike sile, ki pridržuje vojne ujetnike, in jim izkazovati znake spoštovanja, ki veljajo po predpisih njihovih oboroženih sil.

Častniki, ki so vojni ujetniki, morajo pozdravljati le častnike višjega čina sile, ki pridržuje vojne ujetnike, vedno pa poveljnika taborišča ne glede na njegov čin.

### 40. člen

Dovoljeno je nositi oznake čina in državljanstva pa tudi odlikovanja.

### 41. člen

Besedilo te konvencije in njenih prilog ter vsebina vsakega posebnega sporazuma iz 6. člena se v jeziku vojnih ujetnikov izobesita na mestu, kjer ju vsi lahko preberejo. Kopije se na zahtevo zagotovijo tistim vojnim ujetnikom, ki nimajo dostopa do izobešenega besedila.

*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

Predpisi, ukazi, obvestila in objave vseh vrst, ki se nanašajo na vedenje vojnih ujetnikov, se jim izdajo v jeziku, ki ga razumejo. Ti predpisi, ukazi in objave se izobesijo na zgoraj navedeni način, kopije pa izročijo predstavniku vojnih ujetnikov. Vsi ukazi in povelja, namenjeni posameznim vojnim ujetnikom, so v jeziku, ki ga ti razumejo.

#### *42. člen*

Uporaba orožja proti vojnim ujetnikom, predvsem tistim, ki so na begu ali poskušajo pobegniti, je skrajni ukrep, ki se lahko uporabi le po opozorilu, primernem okoliščinam.

### *VII. POGLAVJE* *ČINI VOJNIH UJETNIKOV*

#### *43. člen*

Ob začetku sovražnosti si strani v spopadu sporočijo nazive in čine vseh oseb iz 4. člena te konvencije, da zagotovijo enako obravnavo ujetnikov s primerljivimi čini. Enako se sporočijo nazivi in čini, uvedeni pozneje.

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.

Sila, ki pridržuje vojne ujetnike, prizna napredovanja v činu, ki so bila vojnim ujetnikom podeljena in jih je sila, ki ji pripadajo ti vojni ujetniki, pravilno sporočila.

#### *44. člen*

S častniki in vojnimi ujetniki njim primerljivega položaja se ravna s spoštovanjem, primernim njihovemu činu in starosti.

Za zagotavljanje storitev v častniških taboriščih se jim glede na čin častnikov in vojnih ujetnikov njim primerljivega položaja dodeli zadostno število vojnih ujetnikov drugih činov, ki pripadajo istim oboroženim silam, in kolikor je mogoče, govorijo isti jezik. Od njih se ne zahteva opravljanje nobenih drugih del.

Častnikom se v vseh pogledih omogoči, da sami organizirajo svojo prehrano.

#### *45. člen*

Z vojnimi ujetniki, ki niso častniki, in vojnimi ujetniki njim primerljivega položaja se ravna s spoštovanjem, primernim njihovemu činu in starosti.

Vojnim ujetnikom se v vseh pogledih omogoči, da sami organizirajo svojo prehrano.

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.

VIII. POGlavJE  
PREMESTITVE VOJNIH UJETNIKOV  
PO NJIHOVEM PRIHODU V TABORIŠČE

*46. člen*

Pri odločanju o premestitvi vojnih ujetnikov sila, ki jih pridržuje, upošteva njihove interese, zlasti zato, da se ne oteži njihova repatriacija.

Premestitev vojnih ujetnikov se vedno opravi človeško in v razmerah, ki niso manj ugodne od tistih pri premestitvi oboroženih sil, ki pridržuje vojne ujetnike. Vedno se upoštevajo podnebne razmere, ki so jih vojni ujetniki vajeni, razmere premestitve pa nikakor ne smejo škoditi njihovemu zdravju.

Sila, ki pridržuje vojne ujetnike, jim med premestitvijo zagotovi dovolj pitne vode in hrane, da jih ohrani v dobrem zdravstvenem stanju, ter tudi potrebna oblačila, zavetje in zdravstveno oskrbo. Sila, ki pridržuje vojne ujetnike, sprejme ustrezne ukrepe, zlasti pri prevozu po morju ali zraku, da zagotovi njihovo varnost pri premestitvi, že pred njihovim odhodom pa sestavi popoln seznam vseh vojnih ujetnikov, ki se premeščajo.

*47. člen*

Bolni ali ranjeni vojni ujetniki se ne premeščajo, če bi potovanja ogrozilo njihovo okrevanje, razen če je to nujno zaradi njihove varnosti.

*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.

Če se območje bojevanja približuje taborišču, se vojni ujetniki iz tega taborišča premestijo le, če se premestitev lahko opravi dovolj varno ali če bi vztrajanje v taborišču zanje pomenilo večje tveganje kot sama premestitev.

#### *48. člen*

Pri premestitvi je treba vojne ujetnike uradno obvestiti o odhodu in novem poštnem naslovu. Obveščeni morajo biti pravočasno, da lahko pripravijo prtljago in obvestijo svojce.

S seboj smejo vzeti osebne predmete ter korespondenco in pakete, ki so prispeli zanje. Če tako zahtevajo razmere premestitve, se teža prtljage lahko omeji na primerno težo, ki jo vojni ujetnik lahko nosi in nikakor ne znaša več kot petindvajset kilogramov na osebo.

Pisma in paketi, naslovljeni na njihovo prejšnje taborišče, se jim pošljejo brez odlašanja. Poveljnik taborišča sprejme v soglasju s predstavnikom vojnih ujetnikov potrebne ukrepe za zagotovitev prevoza skupne lastnine vojnih ujetnikov in prtljage, ki ju vojni ujetniki zaradi omejitev na podlagi drugega odstavka tega člena ne morejo vzeti s seboj.

Stroške premestitve krije sila, ki pridržuje vojne ujetnike.

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.

*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.

### III. ODDELEK DELO VOJNIH UJETNIKOV

#### *49. člen*

Sila, ki pridržuje vojne ujetnike, sme vojne ujetnike, ki so telesno sposobni za delo, uporabiti kot delavce, pri čemer mora upoštevati njihovo starost, spol, čin in telesne zmožnosti, zlasti zaradi ohranitve njihovega dobrega telesnega in duševnega zdravja.

Podčastnikom, ki so vojni ujetniki, se lahko naloži le nadzorno delo. Tisti, od katerih se to ne zahteva, lahko zaprosijo za drugo primerno delo, ki se jim, če je mogoče, zagotovi.

Če častniki ali osebe njim primerljivega položaja zaprosijo za primerno delo, se jim tako delo, če je mogoče, zagotovi, vendar pa se nikakor ne smejo k delu prisiliti.

#### *50. člen*

Poleg del, povezanih z upravljanjem, ureditvijo ali vzdrževanjem taborišča, se vojni ujetniki lahko prisilijo le k delom, ki spadajo v te dejavnosti:

- a) kmetijstvo;
- b) dejavnosti, povezane s proizvodnjo ali pridobivanjem surovin, in predelovalne dejavnosti razen metalurške, strojne in kemične industrije; javna in gradbena dela, ki niso vojaška ali za vojsko;
- c) prevoz blaga, ki ni vojaško ali za vojsko, in ravnanje z njim;

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) trgovske in umetniške dejavnosti ter rokodelstvo;
- e) hišna opravila;
- f) javne službe, ki niso vojaške ali namenjene vojski.

Pri kršitvi navedenih določb smejo vojni ujetniki v skladu z 78. členom uveljaviti svojo pravico do pritožbe.

### *51. člen*

Vojnim ujetnikom se zagotovijo ustrezne delovne razmere, predvsem nastanitev, prehrana, oblačila in oprema; te razmere ne smejo biti slabše od tistih, ki pri opravljanju podobnih del veljajo za državljane sile, ki pridržuje vojne ujetnike; upoštevajo se tudi podnebne razmere.

Sila, ki pridržuje vojne ujetnike in uporablja njihovo delo, zagotovi, da se na območjih, kjer ti ujetniki delajo, pravilno uporablja notranja zakonodaja o varstvu pri delu in zlasti predpisi o varnosti delavcev.

Vojni ujetniki se usposobijo in dobijo ustrezna zaščitna sredstva za delo, ki ga bodo morali opravljati, podobna tistim, ki jih dobijo državljani sile, ki pridržuje vojne ujetnike. Ob upoštevanju določb 52. člena se vojni ujetniki lahko izpostavijo običajnemu tveganju, ki so mu izpostavljeni tudi ti civilni delavci.

Delovnih razmer nikakor ni dovoljeno oteževati z disciplinskimi ukrepi.

### *52. člen*

Vojni ujetnik ne sme opravljati zdravju škodljivih in nevarnih del, razen če se prostovoljno odloči za to.

- (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.

#### *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.

Noben vojni ujetnik ne sme biti razporejen na delo, ki bi ga pripadnik oboroženih sil sile, ki pridržuje vojne ujetnike, štel za poniževalno.

Odstranjevanje min ali drugih podobnih sredstev se šteje za nevarno delo.

### *53. člen*

Delovnik vojnih ujetnikov skupaj s časom, potrebnim za prihod na delo in za vrnitev v taborišče, ni predolg in nikakor ne presega delovnika civilnih delavcev v tistem okrožju, ki so državljani sile, ki pridržuje vojne ujetnike, in opravljajo enako delo.

Vojnim ujetnikom se na polovici delovnega časa dovoli najmanj enourni počitek. Ta počitek je enak počitku, do katerega so upravičeni delavci sile, ki pridržuje vojne ujetnike, če je ta daljši. Dovoli se jim tudi vsakotedenski neprekinjeni štiriindvajseturni počitek, če je mogoče na nedeljo ali dan, ki je v njihovi državi dan počitka. Poleg tega se vsakemu vojnemu ujetniku po letu dni dela odobri neprekinjeni osemdnevni plačani počitek.

Če se uporabljajo načini dela, kot je delo na akord, delovnik ne sme biti predolg.

### *54. člen*

Vojnim ujetnikom se določi plačilo za delo v skladu z določbami 62. člena te konvencije.

Vojni ujetniki, ki se ponesrečijo pri delu ali zbolijo med delom ali zaradi njega, so deležni oskrbe, ki jo zahteva njihovo stanje. Sila,

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

ki pridržuje vojne ujetnike, jim izda zdravniško potrdilo, na podlagi katerega lahko uveljavljajo zahtevke pri sili, ki ji pripadajo, dvojnik potrdila pa pošlje osrednji agenciji za vojne ujetnike iz 123. člena te konvencije.

#### *55. člen*

Delovna sposobnost vojnih ujetnikov se redno, in sicer najmanj enkrat na mesec, preverja z zdravniškimi pregledi. Pri teh pregledih se posebej upoštevajo značilnosti dela, ki ga morajo vojni ujetniki opravljati.

Če vojni ujetnik meni, da ni sposoben za delo, se sme zgledati pri zdravstvenih oblasteh taborišča. Zdravniki ali kirurgi lahko priporočijo, da se vojni ujetniki, ki po njihovem mnenju niso sposobni za delo, tega oprostijo.

#### *56. člen*

Organizacija in upravljanje delovnih enot sta podobna kot v taboriščih za vojne ujetnike.

Vsaka delovna enota je pod nadzorom taborišča za vojne ujetnike in je upravno njegov del. Vojaške oblasti in poveljnik taborišča so po navodilih svoje vlade odgovorni za upoštevanje določb te konvencije v delovnih enotah.

Poveljnik taborišča vodi sprotno posodobljen seznam delovnih enot, ki spadajo pod njegovo taborišče, in ga pošlje delegatom sile zaščitnice, Mednarodnega odbora Rdečega križa in drugih organizacij za pomoč vojnim ujetnikom, ki lahko obiščejo taborišča.

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.

#### *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

### *57. člen*

Z vojnimi ujetniki, ki delajo za zasebnike, tudi če so ti odgovorni za njihovo varovanje in zaščito, se ne sme ravnati slabše, kot določa ta konvencija. Sila, ki pridržuje vojne ujetnike, vojaške oblasti in poveljnik taborišča, pod katero spadajo vojni ujetniki, so v celoti odgovorni za njihovo vzdrževanje, oskrbo in ravnanje z njimi ter izplačilo plačila za njihovo delo.

Vojni ujetniki imajo pravico ostati v stikih s predstavniki vojnih ujetnikov v taborišču, pod katero spadajo.

## IV. ODDELEK FINANČNA SREDSTVA VOJNIH UJETNIKOV

### *58. člen*

Sila, ki pridržuje vojne ujetnike, lahko ob začetku sovražnosti in dokler se o tem vprašanju ne sporazume s silo zaščitnico, določi najvišji znesek denarja v gotovini ali drugi podobni obliki, ki ga smejo imeti vojni ujetniki pri sebi. Vsak presežek, ki so ga imeli zakonito in se jim odvzame ali zadrži, se pripiše na njihov račun skupaj z vsemi sredstvi, ki so jih sami položili, in se brez njihovega soglasja ne sme zamenjati v drugo valuto.

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.

Če je vojnim ujetnikom dovoljeno nakupovati ali plačevati storitve v gotovini zunaj taborišča, storijo to sami ali uprava taborišča, ki nato bremeni njihov račun. O tem sila, ki pridržuje vojne ujetnike, določi potrebna pravila.

#### *59. člen*

Gotovina, ki je bila vojnim ujetnikom odvzeta ob njihovem zajetju v skladu z 18. členom in je v valuti sile, ki jih pridržuje, se položi na njihove individualne račune v skladu z določbami 64. člena tega oddelka.

V dobro teh individualnih računov se pripišejo tudi zneski v valuti sile, ki pridržuje vojne ujetnike, ki izhajajo iz zamenjave takrat odvzetih zneskov v drugih valutah.

#### *60. člen*

Sila, ki pridržuje vojne ujetnike, plačuje vsem vojnim ujetnikom predujem mesečne plače, njeno višino pa določi z zamenjavo teh zneskov v svojo valuto:

I. skupina: ujetniki s činom, nižjim od vodnika: osem švicarskih frankov;

II. skupina: vodniki in drugi podčastniki ali vojni ujetniki s primerljivim činom: dvanajst švicarskih frankov;

III. skupina: višji podčastniki in častniki do čina majorja ali vojni ujetniki s primerljivim činom: petdeset švicarskih frankov;

IV. skupina: majorji, podpolkovniki, polkovniki ali vojni ujetniki s primerljivim činom: šestdeset švicarskih frankov;

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.

*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.

V. skupina: generali ali vojni ujetniki s primerljivim činom: petinsedemdeset švicarskih frankov.

Strani v spopadu, na katere se to nanaša, lahko s posebnimi sporazumi spremenijo višino predujmov plačila, ki se izplačuje vojnim ujetnikom iz navedenih skupin.

Če so zneski iz prvega odstavka v primerjavi s plačo pripadnikov oboroženih sil sile, ki pridržuje vojne ujetnike, pretirano visoki ali bi ji zaradi kakršnega koli razloga povzročili resne težave, sila, ki pridržuje vojne ujetnike, dokler s silo, ki ji vojni ujetniki pripadajo, ne sklene posebnega sporazuma o spremembi navedenih zneskov:

- a) na račune vojnih ujetnikov še naprej plačuje zneske iz prvega odstavka;
- b) lahko začasno na razumno višino omeji zneske teh predujmov plačil, ki jih ujetnikom plačuje za njihovo osebno rabo, pri čemer za prvo skupino zneski nikakor ne smejo biti nižji od tistih, ki jih sila, ki pridržuje vojne ujetnike, izplačuje pripadnikom svojih oboroženih sil.

Razlogi za kakršne koli omejitve se brez odlašanja sporočijo sili zaščitnici.

### *61. člen*

Sila, ki pridržuje vojne ujetnike, sprejme denarne zneske, ki jih sila, ki ji pripadajo vojni ujetniki, pošlje kot dodatek k plači vojnih ujetnikov, pod pogojem, da so zneski, ki se bodo izplačali, enaki za vsakega vojnega ujetnika iste skupine in da se izplačajo vsem vojnim ujetnikom te skupine, ki pripadajo tej sili, ter se, takoj ko je to mogoče, pripišejo na individualne račune vojnih ujetnikov v skladu z določbami 64. člena. Silo, ki pridržuje vojne ujetnike, taki dodatki k plači ne odvezujejo nobene obveznosti po tej konvenciji.

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

## *62. člen*

Vojni ujetniki neposredno od oblasti, ki jih pridržujejo, za delo prejemajo pravično plačilo. Te oblasti določijo višino nadomestila, ki ne sme biti nikoli nižje od četrtnine švicarskega franka za polni delovnik. Sila, ki pridržuje vojne ujetnike, vojne ujetnike in silo, ki ji pripadajo, prek sile zaščitnice obvesti o določeni višini dnevnega plačila za delo.

Oblasti sile, ki pridržuje vojne ujetnike, plačujejo dnevno plačilo za delo tudi vojnim ujetnikom, ki so stalno določeni za opravljanje nalog in del za kvalificirane in polkvalificirane delavce, povezanih z upravljanjem, ureditvijo ali vzdrževanjem taborišč, in vojnim ujetnikom, ki morajo opravljati duhovne ali zdravstvene naloge za svoje tovariše.

Plačilo za delo predstavnika vojnih ujetnikov, njegovih morebitnih svetovalcev in njegovih pomočnikov se izplačuje iz sklada, ki se polni z dobičkom kantine. Višino tega plačila določi predstavnik vojnih ujetnikov in odobri poveljnik taborišča. Če takega sklada ni, oblasti, ki pridržujejo vojne ujetnike, plačujejo tem ujetnikom pravično plačilo za delo.

## *63. člen*

Vojni ujetniki smejo prejemati denarne pošiljke posamično ali skupinsko.

supplementary pay shall not relieve the Detaining Power of any obligation under this Convention.

*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.

Vsak vojni ujetnik ima na voljo sredstva s svojega računa, kot določa naslednji člen, v okviru omejitev, ki jih določi sila, ki pridržuje vojne ujetnike in plačuje zahtevane zneske. Ob upoštevanju finančnih ali denarnih omejitev, ki jih sila, ki pridržuje vojne ujetnike, oceni kot nujne, smejo vojni ujetniki opravljati plačila v tujino. V tem primeru imajo prednost plačila, namenjena osebam, ki jih vojni ujetniki vzdržujejo.

V vsakem primeru pa vojni ujetniki s soglasjem sile, ki ji pripadajo, lahko opravljajo plačila v svoji državi po tem postopku: sila, ki pridržuje vojne ujetnike, pošlje navedeni sili prek sile zaščitnice uradno obvestilo z vsemi potrebnimi podatki o vojnih ujetnikih, ki opravljajo plačilo, prejemnikih plačila in višini zneskov, ki jih je treba izplačati, izraženih v valuti sile, ki pridržuje vojne ujetnike. Tako obvestilo podpišejo vojni ujetniki in poveljnik taborišča. Sila, ki pridržuje vojne ujetnike, s tem zneskom bremeni račun vojnega ujetnika in ga pripiše v dobro sili, ki ji vojni ujetnik pripada.

Pri izvajanju navedenih določb si sila, ki pridržuje vojne ujetnike, lahko pomaga z vzorcem pravilnika iz priloge V k tej konvenciji.

#### *64. člen*

Sila, ki pridržuje vojne ujetnike, za vsakega od njih vodi račun, ki vsebuje najmanj te podatke:

1. zneske, ki se dolgujejo vojnemu ujetniku ali jih je ta prejel kot predujem plače ali kot plačilo za delo ali izhajajo iz katerega koli drugega vira; zneske v valuti sile, ki pridržuje vojne ujetnike, ki so bili vojnemu ujetniku odvzeti; zneske, ki so bili vojnemu ujetniku odvzeti in na njegovo zahtevo zamenjani v valuto sile, ki pridržuje vojne ujetnike;

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 Detaining Power which were

2. plačila vojnemu ujetniku v gotovini ali kateri koli drugi podobni obliki; plačila, opravljena v njegovem imenu in na njegovo zahtevo; zneske, prenesene po tretjem odstavku 63. člena.

### *65. člen*

Vsako postavko, ki se vnese na račun vojnega ujetnika, podpiše ali parafira vojni ujetnik ali predstavnik vojnih ujetnikov v njegovem imenu.

Vojnim ujetnikom se vedno omogočita vpogled v njihov račun in pridobitev izpiska računa, ki ga lahko pregledajo predstavniki sil zaščitnic ob obisku taborišča.

Ob premestitvi vojnih ujetnikov iz enega taborišča v drugo se prenesejo tudi njihovi osebni računi. Pri premestitvi vojnih ujetnikov od ene sile, ki jih pridržuje, k drugi, se prenesejo tudi sredstva, ki so v njihovi lasti in niso v valuti sile, ki jih pridržuje. Za vsa druga sredstva, ki so na njihovih računih v aktivih, se jim izdajo potrdila.

Strani v spopadu, na katere se to nanaša, se lahko dogovorijo, da se prek sile zaščitnice v določenih časovnih presledkih medsebojno obveščajo o stanju na računih vojnih ujetnikov.

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 initialled 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.

## *66. člen*

Ob koncu ujetništva, ob osvoboditvi vojnega ujetnika ali njegovi repatriaciji mu sila, ki ga pridržuje, izda izjavo, ki jo podpiše njen pooblaščen častnik in ki potrjuje višino sredstev, ki mu jih sila dolguje. Sila, ki pridržuje vojne ujetnike, pošlje prek sile zaščitnice sili, ki ji vojni ujetniki pripadajo, sezname z vsemi podrobnimi podatki o vseh vojnih ujetnikih, katerih ujetništvo se je končalo z repatriacijo, osvoboditvijo, pobegom, smrtjo ali kakor koli drugače, in o višini sredstev na njihovih računih. Vsak list takega seznama overi pooblaščen predstavnik sile, ki pridržuje vojne ujetnike.

Vsaka od zgoraj navedenih določb tega člena se lahko spremeni z medsebojnim sporazumom med katerima koli stranema v spopadu.

Sila, ki ji vojni ujetnik pripada, je odgovorna za izplačilo sredstev, ki mu jih po koncu ujetništva dolguje sila, ki ga je pridrževala.

## *67. člen*

Šteje se, da so predujmi plačil, izplačani vojnim ujetnikom v skladu s 60. členom, izplačani v imenu sile, ki ji vojni ujetniki pripadajo. O takih predujmih plačil in vseh plačilih sile, ki ji vojni ujetniki pripadajo, opravljenih po tretjem odstavku 63. člena in 68. členu, se sile, na katere se to nanaša, dogovorijo ob končanju sovražnosti.

### *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.

## 68. člen

Vsak zahtevek vojnega ujetnika za odškodnino zaradi poškodbe ali druge invalidnosti, nastale pri delu, se prek sile zaščitnice predloži sili, ki ji vojni ujetnik pripada. Sila vojnemu ujetniku, ki ga pridržuje, v skladu s 54. členom vedno izda izjavo o naravi njegove poškodbe ali invalidnosti, okoliščinah, v katerih je ta poškodba ali invalidnost nastala, in podrobne podatke o zdravstveni ali bolnišnični oskrbi, ki je je bil deležen. Izjavo podpiše odgovorni častnik sile, ki pridržuje vojne ujetnike, zdravstvene podatke pa potrdi vojaški zdravnik.

Sila, ki pridržuje vojne ujetnike, sili, ki ji ujetniki pripadajo, predloži tudi vsak zahtevek ujetnika za odškodnino za osebne predmete, sredstva in dragocenosti, ki so mu bili na podlagi 18. člena odvzeti, pri repatriaciji pa ne vrnjeni, ali vsak drug zahtevek za povračilo izgube, ki naj bi jo ujetnik utrpel zaradi napake sile, ki ga je pridrževala, ali katerega koli njenih uslužbencev. Vse take osebne predmete, ki jih vojni ujetniki potrebujejo med svojim ujetništvom, na svoje stroške nadomesti sila, ki jih pridržuje. Sila, ki pridržuje vojne ujetnike, vedno izda vojnemu ujetniku izjavo, ki jo podpiše odgovorni častnik in v kateri so vsi razpoložljivi podatki o razlogih, zakaj mu ti osebni predmeti, sredstva in dragocenosti niso bili vrnjeni. Kopija te izjave se prek osrednje agencije za vojne ujetnike iz 123. člena pošlje sili, ki ji vojni ujetnik pripada.

### *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 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 Powder 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.

## V. ODDELEK STIKI VOJNIH UJETNIKOV Z ZUNANJIM SVETOM

### *69. člen*

Takoj ko vojni ujetniki pridejo pod oblast sile, ki jih pridržuje, ta prek sile zaščitnice vojne ujetnike in sile, ki jim pripadajo, seznaneni z ukrepi za izvajanje določb tega oddelka. Prav tako te strani obvesti o vseh poznejših spremembah teh ukrepov.

### *70. člen*

Vsakemu vojnemu ujetniku se takoj po zajetju ali najpozneje teden dni po prihodu v taborišče, tudi če je to prehodno, in tudi ob boleznih ali premestitvi v bolnišnico ali drugo taborišče omogoči, da pošlje neposredno svoji družini in osrednji agenciji za vojne ujetnike iz 123. člena dopisnico, če je mogoče podobno vzorcu, priloženemu tej konvenciji, s katero jih obvesti o svojem zajetju, naslovu in zdravstvenem stanju. Dopisnice se pošljejo čim prej in se nikakor ne smejo zadrževati.

### *71. člen*

Vojni ujetniki smejo pošiljati ter prejemati pisma in dopisnice. Če je treba po oceni sile, ki jih pridržuje, omejiti število pisem in dopisnic, ki jih pošlje vsak vojni ujetnik, to število ne sme biti manjše od dveh pisem in štirih dopisnic na mesec, vanj pa niso vštete dopisnice o zajetju iz 70. člena; pisma in dopisnice morajo biti čim bolj podobni vzorcem, priloženim tej konvenciji. Druge omejitve so možne le, če sila zaščitnica meni, da je to v korist vojnih

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

ujetnikov, ker sila, ki jih pridržuje, ne more najti dovolj usposobljenih prevajalcev za izvajanje potrebne cenzure. Če je treba omejiti korespondenco, naslovljeno na vojne ujetnike, to omejitev lahko odredi samo sila, ki ji vojni ujetniki pripadajo, lahko tudi na zahtevo sile, ki jih pridržuje. Pisma in dopisnice se odpošljejo z najhitrejšimi sredstvi, ki jih ima sila, ki pridržuje vojne ujetnike; ne smejo se zadrževati zaradi disciplinskih razlogov.

Vojni ujetniki, ki so dolgo brez novic ali jih od svojih bližnjih sorodnikov ne morejo prejemati ali jim jih pošiljati po redni pošti, in tisti, ki so zelo oddaljeni od svojih domov, smejo pošiljati telegrame, pri čemer se stroški zanje krijejo s sredstvi na računih vojnih ujetnikov pri sili, ki jih pridržuje, ali pa jih ti plačajo v valuti, ki jim je na voljo. Vojni ujetniki lahko to možnost izkoristijo tudi v nujnih primerih.

Splošno pravilo je, da si vojni ujetniki dopisujejo v svojem maternem jeziku. Strani v spopadu lahko dovolijo dopisovanje tudi v drugih jezikih.

Vreče s pošto vojnih ujetnikov morajo biti skrbno zapečatenene, njihova vsebina mora biti razločno označena, naslovljene pa morajo biti na namembno pošto.

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 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.

## *72. člen*

Vojni ujetniki smejo po pošti ali drugače prejemati osebne ali skupinske pošiljke, ki vsebujejo zlasti hrano, oblačila, zdravila in medicinske pripomočke ter predmete za njihove verske, izobraževalne ali rekreativne potrebe, vključno s knjigami, verskimi predmeti, znanstveno opremo, izpitnimi nalogami, glasbili, športno opremo in stvarmi, ki vojnim ujetnikom omogočajo nadaljevanje študija ali ukvarjanje s kulturno dejavnostjo.

Take pošiljke nikakor ne odvezujejo sile, ki pridržuje vojne ujetnike, njenih obveznosti po tej konvenciji.

Omejitve v zvezi s temi pošiljkami lahko predlaga le sila zaščitnica v korist vojnih ujetnikov samih ali Mednarodni odbor Rdečega križa ali katera koli druga organizacija, ki jim pomaga, in sicer le glede svojih lastnih pošiljk zaradi izjemne preobremenjenosti prevoznih sredstev ali oskrbovalnih poti.

Načini pošiljanja osebnih ali skupinskih pošiljk pomoči se po potrebi določijo s posebnimi sporazumi med temi silami, ki nikakor ne smejo odlašati z razdelitvijo poslanih pošiljk pomoči vojnim ujetnikom. Knjige se ne smejo pošiljati skupaj s hrano ali oblačili. Zdravila in medicinski pripomočki se praviloma pošiljajo v skupinskih pošiljkah.

## *73. člen*

Če sile med seboj nimajo sklenjenih posebnih sporazumov o načinih prejemanja in razdeljevanja pošiljk skupinske pomoči, se uporablja pravilnik o skupinskih pošiljkah, ki je priložen tej konvenciji.

## *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

Navedeni posebni sporazumi nikakor ne omejujejo pravice predstavnikov vojnih ujetnikov do prevzemanja pošiljk skupinske pomoči, ki so namenjene vojnim ujetnikom, njihovega razdeljevanja in razpolaganja z njimi v korist vojnih ujetnikov.

Taki sporazumi prav tako ne omejujejo pravice predstavnikov sile zaščitnice, Mednarodnega odbora Rdečega križa ali vsake druge organizacije, ki pomaga vojnim ujetnikom in je odgovorna za pošiljanje skupinskih pošiljk, do nadziranja razdeljevanja teh pošiljk prejemnikom.

#### *74. člen*

Vse pošiljke pomoči, namenjene vojnim ujetnikom, se oprostijo vseh uvoznih, carinskih in drugih dajatev.

Korespondenca, pošiljke pomoči in dovoljene denarne pošiljke, ki so naslovljene na vojne ujetnike ali jih ti pošiljajo po pošti neposredno ali prek informacijskih uradov iz 122. člena in osrednje agencije za vojne ujetnike iz 123. člena, se oprostijo poštnine v izvorni državi, ciljni državi in vmesnih državah.

Če se pošiljke pomoči, ki so namenjene vojnim ujetnikom, zaradi teže ali drugega vzroka ne morejo poslati po pošti, stroške njihovega prevoza na vseh ozemljih pod svojim nadzorom krije sila, ki pridržuje vojne ujetnike. Druge sile, ki so pogodbenice te konvencije, krijejo stroške prevoza na svojih ozemljih.

Če med silami ni posebnih sporazumov, stroške v zvezi s prevozom pošiljk, ki ne spadajo v navedeno oprostitev, krijejo pošiljateljci.

shipments, which are annexed to the present Convention, shall be applied.

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

Visoke pogodbenice si prizadevajo kar najbolj zmanjšati pristojbine za telegrame, ki jih pošiljajo vojni ujetniki ali so nanje naslovljeni.

#### *75. člen*

Če vojaške operacije preprečijo silam, da bi izpolnile svoje obveznosti zagotavljanja prevoza pošiljk iz 70., 71., 72. in 77. člena, lahko sile zaščitnice, Mednarodni odbor Rdečega križa ali vsaka druga organizacija, ki jo strani v spopadu pravilno odobrijo, prevzame prevoz teh pošiljk z ustreznimi sredstvi (vlak, motorna vozila, plovila, zrakoplov itd.). Visoke pogodbenice si za to prizadevajo priskrbeti ta prevozna sredstva in jim dovoliti prehod, zlasti z izdajo potrebnih dovolilnic.

Tak prevoz se lahko uporablja tudi za pošiljanje:

- a) korespondence, seznamov in poročil, ki si jih izmenjujejo osrednja agencija za obveščanje iz 123. člena in nacionalni uradi iz 122. člena;
- b) korespondence in poročil o vojnih ujetnikih, ki si jih sile zaščitnice, Mednarodni odbor Rdečega križa in druge organizacije, ki pomagajo vojnim ujetnikom, izmenjujejo s svojimi delegati ali stranmi v spopadu.

Te določbe v ničemer ne omejujejo pravice katere koli strani v spopadu, da organizira druga prevozna sredstva, če tako želi, in izdaja dovolilnice za ta prevozna sredstva pod vzajemno dogovorjenimi pogoji.

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.

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.

Če ni posebnih sporazumov, stroške, ki nastanejo pri uporabi teh prevoznih sredstev, sorazmerno krijejo strani v spopadu, katerih državljani imajo od teh pošiljk korist.

#### *76. člen*

Cenzura korespondence, ki je naslovljena na vojne ujetnike ali ki jo ti pošiljajo, se opravi čim hitreje. Lahko jo opravljata le država pošiljateljica in država prejemnica, in sicer vsaka samo enkrat.

Pregled pošiljk, namenjenih vojnim ujetnikom, se ne opravlja v razmerah, v katerih bi se blago v pošiljkah pokvarilo; razen v primeru pisanj ali tiskovin se pregled opravi v prisotnosti naslovljenca ali soujetnika, ki ga naslovljenec za to pravilno pooblasti. Dostava osebnih ali skupinskih pošiljk vojnim ujetnikom se ne sme odlašati z izgovorom o težavah s cenzuro.

Vsaka prepoved dopisovanja, ki jo odredijo strani v spopadu iz vojaških ali političnih razlogov, je le začasna in čim krajša.

#### *77. člen*

Sile, ki pridržujejo vojne ujetnike, prek sile zaščitnice ali osrednje agencije za vojne ujetnike iz 123. člena zagotovijo vse potrebno za pošiljanje listin, spisov ali drugih dokumentov, ki so namenjeni vojnim ujetnikom ali jih ti pošiljajo, zlasti pooblastil in oporok.

Sile, ki pridržujejo vojne ujetnike, vedno omogočijo pripravo in izvajanje teh listin v imenu vojnih ujetnikov; zlasti jim dovolijo posvetovanje s pravnikom in sprejmejo vse potrebne ukrepe za overitev njihovega podpisa.

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

VI. ODDELEK  
ODNOSI MED VOJNIMI UJETNIKI IN OBLASTMI  
*I. POGLAVJE*  
*PRITOŽBE VOJNIH UJETNIKOV ZARADI*  
*RAZMER V UJETNIŠTVU*

*78. člen*

Vojni ujetniki imajo pravico pri vojaških oblasteh, pod oblastjo katerih so, vlagati zahteve v zvezi z razmerami v ujetništvu, v katerih živijo.

Imajo tudi neomejeno pravico, da se prek predstavnika vojnih ujetnikov, ali če se jim zdi potrebno, neposredno obrnejo na predstavnike sile zaščitnice in jih opozorijo na vse zadeve v zvezi z razmerami v ujetništvu, zaradi katerih se pritožujejo.

Te zahteve in pritožbe niso omejene in se ne štejejo za omejitve korespondence iz 71. člena. Naprej jih je treba poslati takoj. Tudi če se izkažejo za neutemeljene, ne smejo biti povod za kaznovanje.

Predstavniki vojnih ujetnikov lahko predstavnikom sil zaščitnic pošiljajo redna poročila o razmerah v taboriščih in o potrebah vojnih ujetnikov.

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 prisoners' 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.

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.

## II. POGlavJE PREDSTAVNIKI VOJNIH UJETNIKOV

### 79. člen

Na vseh krajih, kjer so vojni ujetniki, razen tam, kjer so častniki, vojni ujetniki vsakih šest mesecev ali v primeru nezasedenega mesta svobodno s tajnim glasovanjem izvolijo svoje predstavnike, ki jih zastopajo pred vojaškimi oblastmi, silami zaščitnicami, Mednarodnim odborom Rdečega križa in vsako drugo organizacijo, ki jim lahko pomaga. Ti predstavniki ujetnikov so lahko znova izvoljeni.

V taboriščih za častnike in osebe s primerljivim položajem ali v mešanih taboriščih se za taboriščnega predstavnika iz vrst vojnih ujetnikov prizna častnik z najvišjim činom. V taboriščih za častnike mu pomaga en ali več svetovalcev, ki jih izberejo častniki; v mešanih taboriščih se ti pomočniki izberejo in izvolijo iz vrst vojnih ujetnikov, ki niso častniki.

V delovnih taboriščih za vojne ujetnike se za opravljanje upravnih nalog, za katere so odgovorni vojni ujetniki, določijo vojni ujetniki častniki iste narodne pripadnosti. Ti častniki se lahko izvolijo za predstavnike vojnih ujetnikov po prvem odstavku tega člena. V takem primeru se pomočniki predstavnikov vojnih ujetnikov izberejo iz vrst vojnih ujetnikov, ki niso častniki.

Vsakega izvoljenega predstavnika pred prevzemom nalog potrdi sila, ki pridržuje vojne ujetnike. Če ta sila zavrne potrditev vojnega ujetnika, ki so ga izvolili njegovi soujetniki, mora o razlogih zavrnitve obvestiti silo zaščitnico.

*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.

Predstavnik vojnih ujetnikov mora biti vedno iste narodne pripadnosti, govoriti mora isti jezik in imeti enake običaje kakor vojni ujetniki, ki jih predstavlja. Tako imajo vojni ujetniki, ki so v različne oddelke taborišča razporejeni po narodni pripadnosti, jeziku ali običajih, v skladu s prejšnjimi odstavki za vsak oddelek svojega predstavnika.

#### *80. člen*

Predstavniki vojnih ujetnikov skrbijo za telesno, duševno in umsko dobro počutje vojnih ujetnikov.

Če se vojni ujetniki odločijo, da bodo organizirali vzajemno pomoč, je ta organizacija v pristojnosti predstavnika vojnih ujetnikov, ki to nalogo opravlja poleg posebnih nalog, ki so mu zaupane na podlagi drugih določb te konvencije.

Predstavniki vojnih ujetnikov samo zato, ker opravljajo svoje naloge, niso odgovorni za nobeno kršitev, ki so jo storili vojni ujetniki.

#### *81. člen*

Od predstavnikov vojnih ujetnikov se ne zahteva, da opravljajo še druga dela, če bi to otežilo opravljanje njihovih nalog.

Predstavniki vojnih ujetnikov lahko iz vrst ujetnikov imenujejo pomočnike, ki jih potrebujejo. Zagotovi se jim vse potrebno, zlasti delna svoboda gibanja, ki jo potrebujejo za opravljanje svojih nalog (obiski delovnih enot, prevzem pošilk itd.).

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 wellbeing 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.

*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.).

Predstavniki vojnih ujetnikov smejo obiskovati prostore, v katerih so pridržani vojni ujetniki, ti pa imajo pravico, da se z njimi svobodno posvetujejo.

Predstavnikom vojnih ujetnikov se zagotovi vse potrebno za komuniciranje po pošti in telegrafu z oblastmi, ki pridržujejo vojne ujetnike, silami zaščitnicami, Mednarodnim odborom Rdečega križa in njihovimi delegati, skupnimi zdravstvenimi komisijami pa tudi z organizacijami, ki pomagajo vojnim ujetnikom.

Predstavniki vojnih ujetnikov v delovnih enotah so upravičeni do enakih ugodnosti pri svojem komuniciranju s predstavnikom vojnih ujetnikov v glavnem taborišču. Tako komuniciranje se ne omejuje in se ne šteje za del kvote iz 71. člena.

Predstavnikom vojnih ujetnikov, ki so premeščeni, se zagotovi dovolj časa, da svoje naslednike seznanijo s tekočimi zadevami.

Razlogi za morebitno razrešitev predstavnika vojnih ujetnikov se sporočijo sili zaščitnici.

### *III. POGlavJE* *KAZENSKÉ IN DISCIPLINSKÉ SANKCIJE*

#### *I. Splošne določbe*

##### *82. člen*

Za vojne ujetnike veljajo zakoni, drugi predpisi in ukazi, ki veljajo v oboroženih silah sile, ki pridržuje vojne ujetnike; ta je pristojna za uvedbo sodnih in disciplinskih ukrepov zoper vsakega vojnega ujetnika, ki krši te zakone, druge predpise ali ukaze. Postopki ali kaznovanje, ki je v nasprotju z določbami tega poglavja, ni dovoljeno.

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*  
I. 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

Če kateri koli zakon, drug predpis ali ukaz sile, ki pridržuje vojne ujetnike, dejanja, ki jih stori vojni ujetnik, določa za kazniva, pri čemer enaka dejanja niso kazniva, če jih stori pripadnik oboroženih sil sile, ki pridržuje vojne ujetnike, se taka dejanja kaznujejo le disciplinsko.

#### *83. člen*

Sila, ki pridržuje vojne ujetnike, zagotovi, da so pristojne oblasti pri presojanju, ali se kršitev, ki naj bi jo storil vojni ujetnik, obravnava v sodnem ali disciplinskem postopku, kar najbolj prizanesljivo, in če je le mogoče, uporabijo disciplinske ukrepe, in ne sodnih.

#### *84. člen*

Vojnemu ujetniku sme soditi le vojaško sodišče, razen če veljavna zakonodaja sile, ki pridržuje vojne ujetnike, izrecno dovoljuje, da pripadnikom njenih oboroženih sil, ki storijo enako kršitev, kot naj bi jo vojni ujetnik, sodijo civilna sodišča.

Vojnemu ujetniku nikakor ne sodi sodišče, ki ne zagotavlja temeljnih splošno priznanih jamstev neodvisnosti in nepristranskoosti, zlasti če obdolženemu ne more zagotoviti pravic in sredstev za obrambo, določenih v 105. členu.

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.

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.

#### *85. člen*

Vojni ujetniki, ki jih sila, ki jih pridržuje, v skladu s svojo zakonodajo preganja zaradi dejanj, storjenih pred zajetjem, uživajo ugodnosti po tej konvenciji tudi, če so obsojeni.

#### *86. člen*

Vojni ujetnik se za isto dejanje ali na podlagi iste obtožbe lahko kaznuje le enkrat.

#### *87. člen*

Vojaške oblasti in sodišča sile, ki pridržuje vojne ujetnike, lahko vojnim ujetnikom izrečejo le kazni, ki so za enaka dejanja določene za pripadnike njenih oboroženih sil.

Sodišča ali oblasti sile, ki pridržuje vojne ujetnike, pri določanju kazni kar najbolj upoštevajo dejstvo, da obdolženec ni državljan sile, ki ga pridržuje, in ji zato ni dolžan biti lojalen ter da je pod njeno oblastjo zaradi okoliščin, ki so neodvisne od njegove volje. Ta sodišča in oblasti smejo omiliti kazen, določeno za kršitev, ki je je obdolžen vojni ujetnik, in niso dolžni uporabiti najnižje predpisane kazni.

Skupinsko kaznovanje za dejanja posameznikov, telesno kaznovanje, zapiranje v prostore brez dnevne svetlobe ter na splošno vse oblike mučenja in okrutnosti so prepovedani.

*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.

Sila, ki pridržuje vojne ujetnike, nobenemu od njih ne sme odvzeti čina niti mu preprečiti, da nosi svoje vojaške oznake.

#### *88. člen*

Častniki, podčastniki in vojaki, ki so vojni ujetniki in prestajajo disciplinsko ali sodno kazen, se ne obravnavajo strožje kot pripadniki oboroženih sil sile, ki pridržuje vojne ujetnike, s primerljivim činom, ki jim je bila izrečena enaka kazen.

Vojne ujetnice ne smejo biti obsojene na strožjo kazen ali med prestajanjem kazni strožje obravnavane kot pripadnice oboroženih sil sile, ki pridržuje vojne ujetnike, ki so kaznovane za podobno kršitev.

Vojne ujetnice nikakor ne smejo biti obsojene na strožjo kazen ali med prestajanjem kazni strožje obravnavane kot pripadniki oboroženih sil sile, ki pridržuje vojne ujetnike, ki so kaznovani za podobno kršitev.

Z vojnimi ujetniki, ki so prestali disciplinsko ali sodno kazen, se ne ravna drugače kot z drugimi vojnimi ujetniki.

## II. Disciplinske sankcije

#### *89. člen*

Vojnim ujetnikom se lahko izrečejo te disciplinske kazni:

1. denarna kazen do največ 50 odstotkov zneska, ki ga vojni ujetnik dobi kot predujem plačila in plačila za delo, ki bi ju prejel po določbah 60. in 62. člena, v obdobju, ki ni daljše od tridesetih dni;

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.

## 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

2. ukinitvev ugodnosti, dodeljenih poleg obravnave, ki jo določa ta konvencija;
3. težaško delo, ki ne presega dveh ur dnevno;
4. pripor.

Kazen iz 3. točke se ne sme izreči častnikom.

Disciplinske kazni nikakor ne smejo biti nečloveške, surove ali nevarne za zdravje vojnih ujetnikov.

#### *90. člen*

Trajanje posamezne kazni nikakor ne sme biti daljše od tridesetih dni. Pri disciplinski kršitvi se čas pripora pred zaslišanjem ali pred izrekom disciplinske kazni všteje v izrečeno kazen.

Navedenih trideset dni se ne sme preseči niti, če se vojni ujetnik ob izrekanju kazni obravnava zaradi več dejanj, ki so lahko povezana ali ne.

Čas od izreka disciplinske kazni do njene izvršitve ne sme biti daljši od meseca dni.

Če je vojnemu ujetniku izrečena še kakšna disciplinska kazen, morajo med izvrševanjem ene in druge kazni preteči najmanj trije dnevi, če katera od teh kazni traja deset dni ali več.

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.

## *91. člen*

Pobeg vojnega ujetnika velja za uspelega, če:

1. se je spet pridružil oboroženim silam, ki jim pripada, ali oboroženim silam zavezniške sile;
2. je zapustil ozemlje, ki je pod oblastjo sile, ki pridržuje vojne ujetnike, ali njene zaveznice;
3. je došel na ladjo pod zastavo sile, ki ji pripada, ali zavezniške sile v teritorialnih vodah sile, ki pridržuje vojne ujetnike, in ta ladja ni pod nadzorom te sile.

Vojnim ujetnikom, ki so v smislu tega člena uspeli pobegniti in so bili znova ujeti, se zaradi tega pobega ne izreče nobena kazen.

## *92. člen*

Vojni ujetnik, ki poskusi pobegniti, a je znova ujet, preden mu pobeg v smislu 91. člena uspe, se za to dejanje kaznuje samo disciplinsko, tudi če gre za ponovno kršitev.

Znova ujeti vojni ujetnik se brez odlašanja preda pristojnim vojaškim oblastem.

Ne glede na četrty odstavek 88. člena so vojni ujetniki, kaznovani zaradi neuspelega pobega, lahko pod posebnim nadzorom. Tak nadzor ne sme škodovati njihovemu zdravju, potekati mora v taborišču za vojne ujetnike in ne sme ukiniti nobenega jamstva po tej konvenciji.

### *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.

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.

### *93. člen*

Pobeg ali poskus pobega, tudi ponovni, se šteje za oteževalno okoliščino, kadar se vojnemu ujetniku sodi za kršitev, storjeno med pobegom ali poskusom pobega.

V skladu z načelom iz 83. člena se kršitve, ki jih vojni ujetniki storijo izključno z namenom, da bi si olajšali pobeg, in ne vključujejo napada na življenje in telo, kot so oškodovanje javnega premoženja, kraja brez namena bogatenja, izdelava ali uporaba lažnih listin ali nošenje civilne obleke, kaznujejo samo disciplinsko.

Vojni ujetniki, ki pomagajo pri pobegu ali poskusu pobega ali napeljujejo nanj, se kaznujejo le disciplinsko.

### *94. člen*

Če je pobegli vojni ujetnik znova ujet, se o tem uradno obvesti sila, ki ji ta vojni ujetnik pripada, kot določa 122. člen, če je bilo poslano uradno obvestilo o njegovem pobegu.

### *95. člen*

Vojnemu ujetniku, obdolženemu kršenja discipline, se med obravnavo ne odvzame prostost, razen če se enak ukrep uporablja tudi za pripadnike oboroženih sil sile, ki pridržuje vojne ujetnike, obdolžene podobnih kršitev, ali če je to nujno zaradi vzdrževanja reda in discipline v taborišču.

### *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.

Pripor vojnega ujetnika zaradi disciplinske kršitve se kar najbolj skrajša in ne traja več kot štirinajst dni.

Določbe 97. in 98. člena tega poglavja se uporabljajo za vojne ujetnike, ki so v priporu zaradi disciplinskih kršitev.

#### *96. člen*

Dejanja, ki pomenijo disciplinsko kršitev, se takoj preiščejo.

Brez poseganja v pristojnost sodišč in nadrejenih vojaških oblasti lahko disciplinske kazni izreka le častnik, ki je kot poveljnik taborišča pristojen za disciplino, ali odgovorni častnik, ki ga nadomešča ali na katerega je poveljnik prenesel svoja disciplinska pooblastila.

Disciplinska pooblastila se nikakor ne smejo prenesti na vojnega ujetnika in vojni ujetnik jih tudi ne sme izvajati.

Pred izrekom disciplinske kazni je treba obdolženega vojnega ujetnika natančno obvestiti o kršitvi, ki je obdolžen, in mu omogočiti, da pojasni svoje ravnanje in se zagovarja. Dovolj se mu, da povabi priče in po potrebi zahteva storitve usposobljenega tolmača. Odločitev o kazni se sporoči obdolženemu vojnemu ujetniku in predstavniku vojnih ujetnikov.

Poveljnik taborišča vodi evidenco izrečenih disciplinskih kazni, ki je na voljo za vpogled predstavnikom sile zaščitnice.

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 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.

## 97. člen

Vojni ujetniki se nikakor ne smejo premeščati v ustanove za prestajanje kazni (zapore, kazenske zavode, kaznilnice itd.), da bi tam prestajali disciplinske kazni.

Vsi prostori za prestajanje disciplinskih kazni so v skladu s higienskimi zahtevami iz 25. člena. Vojnemu ujetniku, ki prestaja kazen, se omogoči vzdrževanje osebne higiene v skladu z 29. členom.

Častniki in osebe s primerljivim položajem se ne nastanijo v istih prostorih kot podčastniki ali vojaki.

Vojne ujetnice, ki prestajajo disciplinsko kazen, so zaprte v prostorih, ločenih od prostorov, v katerih so vojni ujetniki moški, in so pod neposrednim nadzorom žensk.

## 98. člen

Vojni ujetnik, ki prestaja disciplinsko kazen pripora, še naprej uživa ugodnosti po določbah te konvencije, razen če zaradi dejstva, da je v priporu, to ni mogoče. Ugodnosti po določbah 78. in 126. člena se mu nikakor ne smejo odvzeti.

Vojnemu ujetniku, ki je disciplinsko kaznovan, se ne smejo odvzeti pravice, vezane na njegov čin.

Vojni ujetniki, ki so disciplinsko kaznovani, se smejo gibati in smejo biti na svežem zraku najmanj dve uri na dan.

Na svojo zahtevo so lahko prisotni na dnevnik zdravniških pregledih. Deležni so oskrbe, ki jo potrebujejo zaradi svojega zdravstvenega stanja, in se po potrebi premestijo v taboriščno ambulanto ali bolnišnico.

### *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.

Smejo brati in pisati ter pošiljati in prejemati pisma. Njihovi paketi in denarne pošiljke se lahko zadržijo do konca prestajanja kazni; do takrat se zaupajo predstavniku vojnih ujetnikov, ki pokvarljivo blago iz paketov preda ambulanti.

### III. Sodni postopki

#### *99. člen*

Nobenemu vojnemu ujetniku se ne sme soditi ali ga obsoditi za dejanje, ki ni prepovedano z zakonodajo sile, ki pridržuje vojne ujetnike, ali z mednarodnim pravom, ki sta veljala v času, ko je bilo dejanje storjeno.

Nad vojnim ujetnikom se ne sme izvajati nobena psihična ali fizična prisila, da bi priznal krivdo za dejanje, ki ga je obdolžen.

Noben vojni ujetnik ne sme biti obsojen, ne da bi imel možnost obrambe in pomoči odvetnika ali zagovornika.

#### *100. člen*

Vojne ujetnike in sile zaščitnice je treba čim prej obvestiti o kršitvah, za katere je po zakonodaji sile, ki pridržuje vojne ujetnike, določena smrtna kazen.

Po tem se druge kršitve ne kaznujejo s smrtno kaznijo brez soglasja sile, ki ji vojni ujetniki pripadajo.

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.

#### *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.

Smrtna kazen se vojnemu ujetniku ne sme izreči, če sodišče v skladu z drugim odstavkom 87. člena ni posebej opozorjeno na dejstvo, da obdolženec ni državljan sile, ki ga pridržuje, in ji zato ni dolžan biti lojalen ter da je pod njeno oblastjo zaradi okoliščin, ki so neodvisne od njegove volje.

*101. člen*

Če je vojnemu ujetniku izrečena smrtna kazen, se ta ne izvrši pred potekom najmanj šestih mesecev po dnevu, ko sila zaščitnica na navedeni naslov prejme izčrpno poročilo v skladu s 107. členom.

*102. člen*

Vojni ujetnik je lahko veljavno obsojen le, če sodbo po enakem postopku izrečejo ista sodišča kot pripadnikom oboroženih sil sile, ki pridržuje vojne ujetnike, in če se upoštevajo določbe tega poglavja.

*103. člen*

Sodne preiskave v zvezi z vojnim ujetnikom se vodijo tako hitro, kot to dopuščajo okoliščine, in tako, da se sojenje začne čim prej. Vojni ujetnik med čakanjem na sojenje ne sme biti priprt, razen če bi bil priprt tudi pripadnik oboroženih sil sile, ki pridržuje vojne ujetnike, obdolžen podobnih kršitev, ali če je to potrebno zaradi državne varnosti. Pripor nikakor ne sme trajati več kot tri mesece.

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

Čas, ki ga vojni ujetnik preživi v priporu med čakanjem na sojenje, se všteje v izrečeno kazen zapora in upošteva pri določitvi katere koli kazni.

Za vojne ujetnike, ki v priporu čakajo na sojenje, se uporabljajo določbe 97. in 98. člena tega poglavja.

#### *104. člen*

Kadar koli se sila, ki pridržuje vojne ujetnike, odloči začeti sodni postopek proti vojnemu ujetniku, o tem čim prej uradno obvesti silo zaščitnico, in to najmanj tri tedne pred začetkom sojenja. To obdobje treh tednov začne teči, ko sila zaščitnica prejme uradno obvestilo na naslov na naslov, ki ga je ta predhodno sporočila sili, ki pridržuje vojne ujetnike.

Uradno obvestilo vsebuje te podatke:

1. priimek in imena vojnega ujetnika, njegov čin, ime vojske, vojaško enoto, osebno ali službeno številko, rojstni datum in poklic, če ga ima;
2. kraj interniranja ali pripora;
3. obrazložitev obtožbe ali obtožb, zaradi katerih se vojni ujetnik kazensko preganja, in navedbo zakonskih določb, ki se uporabljajo;
4. navedbo sodišča, ki bo obravnavalo zadevo, z navedbo datuma in kraja, ki sta določena za začetek sojenja.

Sila, ki pridržuje vojne ujetnike, enako obvesti predstavnika vojnih ujetnikov.

Če na začetku sojenja ni predložen dokaz, da so sila zaščitnica, vojni ujetnik in predstavnik vojnih ujetnikov prejeli prej navedeno uradno obvestilo najmanj tri tedne pred začetkom sojenja, se sojenje preloži.

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;
- (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,

Vojni ujetnik je upravičen do pomoči soujetnika, obrambe odvetnika ali zagovornika, ki ga sam izbere, predlaganja prič, in če meni, da je to potrebno, usposobljenega tolmača. Sila, ki pridržuje vojne ujetnike, ga o teh pravicah pravočasno pouči pred sojenjem.

Če vojni ujetnik ne izbere odvetnika ali zagovornika, mu ga zagotovi sila zaščitnica, ki ima za to na voljo najmanj teden dni časa. Sila, ki pridržuje vojne ujetnike, sili zaščitnici na zahtevo predloži seznam oseb, usposobljenih za vodenje obrambe. Če niti vojni ujetnik niti sila zaščitnica ne izbereta odvetnika ali zagovornika, sila, ki pridržuje vojne ujetnike, imenuje odvetnika ali zagovornika, ki vodi obrambo.

Odvetnik ali zagovornik, ki vodi obrambo vojnega ujetnika, ima pred začetkom sojenja na voljo vse potrebno in najmanj dva tedna časa za pripravo obrambe obdolženega. Zlasti sme svobodno obiskovati obdolženega in se z njim zasebno pogovarjati. Pogovarjati se sme tudi z vsemi pričami obrambe, vključno z vojnimi ujetniki. Te ugodnosti lahko izkoristi do izteka roka za vlaganje pritožbe ali prošnje.

Obdolženi vojni ujetnik pred začetkom sojenja pravočasno prejme obrazloženo obtožnico ali obtožnice, na podlagi katerih se kazensko preganja, in dokumente, ki se običajno pošiljajo obdolžencu na podlagi veljavne zakonodaje oboroženih sil sile, ki pridržuje vojne ujetnike, in sicer v jeziku, ki ga vojni ujetnik razume. Pod

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

enakimi pogoji se enako obvesti tudi odvetnik ali zagovornik, ki vodi obrambo vojnega ujetnika.

Predstavniki sile zaščitnice imajo pravico udeležiti se sojenja, razen če je obravnava izjemoma zaprta za javnost zaradi državne varnosti. V takem primeru sila, ki pridržuje vojne ujetnike, o tem obvesti silo zaščitnico.

#### *106. člen*

Vsak vojni ujetnik ima enako kot pripadniki oboroženih sil sile, ki pridržuje vojne ujetnike, pravico vložiti pritožbo ali prošnjo v zvezi z vsako sodbo, ki mu je izrečena, z namenom, da se sodba razveljavi ali spremeni ali zadeva vrne v ponovno sojenje. V celoti ga je treba poučiti o njegovi pravici do vložitve pritožbe ali prošnje in o roku, v katerem to lahko stori.

#### *107. člen*

Sila zaščitnica se takoj obvesti o vsaki sodbi in kazni, izrečeni vojnemu ujetniku, v obliki kratkega sporočila, v katerem je navedeno tudi, ali ima vojni ujetnik pravico do pritožbe z namenom, da se sodba razveljavi ali zadeva vrne v ponovno sojenje. To sporočilo se pošlje tudi predstavniku vojnih ujetnikov. Pošlje se tudi obdolženemu vojnemu ujetniku v jeziku, ki ga razume, če sodba ni bila izrečena v njegovi prisotnosti. Sila, ki pridržuje vojne ujetnike, nemudoma sporoči sili zaščitnici tudi odločitev vojnega ujetnika, ali bo izkoristil pravico do pritožbe ali se ji bo odpovedal.

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.

#### *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.

Če je vojni ujetnik pravnomočno obsojen ali če je na sodišču prve stopnje obsojen na smrtno kazen, sila, ki ga pridržuje, sili zaščitnici čim prej pošlje podrobno sporočilo, ki vsebuje:

1. točno besedilo ugotovitev in sodbe;
2. povzetek poročila o kakršni koli predhodni preiskavi in sojenju s poudarkom na osnovnih sestavnih delih obtožbe in obrambe;
3. po potrebi navedbo ustanove, v kateri bo vojni ujetnik prestajal kazen.

Podatki iz prejšnjih točk se pošljejo sili zaščitnici na naslov, ki ga je predhodno sporočila sili, ki pridržuje vojne ujetnike.

#### *108. člen*

Vojni ujetniki prestajajo izrečene kazni na podlagi izvršljive sodbe v istih ustanovah in enakih razmerah kot pripadniki oboroženih sil sile, ki pridržuje vojne ujetnike. Te razmere so vedno v skladu z zdravstvenimi zahtevami in človečnostjo.

Vojna ujetnica, ki ji je izrečena taka kazen, se zapre v ločene prostore in je pod nadzorom žensk.

Vojni ujetniki, obsojeni na kazen odvzema prostosti, vsekakor še naprej uživajo ugodnosti po določbah 78. in 126. člena te konvencije. Poleg tega smejo prejemati in pošiljati pošto, prejemati najmanj en paket pomoči na mesec, se redno gibati na svežem zraku, zagotovljeni jim morata biti zdravstvena oskrba, ki jo zahteva njihovo zdravstveno stanje, in duhovna pomoč, če jo želijo. Kazni, ki se jim lahko izrečejo, morajo biti v skladu z določbami tretjega odstavka 87. člena.

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 sub-paragraphs 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

**IV. DEL**  
**KONEC UJETNIŠTVA**  
I. ODDELEK  
NEPOSREDNA REPATRIACIJA IN NASTANITEV  
V NEVTRALNIH DRŽAVAH

*109. člen*

Ob upoštevanju določb tretjega odstavka tega člena morajo strani v spopadu hudo ranjene in bolne vojne ujetnike, potem ko so jih negovale, dokler niso sposobni za prevoz, ne glede na število in čin vrniti v njihovo državo v skladu s prvim odstavkom naslednjega člena.

Strani v spopadu si med trajanjem sovražnosti ob sodelovanju nevtralnih sil prizadevajo organizirati nastanitev ranjenih in bolnih vojnih ujetnikov iz drugega odstavka naslednjega člena v nevtralnih državah. Poleg tega lahko sklenejo sporazume o neposredni repatriaciji telesno sposobnih vojnih ujetnikov, ki so bili dolgo v ujetništvu, ali o njihovi internaciji v nevtralni državi.

Med sovražnostmi ranjen ali bolan vojni ujetnik, ki izpolnjuje pogoje za repatriacijo po prvem odstavku tega člena, ne sme biti repatriiran proti svoji volji.

spiritual assistance they may desire. Penalties to which they may be subjected shall be in accordance with the provisions of Article 87, third paragraph.

**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.

Neposredno se repatriirajo:

1. neozdravljivo ranjeni in bolniki, katerih duševne ali telesne sposobnosti so občutno zmanjšane;
2. ranjenci in bolniki, ki glede na zdravniško mnenje najverjetneje ne bodo ozdraveli v enem letu, njihovo stanje pa zahteva zdravljenje, in katerih duševne ali telesne sposobnosti so občutno zmanjšane;
3. ranjenci in bolniki, ki so ozdraveli, vendar so njihove duševne ali telesne sposobnosti občutno in trajno zmanjšane.

V nevtralni državi se lahko nastanijo:

1. ranjenci in bolniki, pri katerih se lahko pričakuje ozdravitev v enem letu po dnevu poškodbe ali začetku bolezni, če bi zdravljenje v nevtralni državi lahko povečalo možnosti zanesljivejše in hitrejše ozdravitve;
2. vojni ujetniki, katerih duševno ali telesno zdravje je glede na zdravniško mnenje resno ogroženo zaradi dolgotrajnega ujetništva in katerih nastanitev v nevtralni državi bi to lahko odpravila.

Sile, na katere se to nanaša, sporazumno določijo pogoje, ki jih morajo izpolnjevati vojni ujetniki, nastanjeni v nevtralni državi, da se lahko repatriirajo, in njihov status. Na splošno se repatriirajo vojni ujetniki, nastanjeni v nevtralni državi, ki pripadajo tem skupinam:

1. osebe, katerih zdravstveno stanje se je tako poslabšalo, da izpolnjujejo pogoje za neposredno repatriacijo;

*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. osebe, katerih duševne ali telesne sposobnosti ostanejo občutno zmanjšane tudi po zdravljenju.

Če strani v spopadu niso sklenile posebnih sporazumov, ki določajo primere nezmožnosti ali bolezni, ki upravičujejo neposredno repatriacijo ali nastanitev v nevtralni državi, se ti primeri določijo v skladu z načeli iz vzorca sporazuma o neposredni repatriaciji in nastanitvi ranjenih in bolnih vojnih ujetnikov v nevtralnih državah ter iz pravilnika o skupnih zdravstvenih komisijah, ki sta priložena tej konvenciji.

#### *111. člen*

Sila, ki pridržuje vojne ujetnike, sila, ki ji vojni ujetniki pripadajo, in nevtralna sila, o kateri se ti sili sporazumeta, si prizadevajo skleniti sporazume, ki omogočajo interniranje vojnih ujetnikov na ozemlju navedene nevtralne sile, dokler se sovražnosti ne končajo.

#### *112. člen*

Ob začetku sovražnosti se imenujejo skupne zdravstvene komisije za pregled ranjenih in bolnih vojnih ujetnikov ter sprejemanje vseh ustreznih odločitev v zvezi z njimi. Imenovanje, naloge in delovanje teh komisij so v skladu z določbami pravilnika, ki je priložen tej konvenciji.

Vojni ujetniki, ki so po mnenju zdravstvenih oblasti sile, ki jih pridržuje, očitno hudo ranjeni ali hudo bolni, se smejo repatriirati brez pregleda pred skupno zdravstveno komisijo.

(2) Those whose mental or physical powers remain, even after treatment, considerably impaired.

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

Poleg oseb, ki jih določijo zdravstvene oblasti sile, ki pridržuje vojne ujetnike, so do pregleda pred skupno zdravstveno komisijo iz prejšnjega člena upravičeni še ranjeni ali bolni vojni ujetniki, ki spadajo v te skupine:

1. ranjenci ali bolniki, ki jih predlaga zdravnik ali kirurg njihove narodne pripadnosti ali zdravnik ali kirurg, ki je državljan ene od strani v spopadu, ki je zaveznica sile, ki ji ujetniki pripadajo, in ki opravlja svoje naloge v taborišču;
2. ranjenci in bolniki, ki jih predlaga predstavnik vojnih ujetnikov;
3. ranjenci in bolniki, ki jih predlaga sila, ki ji pripadajo, ali organizacija, ki jo ta sila priznava in ki pomaga vojnim ujetnikom.

Vojni ujetniki, ki ne spadajo v nobeno od teh treh skupin, smejo priti na pregled pred skupno zdravstveno komisijo, vendar so pregledani za vojnimi ujetniki iz navedenih skupin.

Pri pregledu vojnih ujetnikov pred skupno zdravstveno komisijo smeta prisostvovati zdravnik ali kirurg njihove narodne pripadnosti in predstavnik vojnih ujetnikov.

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.

#### *114. člen*

Vojni ujetniki, ki so žrtve nezgod, razen tistih, ki so se poškodovali namenoma, v povezavi z repatriacijo in nastanitvijo v nevtralni državi uživajo ugodnosti po določbah te konvencije.

#### *115. člen*

Noben vojni ujetnik, ki je kaznovan disciplinsko in izpolnjuje pogoje za repatriacijo ali nastanitev v nevtralni državi, ne sme biti zadržan z izgovorom, da še ni prestal izrečene disciplinske kazni.

Za vojne ujetnike, pridržane v zvezi s sodnim pregonom ali obsodbo, ki so predvideni za repatriacijo ali nastanitev v nevtralni državi, se ti ukrepi lahko uporabljajo do konca postopka ali prestajanja kazni, če sila, ki jih pridržuje, soglaša s tem.

Strani v spopadu si sporočijo imena vojnih ujetnikov, ki bodo pridržani do konca postopka ali prestajanja kazni.

#### *116. člen*

Stroške repatriacije vojnih ujetnikov ali njihovega prevoza v nevtralno državo od meje sile, ki jih je pridrževala, krije sila, ki ji vojni ujetniki pripadajo.

*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.

*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.

*117. člen*

Nobena repatriirana oseba ne sme biti zaposlena v aktivni vojaški službi.

II. ODDELEK  
OSVOBODITEV IN REPATRICIJA VOJNIH UJETNIKOV  
OB KONČANJU SOVRAŽNOSTI

*118. člen*

Po končanju aktivnih sovražnosti se vojni ujetniki brez odlašanja osvobodijo in repatriirajo.

Če sporazum, sklenjen med stranmi v spopadu z namenom končati sovražnosti, ne vsebuje določb o tem ali če takega sporazuma ni, vsaka od sil, ki pridržuje vojne ujetnike, sama sestavi in brez odlašanja izvede načrt o njihovi repatriaciji v skladu z načelom iz prejšnjega odstavka.

V vsakem primeru se sprejeti ukrepi sporočijo vojnim ujetnikom.

Stroški repatriacije vojnih ujetnikov se vedno pravično porazdelijo med silo, ki jih pridržuje, in silo, ki ji pripadajo. Pri porazdelitvi se uporabljajo ta načela:

- a) če sili mejita druga na drugo, sila, ki ji vojni ujetniki pripadajo, krije stroške njihove repatriacije od meje sile, ki jih pridržuje;
- b) če sili ne mejita druga na drugo, sila, ki pridržuje vojne ujetnike, krije stroške njihovega prevoza na svojem ozemlju do svoje meje ali luke za vkrcanje, ki je najbližje ozemlju sile, ki ji vojni ujetniki pripadajo. O drugih stroških repatriacije se strani, na katere se to nanaša, sporazumejo in jih pravično porazdelijo med seboj.

*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 or its port of embarkation nearest to the

Sklenitev takega sporazuma nikakor ne upravičuje odlašanja repatriacije vojnih ujetnikov.

*119. člen*

Repatriacija poteka v razmerah, ki so podobne tistim iz 46. do 48. člena te konvencije o premestitvi vojnih ujetnikov, ob upoštevanju določb 118. člena in naslednjih odstavkov.

Ob repatriaciji se vojnim ujetnikom vrnejo vsi vrednostni predmeti, ki so jim bili odvzeti na podlagi 18. člena, in zneski v tuji valuti, ki niso bili zamenjani v valuto sile, ki pridržuje vojne ujetnike.

Vrednostni predmeti in zneski v tuji valuti, ki iz kakršnega koli razloga niso vrnjeni vojnim ujetnikom ob repatriaciji, se predajo informacijskemu uradu iz 122. člena.

Vojni ujetniki lahko vzamejo s seboj osebne predmete, korespondenco in pakete, ki so prispeli zanje. Teža prtljage se zaradi razmer repatriacije lahko omeji na primerno težo, ki jo vojni ujetnik lahko nosi. Vsakemu vojnemu ujetniku se vedno dovoli nositi teža najmanj petindvajset kilogramov.

Druge osebne predmete repatriiranega vojnega ujetnika hrani sila, ki ga pridržuje; pošlje mu jih, takoj ko s silo, ki ji vojni ujetnik pripada, sklene sporazum o načinu prevoza predmetov in kritju stroškov zanj.

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 costs of the repatriation. The conclusion of this agreement shall in no circumstances justify any delay in the repatriation of the prisoners of war.

#### *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.

Vojni ujetniki, ki so v kazenskem postopku zaradi kaznivega dejanja, se smejo pridržati do konca postopka in po potrebi do konca prestajanja kazni. Enako velja za vojne ujetnike, že obsojene zaradi kaznivega dejanja.

Strani v spopadu si sporočijo imena vojnih ujetnikov, ki so pridržani do konca postopka ali prestajanja kazni.

Strani v spopadu se sporazumejo o ustanovitvi komisij za iskanje razkropljenih vojnih ujetnikov in zagotavljanje njihove repatriacije v najkrajšem času.

### III. ODDELEK SMRT VOJNIH UJETNIKOV

#### *120. člen*

Oporoke vojnih ujetnikov so sestavljene tako, da izpolnjujejo pogoje za veljavnost po zakonodaji njihove države, ki bo ukrenila vse potrebno, da z njimi seznaní silo, ki jih pridržuje. Na zahtevo vojnega ujetnika, vedno pa po njegovi smrti se oporoška brez odlašanja pošlje sili zaščitnici, overjena kopija pa osrednji agenciji.

Potrdila o smrti, ki so v skladu z obrazcem, priloženim tej konvenciji, ali seznaní vseh oseb, ki so umrle kot vojni ujetniki, ki jih potrdi odgovorni častnik, se čim prej pošljejo informacijskemu uradu za vojne ujetnike, ustanovljenemu v skladu s 122. členom. Potrdila o smrti ali potrjeni seznaní vsebujejo podrobne podatke o identiteti, navedene v tretjem odstavku 17. člena, ter kraj, datum in vzrok smrti, kraj in datum pokopa ter vse podatke, potrebne za prepoznavo grobov.

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

Pred pokopom ali upepelitvijo vojnega ujetnika se opravi zdravniški pregled trupla zaradi ugotovitve smrti, sestave poročila in po potrebi ugotovitve identitete.

Oblasti, ki pridružujejo vojne ujetnike, zagotovijo, da so vojni ujetniki, ki umrejo v ujetništvu, dostojno pokopani, če je le mogoče v skladu z obredi veroizpovedi, ki so ji pripadali, ter da se njihovi grobovi spoštujejo, ustrezno vzdržujejo in označijo tako, da jih je vedno mogoče najti. Če je le mogoče, se umrli vojni ujetniki, ki so pripadali isti sili, pokopljejo na istem kraju.

Umrli vojni ujetniki se pokopljejo v posamične grobove, razen če jih je treba zaradi neizogibnih okoliščin pokopati v skupni grob. Trupla se smejo upepeliti le zaradi nujnih higienskih razlogov ali veroizpovedi pokojnika, ali če je to v skladu s pokojnikovo izrecno željo po upepelitvi. Ob upepelitvi se v potrdilo o smrti vpiše zaznamok o upepelitvi in razlog zanjo.

Da bi bilo grobove vedno mogoče najti, se vsi podatki o pokopu in grobovih vpišejo v register službe za popis grobov, ki jo ustanovi sila, ki pridržuje vojne ujetnike. Sezname grobov in podatki o vojnih ujetnikih, pokopanih na pokopališčih in drugje, se pošljejo sili, ki so ji ti vojni ujetniki pripadali. Če je sila, ki nadzoruje to ozemlje, pogodbenica te konvencije, mora skrbeti za te grobove in vpisati v register vsak poznejši prenos trupel. Te določbe veljajo tudi za pepel umrlih, ki ga hrani služba za popis grobov, dokler ji država umrlih ne sporoči, kaj naj stori z njim.

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.

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.

### *121. člen*

Sila, ki pridržuje vojne ujetnike, takoj uradno preišče vsako smrt ali hujšo poškodbo vojnega ujetnika, ki jo je povzročil ali za katero se sumi, da jo je povzročil stražar, drug vojni ujetnik ali katera koli druga oseba, pa tudi vsako drugo smrt, katere vzrok je neznan.

O takih primerih se takoj obvesti sila zaščitnica. Zberejo se izjave prič, zlasti vojnih ujetnikov, poročilo s temi izjavami pa se pošlje sili zaščitnici.

Če se s preiskavo ugotovi krivda ene osebe ali več oseb, sila, ki pridržuje vojne ujetnike, stori vse potrebno za sodni pregon odgovorne osebe ali oseb.

## **V. DEL INFORMACIJSKI URADI IN DRUŠTVA ZA POMOČ VOJNIM UJETNIKOM**

### *122. člen*

Ob začetku spopada in v vseh primerih okupacije vsaka stran v spopadu ustanovi uradni informacijski urad za vojne ujetnike, ki so pod njeno oblastjo. Nevtralne sile ali sile, ki se ne vojskujejo, ki so na svoje ozemlje sprejele osebe, ki pripadajo eni od skupin iz 4. člena, glede teh oseb storijo enako. Sila, na katero se to nanaša, zagotovi, da informacijski urad za vojne ujetnike dobi potrebne prostore, opremo in osebje za uspešno opravljanje svojega dela. V uradu sme zaposliti vojne ujetnike pod pogoji, določenimi v oddelku konvencije, ki se nanaša na delo vojnih ujetnikov.

### *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

Vsaka od strani v spopadu v najkrajšem možnem času pošlje svojemu uradu podatke iz četrtega, petega in šestega odstavka tega člena, ki se nanašajo na sovražne osebe iz ene od skupin iz 4. člena, ki so prišle pod njeno oblast. Nevtralne sile ali sile, ki se ne vojskujejo, glede oseb iz teh skupin, ki so jih sprejele na svoje ozemlje, storijo enako.

Urad prek sil zaščitnic in osrednje agencije iz 123. člena takoj in kar najhitreje pošlje te podatke silam, na katere se to nanaša.

Ti podatki omogočajo hitro obveščanje bližnjih sorodnikov. Ob upoštevanju določb 17. člena podatki o vsakem ujetniku, če jih informacijski urad ima, vsebujejo priimek, imena, čin, ime vojske, vojaško enoto, osebno ali službeno številko, kraj in popoln datum rojstva, navedbo sile, ki ji vojni ujetnik pripada, ime očeta in dekliški priimek matere, ime in naslov osebe, ki jo je treba obvestiti, ter naslov, kamor se lahko pošlje pošta za vojnega ujetnika.

Informacijski urad od različnih pristojnih služb prejema podatke o premestitvah, osvoboditvah, repatriacijah, pobegih, hospitalizacijah in smrtih ter jih pošilja na način, določen v tretjem odstavku tega člena.

to ensure 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.

Redno, če je mogoče vsak teden, se pošiljajo tudi podatki o zdravstvenem stanju vojnih ujetnikov, ki so hudo bolni ali hudo ranjeni.

Informacijski urad odgovarja na vse poizvedbe, ki jih dobi v zvezi z vojnimi ujetniki, tudi tistimi, ki so umrli v ujetništvu; opravi tudi vse potrebne poizvedbe za pridobitev iskanih podatkov, ki jih sam nima.

Vsa pisna obvestila urada so potrjena s podpisom ali žigom.

Informacijski urad je zadolžen za zbiranje vseh osebnih dragočnosti, vključno z zneski v valuti, ki ni valuta sile, ki pridržuje vojne ujetnike, pa tudi dokumentov, ki so pomembni za bližnje sorodnike in so za vojnimi ujetniki ostali po repatriaciji, osvoboditvi, pobegu ali smrti, ki jih nato pošlje silam, na katere se to nanaša. Urad te predmete pošlje v zapečatenem paketu s priloženo izjavo, v kateri sta točno določeni identiteta osebe, ki ji ti predmeti pripadajo, in podrobna vsebina paketa. Drugi osebni predmeti teh vojnih ujetnikov se pošljejo v skladu z dogovorom med silami v spopadu, na katere se to nanaša.

### *123. člen*

Osrednja agencija za obveščanje o vojnih ujetnikih se ustanovi v nevtralni državi. Mednarodni odbor Rdečega križa, če se mu zdi potrebno, predlaga silam, na katere se to nanaša, ustanovitev take agencije.

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.

Naloga agencije je zbrati vse podatke o vojnih ujetnikih, ki jih lahko pridobi po uradnih ali zasebnih poteh, in jih čim prej poslati njihovi državi ali sili, ki ji pripadajo. Od strani v spopadu prejme vse potrebno za tako pošiljanje.

Visoke pogodbenice, zlasti tiste, katerih državljani uporabljajo storitve osrednje agencije, se zaprosijo za vso potrebno finančno pomoč za njeno delovanje.

Navedene določbe se nikakor ne razlagajo kot omejevanje humanitarne dejavnosti Mednarodnega odbora Rdečega križa in društev za pomoč iz 125. člena.

#### *124. člen*

Nacionalni informacijski uradi in osrednja agencija za obveščanje so oproščeni plačila poštnine in deležni drugih oprostitev iz 74. člena, če je mogoče, pa so oproščeni tudi plačevanja telegrafskih pristojbin ali se jim te vsaj občutno znižajo.

#### *125. člen*

Sile, ki pridržujejo vojne ujetnike, ob upoštevanju ukrepov, ki so po njihovem mnenju nujni za zagotovitev njihove varnosti ali zadovoljevanje katere koli druge razumne potrebe, zagotovijo predstavnikom verskih organizacij, društvom za pomoč ali kakršni koli drugi organizaciji, ki pomaga vojnim ujetnikom, in njihovim pravilno akreditiranim zastopnikom vse potrebno za obiskovanje vojnih ujetnikov, delitev pomoči in potrebščin iz katerega koli vira za verske, izobraževalne ali rekreativne namene ter za pomoč pri

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

organiziranju njihovega prostega časa v taboriščih. Taka društva ali organizacije se lahko ustanovijo na ozemlju sile, ki pridržuje vojne ujetnike, ali v kateri koli drugi državi, lahko pa so tudi mednarodne.

Sila, ki pridržuje vojne ujetnike, lahko omeji število društev in organizacij, katerih delegati lahko opravljajo svoje naloge na njenem ozemlju in pod njenim nadzorom, vendar pod pogojem, da taka omejitev ne ovira učinkovite in zadostne pomoči vsem vojnim ujetnikom.

Na tem področju se vedno priznava in upošteva poseben položaj Mednarodnega odbora Rdečega križa.

Takoj ko se pomoč ali potrebščine za navedene namene predajo vojnim ujetnikom ali zelo kmalu zatem se društvu za pomoč ali organizaciji pošiljateljici za vsako pošiljko pošlje potrdilo o vročitvi, ki ga podpiše predstavnik ujetnikov. Potrdila, ki se nanašajo na te pošiljke, hkrati predložijo tudi upravne oblasti, ki so odgovorne za varovanje ujetnikov.

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.

**VI. DEL**  
**IZVAJANJE KONVENCIJE**  
**I. ODDELEK**  
**SPLOŠNE DOLOČBE**

*126. člen*

Predstavniki ali delegati sil zaščitnic imajo dovoljenje za obisk vseh krajev, kjer bi lahko bili vojni ujetniki, zlasti tistih, kjer so internirani, zaprti ali kjer delajo, prav tako imajo dostop do vseh prostorov, v katerih so vojni ujetniki, dovoljen pa jim je tudi dostop do vseh mest odhoda, prehoda in prihoda vojnih ujetnikov, ki se premeščajo. Z vojnimi ujetniki in zlasti z njihovimi predstavniki se lahko pogovarjajo brez prič s pomočjo tolmača ali brez njega.

Predstavniki in delegati sil zaščitnic lahko popolnoma prosto izbirajo kraje, ki jih želijo obiskati. Trajanje in pogostost teh obiskov nista omejena. Obiski se ne smejo prepovedati, razen zaradi vojaške nujnosti, in to le kot izjemen in začasen ukrep.

Sila, ki pridržuje vojne ujetnike, in sila, ki ji ti vojni ujetniki pripadajo, se po potrebi lahko dogovorita, da se obiskov smejo udeležiti rojaki vojnih ujetnikov.

Enake pravice imajo tudi delegati Mednarodnega odbora Rdečega križa. Imenovanje delegatov odobri sila, ki pridržuje vojne ujetnike, ki jih bodo obiskali.

**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 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.

Visoke pogodbenice se zavezujejo, da bodo v svojih državah v miru in vojni čim bolj širile poznavanje besedila te konvencije, zlasti da jo bodo vključile v programe vojaškega, in če je le mogoče tudi civilnega usposabljanja, tako da se z njenimi načeli lahko seznanijo vse njihove oborožene sile in vse prebivalstvo.

Vse vojaške ali druge oblasti, ki med vojno prevzamejo odgovornost za vojne ujetnike, morajo imeti besedilo konvencije in biti o njenih določbah posebej poučene.

*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.

### *128. člen*

Visoke pogodbenice si prek Švicarskega zveznega sveta, med sovrážnostmi pa prek sil zaščitnic izmenjajo uradne prevode te konvencije ter zakone in druge predpise, ki jih lahko sprejmejo za zagotavljanje njene uporabe.

### *129. člen*

Visoke pogodbenice se zavezujejo, da bodo sprejele zakonodajo, potrebno za zagotovitev učinkovitih kazenskih sankcij za osebe, ki storijo ali ukažejo storiti katero koli od hudih kršitev te konvencije, ki so opredeljene v naslednjem členu.

Vsaka visoka pogodbenica mora poiskati osebe, ki so domnevno storile ali ukazale storiti tako hudo kršitev, in jih privedi pred svoje sodišče ne glede na njihovo državljanstvo. Če se ji zdi ustrezneje, jih lahko v skladu z določbami svoje zakonodaje izroči v sojenje drugi visoki pogodbenici, če ta zadostno izkaže utemeljene obtožbe proti njim.

Vsaka visoka pogodbenica sprejme potrebne ukrepe za preprečevanje vseh dejanj, ki so v nasprotju z določbami te konvencije in niso hude kršitve, opredeljene v naslednjem členu.

Obdolžencem se vedno zagotovijo pravna jamstva glede sodnega postopka in obrambe, ki niso manj ugodna od tistih iz 105. člena in nadaljnjih členov te konvencije.

### *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.

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.

### *130. člen*

Huda kršitev iz prejšnjega člena je katero koli od teh dejanj, če je storjeno zoper osebe ali premoženje, ki jih štiti konvencija: naklepno pobijanje, mučenje ali nečloveško ravnanje, vključno z biološkimi poskusi, naklepno povzročanje velikega trpljenja, hudih telesnih poškodb ali okvar zdravja, prisila vojnega ujetnika, da služi v oboroženih silah sovražne sile, ali naklepen odvzem pravice vojnega ujetnika do poštenega in rednega sojenja po tej konvenciji.

### *131. člen*

Nobeni visoki pogodbenici ni dovoljeno, da sebe ali drugo visoko pogodbenico odveže kakršne koli odgovornosti v zvezi s kršitvami iz prejšnjega člena, ki jo ima sama ali druga visoka pogodbenica.

### *132. člen*

Na zahtevo ene od strani v spopadu se ob vsaki domnevni kršitvi konvencije uvede preiskava na način, o katerem se dogovorijo zainteresirane strani.

Če se dogovor o postopku preiskave ne doseže, se strani sporazumejo o izbiri razsodnika, ki določi nadaljnji postopek.

Ko se ugotovi kršitev, jo strani v spopadu zatrejo in čim prej kaznujejo.

### *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.

## II. ODDELEK KONČNE DOLOČBE

### *133. člen*

Ta konvencija je sestavljena v angleškem in francoskem jeziku. Besedili sta enako verodostojni.

Švicarski zvezni svet zagotovi uradna prevoda konvencije v ruski in španski jezik.

### *134. člen*

V odnosih med visokimi pogodbenicami ta konvencija nadomesti konvencijo z dne 27. julija 1929.

### *135. člen*

V odnosih med silami, ki jih zavezuje Haaška konvencija o zakonih in običajih vojne na kopnem, bodisi da gre za konvencijo z dne 29. julija 1899 bodisi za tisto z dne 18. oktobra 1907, in so pogodbenice te konvencije, ta konvencija dopolnjuje II. poglavje pravilnika, ki je priložen prej navedenima haaškima konvencijama.

### *136. člen*

Danes sprejeta konvencija je na voljo za podpis do 12. februarja 1950 za sile, ki so imele predstavnike na konferenci, ki se je začela v Ženevi 21. aprila 1949, pa tudi za sile, ki na tej konferenci niso imele predstavnikov, so pa pogodbenice konvencije z dne 27. julija 1929.

## 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 opened at Geneva on April 21,

### *137. člen*

Ta konvencija se čim prej ratificira, listine o ratifikaciji pa se deponirajo v Bernu.

O deponiranju vsake listine o ratifikaciji se sestavi zapisnik, overjeno kopijo zapisnika pa Švicarski zvezni svet pošlje vsem silam, v imenu katerih je bila konvencija podpisana ali ki so ga o svojem pristopu uradno obvestile.

### *138. člen*

Ta konvencija začne veljati šest mesecev po deponiranju najmanj dveh listin o ratifikaciji.

Zatem za vsako visoko pogodbenico začne veljati šest mesecev po deponiranju njene listine o ratifikaciji.

### *139. člen*

K tej konvenciji lahko po dnevu začetka veljavnosti pristopi vsa sila, v imenu katere ni bila podpisana.

### *140. člen*

O pristopu se uradno pisno obvesti Švicarski zvezni svet, pristop pa začne učinkovati šest mesecev po dnevu prejema uradnega obvestila o pristopu.

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.

Švicarski zvezni svet obvesti o pristopu vse sile, v imenu katerih je bila konvencija podpisana ali ki so ga o svojem pristopu uradno obvestile.

#### *141. člen*

Ob nastopu razmer iz 2. in 3. člena imajo deponiranje listin o ratifikaciji, ki ga strani v spopadu opravijo pred začetkom sovražnosti ali okupacije ali po tem, in uradna obvestila o pristopu, ki jih pošljejo pred začetkom sovražnosti ali okupacije ali po tem, takojšnji učinek. Švicarski zvezni svet kar najhitreje pošlje obvestilo o ratifikacijah ali pristopih strani v spopadu.

#### *142. člen*

Vsaka visoka pogodbenica lahko odpove to konvencijo.

Uradno pisno obvestilo o odpovedi se pošlje Švicarskemu zveznemu svetu, ki ga pošlje vladam vseh visokih pogodbenc.

Odpoved začne učinkovati leto dni po dnevu, ko je Švicarski zvezni svet o njej uradno obveščen. Odpoved, o kateri se pošlje uradno obvestilo v času, ko sila, ki jo je sporočila, sodeluje v spopadu, ne učinkuje, dokler ni sklenjen mir in niso končani postopki v zvezi z osvoboditvijo in repatriacijo oseb, ki jih ta konvencija ščiti.

Odpoved velja samo za silo, ki jo sporoči. Ne vpliva na obveznosti, ki še naprej zavezujejo strani v spopadu na podlagi načel mednarodnega prava, kot izhajajo iz običajev, ustaljenih med civiliziranimi narodi, zakonov človečnosti in zapovedi javne vesti.

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

### *143. člen*

Švicarski zvezni svet to konvencijo registrira pri Sekretariatu Organizacije združenih narodov. Švicarski zvezni svet Sekretariat Organizacije združenih narodov obvešča o vseh ratifikacijah, pristopih in odpovedih, ki jih prejme v zvezi s to konvencijo.

V potrditev tega so podpisani, ki so predložili ustrezna pooblastila, podpisali to konvencijo.

Sestavljeno v Ženevi 12. avgusta 1949 v angleškem in francoskem jeziku. Izvirnik se hrani v arhivu Švicarske konfederacije. Švicarski zvezni svet pošlje overjeno kopijo konvencije vsaki državi podpisnici in vsaki državi, ki pristopi k njej.

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 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.

**PRILOGA I**  
**VZOREC SPORAZUMA O NEPOSREDNI REPATRIACIJI IN**  
**NASTANITVI RANJENIH IN BOLNIH VOJNIH UJETNIKOV**  
**V NEVTRALNIH DRŽAVAH**

*(glej 110. člen)*

**I. — NAČELA ZA NEPOSREDNO REPATRIACIJO**  
**IN NASTANITEV V NEVTRALNIH DRŽAVAH**

**A. neposredna repatriacija**

Neposredno se repatriirajo:

1. vsi ujetniki s temi okvarami, ki so posledica poškodb: izguba uda, paraliza, sklepna ali druga okvara, če je taka okvara posledica izgube najmanj roke ali noge ali izgube, primerljive z izgubo roke ali noge.  
Ne da bi to vplivalo na širšo razlago, se kot primerljive z izgubo roke ali noge štejejo:
  - a) izguba roke ali vseh prstov ali palca in kazalca ene roke; izguba stopala ali vseh prstov in metatarzalnih kosti ene noge;
  - b) ankiloza, izguba kostnega tkiva, zabrazgotinjena kontraktura po brazgotini, ki onemogoča delovanje večjega sklepa ali vseh prstnih sklepov ene dlani;
  - c) psevdartroza dolgih kosti;
  - d) deformacije, ki so posledica zloma ali druge poškodbe, ki resno vplivajo na funkcijo in sposobnost nošenja bremena;
2. vsi ranjeni vojni ujetniki, katerih stanje je postalo kronično do te mere, da se kljub zdravljenju prognostično izključuje možnost ozdravitve v enem letu po ranitvi, kot pri:

**ANNEX 1**  
**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

- a) projektilu v srcu, čeprav skupna zdravstvena komisija pri pregledu ne odkrije hujših motenj;
- b) kovinskem delčku v možganih ali pljučih, čeprav skupna zdravstvena komisija pri pregledu ne ugotovi lokalnega ali splošnega odziva organizma;
- c) osteomielitisu, ki ga v enem letu po ranitvi ni mogoče ozdraviti in bo verjetno povzročil ankilozo sklepa ali druge okvare, ki so primerljive z izgubo roke ali noge;
- d) globoki in gnojni rani velikega sklepa;
- e) poškodbi lobanje z izgubo ali premikom kostnega tkiva;
- f) poškodbi ali opeklini obraza z izgubo tkiva in funkcionalnimi motnjami;
- g) poškodbi hrbtenjače;
- h) poškodbah perifernih živcev s posledicami, ki so primerljive z izgubo roke ali noge, pri čimer je za ozdravitev potrebno več kot leto dni po ranitvi, na primer: poškodbe brahialnega ali lumbosakralnega pleksusa, živcev medianusa ali ishiadi-kusa, hkratne poškodbe radialnih in kubitalnih živcev ali lateralnega poplitealnega živca (*nervus peroneus communis*) in medialnega poplitealnega živca (*nervus tibialis*) itd. Poškodbe radialnega, kubitalnega, lateralnega ali medialnega poplitealnega živca same po sebi še niso razlog za repatriacijo, razen pri kontrakturah ali resnih nevrotrofičnih motnjah;
- i) poškodbah sečil, ki onemogočajo njihovo delovanje;

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.
- (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 (musculo-spiral), 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. vsi bolni vojni ujetniki, katerih stanje je postalo kronično do te mere, da se kljub zdravljenju prognostično izključuje možnost ozdravitve v enem letu po začetku bolezni, kot pri:
- a) progresivni tuberkulozi katerega koli organa, ki je po zdravniški prognozi z zdravljenjem v nevtralni državi ni več mogoče ozdraviti ali vsaj znatno izboljšati;
  - b) eksudativnem plevritisu;
  - c) hudih netuberkuloznih boleznih dihalnih organov, ki veljajo za neozdravljive, kot so hudi pljučni emfizem z bronhitisom ali brez njega, kronična astma,<sup>1</sup> kronični bronhitis,<sup>1</sup> ki v ujetništvu traja več kot leto dni, bronhiektazije<sup>1</sup> itd.;
  - d) hudih kroničnih boleznih obtočil, kot so poškodba srčnih zaklopk in miokarditis,<sup>1</sup> ki se med ujetništvom kažeta kot srčno popuščanje, čeprav skupna zdravstvena komisija tega med pregledom ne more ugotoviti, bolezni perikarda in ožilja (Buergerjeva bolezen, anevrizme velikih žil) itd.;
  - e) hudih kroničnih boleznih prebavil, kot so razjeda želodca ali dvanajsternika, posledice operacije želodca, opravljene v ujetništvu, kronični gastritis, enteritis ali kolitis, ki trajajo več kot leto dni in močno vplivajo na splošno stanje, ciroza jeter, kronična holecistopatija<sup>1</sup> itd.;

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1 Odločitev zdravstvene komisije temelji, kolikor je mogoče, na ugotovitvah taboriščnih zdravnikov in kirurgov iste narodne pripadnosti, kot je vojni ujetnik, ali ugotovitvah zdravnikov specialistov sile, ki pridržuje vojne ujetnike.

- (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<sup>1</sup>; chronic bronchitis<sup>1</sup> lasting more than one year in captivity; bronchiectasis<sup>1</sup>; etc.
  - (d) Serious chronic affections of the circulatory system, for example: valvular lesions and myocarditis<sup>1</sup>, 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<sup>1</sup>; etc.

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1 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.

- f) hudih kroničnih boleznih spolovil, rodil in sečil, kot so kronična ledvična bolezen z zapleti, stanje po nefrektomiji zaradi tuberkuloze ledvic, kronični pielitis ali kronični cistitis, hidronefroza ali pionefroza, huda kronična ginekološka stanja; pri zapletih po porodu po normalni nosečnosti, če hospitalizacija v nevtralni državi ni mogoča, itd.;
- g) hudih kroničnih boleznih osrednjega in perifernega živčevja, npr. vse očitne psihoze in psihonevroze, kot so huda histerija, hude ujetniške psihonevroze itd., ki jih je specialist pravilno ugotovil; vsaka epilepsija, ki jo pravilno ugotovi taboriščni zdravnik,<sup>2</sup> možganska ateroskleroza, kronični, več kot leto dni trajajoči nevritis itd.;
- h) hudih kroničnih boleznih nevrovegetativnega sistema z znatnim zmanjšanjem psihofizičnih sposobnosti, vidno izgubo telesne teže in splošno astenijo;
- i) slepoti na obeh ali enem očesu, če je vid drugega kljub uporabi korektivnih stekel manj kot 1; zmanjšanju ostrine vida, kadar je nemogoča korekcija do 1/2 vsaj pri enem očesu;<sup>\*</sup> drugih hudih očesnih boleznih, kot so glavkom, iritis, horioiditis, trahom itd.;
- k) motnjah sluha, kot je enostranska popolna gluhost, če z drugim ušesom ne sliši normalnega govora na razdalji enega metra,<sup>\*</sup> itd.;

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2 Odločitev zdravstvene komisije temelji, v kolikor je mogoče, na ugotovitvah taboriščnih zdravnikov in kirurgov iste narodne pripadnosti kot je vojni ujetnik, ali ugotovitvah zdravnikov specialistov sile, ki pridržuje vojne ujetnike.

- (f) Serious chronic affections of the genito-urinary organs, for example: chronic diseases of the kidney with consequent disorders; nephrectomy because of 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<sup>2</sup>; any epilepsy duly verified by the camp physician<sup>2</sup>; 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 x 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 % in at least one eye<sup>2</sup>; 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<sup>1</sup>; etc.

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2 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.

- l) hudih motnjah presnove, kot je sladkorna bolezen, ki zahteva zdravljenje z inzulinom, itd.;
- m) hudih motnjah endokrinih žlez, kot so tireotoksikoza, hipotireoza, Addisonova bolezen, Simmondsova kaheksija, tetanija itd.;
- n) hudih in kroničnih boleznih krvotvornih organov;
- o) hudih kroničnih zastrupitvah, kot so zastrupitev s svincem, živim srebrom, zasvojenost z morfini, kokainom in alkoholizem, zastrupitev s plini ali zaradi izpostavljenosti radioaktivnemu sevanju itd.;
- p) kroničnih boleznih gibal z vidnimi funkcionalnimi motnjami, kot so deformirajoči artritis, primarni in sekundarni progresivni kronični poliartritis, revmatizem s hudimi kliničnimi simptomi itd.;
- q) hudih kroničnih kožnih bolezni, ki se težko zdravijo;
- r) vseh malignih tvorbah;
- s) hudih kroničnih nalezljivih boleznih, ki trajajo leto dni po njihovem začetku, kot so malarija z občutnim organskim poslabšanjem, amebna ali bacilarna dizenterija s hudimi motnjami, terciarni visceralni sifilis, ki se težko zdravi, gobavost itd.;
- t) hudih avitaminozah ali onemoglostih zaradi stradanja.

#### B. nastanitev v nevtralnih državah

Do nastanitve v nevtralni državi so upravičeni:

1. vsi ranjeni vojni ujetniki, ki najverjetneje ne bodo ozdraveli v ujetništvu, bi pa lahko ozdraveli ali bi se njihovo stanje znatno izboljšalo z nastanitvijo v nevtralni državi;
2. vojni ujetniki, ki bolehajo za katero koli obliko tuberkuloze katerega koli organa in katerih zdravljenje v nevtralni državi bi

- (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, cocainism, 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.
- (2) Prisoners of war suffering from any form of tuberculosis, of whatever organ, and whose treatment in a neutral country would be

- verjetno omogočilo ozdravitev ali vsaj znatno izboljšanje, razen primarne tuberkuloze, ki je bila zdravljena pred ujetništvom;
3. vojni ujetniki, ki boleajo za katero koli boleznijo, ki zahteva zdravljenje dihal, obtočil, prebavil, živčnih organov, čutil, spolovil, rodil, sečil, kožnih bolezni, gibal itd., če bi bilo tako zdravljenje nedvomno uspešnejše v nevtralni državi kot v ujetništvu;
  4. vojni ujetniki, ki so jim v ujetništvu opravili nefrektomijo zaradi netuberkulozne ledvične bolezni; vojni ujetniki z osteomielitisom v okrevanju ali latentnim osteomielitisom, sladkorno boleznijo, ki ne potrebuje inzulinskega zdravljenja, itd.;
  5. vojni ujetniki, ki boleajo zaradi vojne ali ujetniške nevroze. Vojni ujetniki z ujetniško nevrozo, ki se ni pozdravila po trimesečni nastanitvi v nevtralni državi, ali za katere po tem času ni popolnoma jasno, da bodo povsem ozdraveli, se repatriirajo;
  6. vsi vojni ujetniki, ki boleajo zaradi kronične zastrupitve (plini, kovine, alkaloidi itd.) in pri katerih so možnosti za ozdravitev v nevtralni državi zlasti ugodne;
  7. vse vojne ujetnice, ki so noseče ali matere dojenčkov ali majhnih otrok.

Do nastanitve v nevtralni državi niso upravičeni vojni ujetniki z:

1. vsemi pravilno ugotovljenimi kroničnimi psihozami;
2. vsemi organskimi ali funkcionalnimi boleznimi živčevja, ki veljajo za neozdravljive;
3. vsemi nalezljivimi boleznimi, dokler so nalezljive, razen tuberkuloze.

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. – SPLOŠNE PRIPOMBE

1. Navedeni pogoji se na splošno razlagajo in uporabljajo v najširšem pomenu.

Ta široka razlaga se uporablja zlasti za duševne motnje in bolezni živčevja ter tuberkulozo v vseh stadijih, ki sta jih povzročila vojna ali ujetništvo. Vojni ujetniki z več ranami, od katerih nobena sama po sebi ne upravičuje repatriacije, se pregledajo v istem duhu ob upoštevanju njihove duševne travme zaradi številnih ran.

2. Taboriščni zdravniki ali vojaške zdravstvene komisije, ki jih imenuje sila, ki pridržuje vojne ujetnike, pregledajo in čim prej repatriirajo vse jasne primere, ki imajo pravico do neposredne repatriacije (amputacija, popolna slepota ali gluhot, odprta pljučna tuberkuloza, duševna bolezen, maligne tvorbe itd.).
3. Poškodbe in bolezni, ki so obstajale že pred vojno in se niso poslabšale, ter vojne poškodbe, ki niso preprečile nadaljnega opravljanja vojaške službe, ne upravičujejo neposredne repatriacije.
4. Določbe te priloge se razlagajo in uporabljajo enako v vseh državah v spopadu. Sile in oblasti, na katere se to nanaša, skupnim zdravstvenim komisijam zagotavljajo vse potrebno za opravljanje njihovih nalog.
5. Primeri iz 1. točke ponazarjajo samo značilne primere. Primeri, ki niso popolnoma v skladu s temi določbami, se presojujejo v smislu določb 110. člena te konvencije in načel tega sporazuma.

## 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.
- (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.

**PRILOGA II**  
**PRAVILNIK O SKUPNIH ZDRAVSTVENIH KOMISIJAH**  
*(glej 112. člen)*

*1. člen*

Skupno zdravstveno komisijo iz 112. člena konvencije sestavljajo trije člani, od katerih sta dva pripadnika nevtralne države, tretjega pa imenuje sila, ki pridržuje vojne ujetnike. Predseduje ji eden od nevtralnih članov.

*2. člen*

Nevtralna člana imenuje Mednarodni odbor Rdečega križa v soglasju s silo zaščitnico na zahtevo sile, ki pridržuje vojne ujetnike. Člani so lahko nastanjeni v svoji državi, vsaki drugi nevtralni državi ali na ozemlju sile, ki pridržuje vojne ujetnike.

*3. člen*

Sile v spopaduodobrijo nevtralne člane in odobritev uradno sporočijo Mednarodnemu odboru Rdečega križa in sili zaščitnici. S takim uradnim obvestilom so nevtralni člani dejansko imenovani.

**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.

#### *4. člen*

Imenuje se tudi zadostno število namestnikov, ki po potrebi zamenjajo redne člane. Namestniki se imenujejo hkrati z rednimi člani ali v najkrajšem možnem času.

#### *5. člen*

Če Mednarodni odbor Rdečega križa iz kakršnega koli razloga ne more imenovati nevtralnih članov, to stori sila, ki varuje interese vojnih ujetnikov, ki bodo pregledani.

#### *6. člen*

Če je le mogoče, je eden od dveh nevtralnih članov kirurg, drugi pa splošni zdravnik.

#### *7. člen*

Nevtralna člana sta popolnoma neodvisna od strani v spopadu, ki jima zagotovijo vse potrebno za opravljanje njunih nalog.

#### *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.

### *8. člen*

Mednarodni odbor Rdečega križa v soglasju s silo, ki pridržuje vojne ujetnike, določi pogoje delovanja članov ob njihovem imenovanju po 2. in 4. členu tega pravilnika.

### *9. člen*

Skupna zdravstvena komisija začne svoje delo takoj, ko sta nevtralna člana odobrena, v vsakem primeru pa v treh mesecih po dnevu odobritve.

### *10. člen*

Skupna zdravstvena komisija pregleda vse vojne ujetnike iz 113. člena konvencije. Predlaga repatriacijo, odklonitev repatriacije ali poznejši ponovni pregled. Odloča z večino glasov.

### *11. člen*

Skupna zdravstvena komisija sporoči svojo odločitev o vsakem posameznem primeru sili, ki pridržuje vojne ujetnike, sili zaščitnici in Mednarodnemu odboru Rdečega križa v mesecu po pregledu. Skupna zdravstvena komisija obvesti o svoji odločitvi vsakega pregledanega vojnega ujetnika in tistim, za katere je predlagana repatriacija, izda potrdilo, podobno obrazcu, priloženemu tej konvenciji.

### *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.

### *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.

#### *12. člen*

Sila, ki pridržuje vojne ujetnike, mora odločitve skupne zdravstvene komisije izvesti v treh mesecih po prejemu uradnega obvestila o njih.

#### *13. člen*

Če v državi, v kateri bi morala delovati skupna zdravstvena komisija, ni nevtralnega zdravnika in če iz kakršnih koli razlogov ni mogoče imenovati nevtralnih zdravnikov, ki sta rezidenta druge države, sila, ki pridržuje vojne ujetnike, v soglasju s silo zaščitnico ob upoštevanju določb 1., 2., 3., 4., 5. in 8. člena tega pravilnika ustanovi zdravstveno komisijo, ki prevzame naloge skupne zdravstvene komisije.

#### *14. člen*

Skupna zdravstvena komisija deluje stalno in obiskuje vsako taborišče v časovnih presledkih, ki niso daljši od šestih mesecev.

### *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.

**PRILOGA III**  
**PRAVILNIK O SKUPINSKI POMOČI**  
*(glej 73. člen)*

*1. člen*

Predstavniki vojnih ujetnikov lahko razdeljujejo pošiljke skupinske pomoči, za katere so odgovorni, vsem vojnim ujetnikom, ki so pod upravo njihovega taborišča, vključno s tistimi v bolnišnicah, zaporih ali drugih ustanovah za prestajanje kazni.

*2. člen*

Razdeljevanje pošiljk skupinske pomoči se opravi v skladu z navodili darovalcev in načrtom, ki ga pripravijo predstavniki vojnih ujetnikov. Razdeljevanje zalog zdravil in medicinskih pripomočkov se, če je le mogoče, opravi v soglasju z vojaškimi zdravniki z najvišjim činom, ki v bolnišnicah in ambulantah lahko ne upoštevajo teh navodil zaradi potreb bolnikov. Ob upoštevanju tako opredeljenih omejitev se razdelitev vedno opravi pravično.

*3. člen*

Predstavniki vojnih ujetnikov smejo odhajati v ali na kraje, kamor prihajajo pošiljke pomoči, blizu njihovih taborišč, da sami ali njihovi pomočniki preverijo kakovost in količino prejetega blaga ter pripravijo podrobna poročila za darovalce.

**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' 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.

#### *4. člen*

Predstavnikom vojnih ujetnikov se zagotovi vse potrebno za preverjanje, ali se je razdeljevanje skupinske pomoči v vseh pododdelkih in enotah njihovega taborišča opravilo v skladu z njihovimi navodili.

#### *5. člen*

Predstavniki vojnih ujetnikov smejo izpolniti obrazce ali vprašalnike, namenjene darovalcem, ki se nanašajo na pošiljke skupinske pomoči (razdelitev, potrebe, količine itd.), ali pa to naročijo predstavnikom vojnih ujetnikov v delovnih enotah ali vojaškim zdravnikom z najvišjim činom v ambulantah ali bolnišnicah. Ti obrazci in vprašalniki se skrbno izpolnjeni brez odlašanja pošljejo darovalcem.

#### *6. člen*

Zaradi rednega zagotavljanja pošiljk skupinske pomoči vojnim ujetnikom v njihovih taboriščih in zadovoljevanja potreb, ki bi lahko nastale zaradi prihoda novih vojnih ujetnikov, smejo predstavniki vojnih ujetnikov pripraviti in vzdrževati zadostne zaloge skupinske pomoči. Za to imajo na voljo ustrezna skladišča; vsako skladišče ima dve ključavnici: ključ ene ključavnice ima predstavnik vojnih ujetnikov, ključ druge pa poveljnik taborišča.

#### *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.

### *7. člen*

Iz skupinske pošiljke oblačil vsak vojni ujetnik dobi najmanj en popoln komplet oblačil. Če ima vojni ujetnik več kot en komplet oblačil, sme predstavnik vojnih ujetnikov presežek oblačil ali posamezne kose po potrebi odvzeti vojnim ujetnikom z največ kompleti oblačil in z njimi oskrbeti vojne ujetnike, ki so slabše preskrbljeni. Predstavnik vojnih ujetnikov ne sme vzeti dodatnega kompleta spodnjega perila, nogavic ali čevljev, razen če vojnega ujetnika, ki tega nima, ni mogoče oskrbeti drugače.

### *8. člen*

Visoke pogodbenice in še zlasti sile, ki pridržujejo vojne ujetnike,odobrijo, kolikor je le mogoče in ob upoštevanju predpisov o oskrbi prebivalcev, nakupe blaga na svojem ozemlju zaradi razdeljevanja skupinske pomoči vojnim ujetnikom. Podobno omogočijo tudi prenos sredstev in izvajanje drugih finančnih, tehničnih ali upravnih ukrepov zaradi takih nakupov.

### *9. člen*

Navedene določbe ne ovirajo pravice vojnih ujetnikov, da prejemajo skupinsko pomoč pred svojim prihodom v taborišče ali med premestitvijo, niti predstavnikov sile zaščitnice, Mednarodnega odbora Rdečega križa ali katere koli druge organizacije, ki pomaga vojnim ujetnikom in je odgovorna za pošiljanje te pomoči, pri zagotavljanju razdeljevanja te pomoči prejemnikom s kakršnimi koli po njihovem mnenju uporabnimi sredstvi.

### *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.

**PRILOGA IV**  
**A. IDENTIFIKACIJSKA IZKAZNICA**  
*(glej 4. člen)*

<p>OPOMBA</p> <p>Ta identifikacijska izkaznica se izdaja osebam, ki spremljajo oborožene sile ..... a niso njihovi pripadniki. Oseba, ki ji je ta izkaznica izdana, jo mora imeti vedno pri sebi. Če je metnik zajet, zaradi identifikacije takoj preda izkaznico oblastem, ki ga pridržujejo.</p>		<p>Prstni odtisi (neobvezno) (Desni kazalec)</p>		<p>Morebitni drugi identifikacijski znaki.....</p>
<p>Uradni žig</p>	<p>Krna skupina</p> <p>Verizpoved</p>	<p>Prstni odtisi (neobvezno) (Levi kazalec)</p>		
<p>Lasje</p>	<p>Oči</p>	<p>Teža</p>	<p>Višina</p>	
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px dashed black; padding: 10px; width: 15%;"> <p style="text-align: center;">Fotografija imetnika</p> </div> <div style="text-align: center;"> <p>(Ime države in vojaške oblasti, ki je to izkaznico izdala)</p> <p><b>IDENTIFIKACIJSKA IZKAZNICA</b></p> <p><b>ZA OSEBO, KI SPREMLJA OBOROŽENE SILE</b></p> </div> </div> <p>Priimek .....</p> <p>Imena .....</p> <p>Datum in kraj rojstva .....</p> <p>Spremlja oborožene sile kot .....</p> <p>Datum izdaje .....</p> <p>Podpis imetnika .....</p>				

Opomba: ta identifikacijska izkaznica naj bo, če je mogoče, v dveh ali treh jezikih, od katerih je eden mednaroden. Dejanska velikost izkaznice: 13 × 10 centimetrov. Prepogne se po prekinjeni črti.

**ANNEX IV**  
**A. IDENTITY CARD**  
*(see Article 4)*

<p><b>NOTICE</b></p> <p>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.</p>		<p>Fingerprints (optional)</p> <p>(Left forefinger) _____</p> <p>(Right forefinger) _____</p>		<p>Any other mark of identification .....</p> <p>.....</p> <p>.....</p>
<p>Official seal Imprint</p>	<p>Blood type .....</p> <p>Religion .....</p>			
<p>Hair .....</p>	<p>Eyes .....</p>	<p>Weight .....</p>	<p>Height .....</p>	
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px dashed black; padding: 10px; width: 20%;"> <p style="text-align: center;">Photograph of the bearer</p> </div> <div style="text-align: center;"> <p>(Name of the country and military authority issuing this card)</p> <p><b>IDENTITY CARD</b></p> <p><b>FOR A PERSON WHO ACCOMPANIES THE ARMED FORCES</b></p> <p>Name .....</p> <p>First names .....</p> <p>Date and place of birth .....</p> <p>Accompanies the Armed Forces as .....</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <p>Date of issue .....</p> <p>Signature of bearer .....</p> </div>				

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.

**PRILOGA IV**  
**B. DOPISNICA O ZAJETJU**  
*(glej 70. člen)*

**1. Sprednja stran**

POŠTA ZA VOJNE UJETNIKE		Prosto poštnine
<b>DOPISNICA O ZAJETJU VOJNEGA UJETNIKA</b>		
<p style="text-align: center;">POMEMBNO</p> <p>To dopisnico mora izpolniti vsak vojni ujetnik takoj po zajetju in vsakič, ko se njegov naslov spremeni (zaradi premestitve v bolnišnico ali drugo taborišče).</p> <p>Ta dopisnica je drugačna kot posebna dopisnica, ki jo sme vsak ujetnik poslati svojim sorodnikom.</p>	<p><b>OSREDNJA AGENCIJA ZA VOJNE UJETNIKE</b></p> <p>MEDNARODNI ODBOR RDEČEGA KRIŽA</p> <p style="text-align: right;"><u>ŽENEVA</u> ŠVICA</p>	

**2. Zadnja stran**

Piši čitljivo in z velikimi tiskanimi črkami	1. Sila, ki ji vojni ujetnik pripada .....
2. Priimek	3. Imena (v celoti izpisana)
4. Očetovo ime	5. Datum rojstva .....
6. Kraj rojstva .....	7. Čin .....
8. Vojaška številka .....	9. Naslov bližnjega sorodnika .....
*10. Zajet dne: (ali) Prihaja iz (taborišča št., bolnišnice itd.) .....	
*11. (a) Zdrav—(b) Ni ranjen—(c) Ozdravljen—(d) Okrevanec—(e) Bolan—(f) Lažje ranjen—(g) Hudo ranjen.	
12. Moj zdajšnji naslov: Številka vojnega ujetnika .....	13. Datum .....
Ime taborišča .....	14. Podpis .....
* Nepotrebno prečrtaj. – Ne dodajaj nobenih opomb. – Glej pojasnilo na drugi strani.	

Opomba: ta obrazec naj bo sestavljen v dveh ali treh jezikih, predvsem v maternem jeziku vojnega ujetnika in jeziku sile, ki ga pridruže. Dejanska velikost obrazca: 15 × 10,5 cm.

**ANNEX IV**  
**B. CAPTURE CARD**  
*(see Article 70)*

1. Front

PRISONER OF WAR MAIL		Postage free
<b>CAPTURE CARD FOR PRISONER OF WAR</b>		
<p style="text-align: center;"><b>IMPORTANT</b></p> <p>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).</p> <p>This card is distinct from the special card which each prisoner is allowed to send to his relatives.</p>	<p><b>CENTRAL PRISONERS OF WAR AGENCY</b></p> <p>INTERNATIONAL COMMITTEE OF THE RED CROSS</p> <p style="text-align: right;"><u>GENEVA</u> SWITZERLAND</p>	

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 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 cm.

**PRILOGA IV**  
**C. DOPISNICA IN PISMO**  
*(glej 71. člen)*  
**I. DOPISNICA**

## 1. Sprednja stran

<b>POŠTA ZA VOJNE UJETNIKE</b>	Prosto poštnine
DOPISNICA	
Za .....	
.....	
Pošiljatelj: Priimek in imena .....	Namembni kraj .....
Kraj in datum rojstva .....	.....
Št. vojnega ujetnika .....	Ulica .....
Ime taborišča .....	Država .....
Država odpošiljanja .....	Pokrajina ali okraj .....
.....	

## 2. Zadnja stran

IME TABORIŠČA .....	Datum .....
.....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
Piši na prekinjeno črto in kolikor je mogoče čitljivo.	

Opomba: ta obrazec naj bo sestavljen v dveh ali treh jezikih, predvsem v maternem jeziku vojnega ujetnika in jeziku sile, ki ga pridržuje. Dejanska velikost obrazca: 15 × 10 cm.



**PRILOGA IV**  
**C. DOPISNICA IN PISMO**  
*(glej 71. člen)*  
**2. PISMO**

PRISONER OF WAR MAIL

Prosto poštnine

Za .....

Kraj .....

Ulica .....

Država .....

Pokrajina ali okraj .....

---

Posiljatelj:

.....  
Primek in imena .....

.....  
Datum in kraj rojstva .....

.....  
Številka vojnega ujetnika .....

.....  
Ime tabornišča .....

.....  
Država odposiljanja .....

\*\*\*\*\*

Opomba: ta obrazec naj bo sestavljen v dveh ali treh jezikih, predvsem v maternem jeziku vojnega ujetnika in jeziku sile, ki ga pridržuje. Prepogne se po prekinjeni črti, zgornji del se vtakne v zarezo (označeno z zvezdicami), tako da je podoben kuverti. Druga stran s črtami kot dopisnica zgoraj (Priloga IV C1); v ta prostor vojni ujetnik lahko napiše sporočilo, dolgo približno 250 besed. Dejanska velikost neprepognjene ga obrazca: 29 × 15 centimetrov.

**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 .....

---

Country where posted .....

Name of camp .....

Prisoner of War No. ....

Date and place of birth .....

Name and first names .....

Sender:

\*\*\*\*\*

.....

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 Cl); this space can contain about 250 words which the prisoner is free to write. Actual size of the folded form: 29 by 15 centimetres.

**PRILOGA IV**  
**D. OBVESTILO O SMRTI**  
*(glej 120. člen)*

(Navedba pristojne  
oblasti)

OBVESTILO O SMRTI

Sila, ki ji je  
vojni ujetnik pripadal .....

Priimek in imena .....

Očetovo ime .....

Kraj in datum rojstva .....

Kraj in datum smrti .....

Čin in vojaška številka (kot na  
razpoznavni znački) .....

Naslov bližnjega sorodnika .....

Kje in kdaj je bil zajet .....

Vzrok in okoliščine smrti .....

Kraj, kjer je pokopan .....

Ali je grob označen in ga bo družina  
lahko našla? .....

Ali osebne predmete umrlega hrani  
sila, ki ga je pridrževala, ali se pošljejo  
s tem obvestilom? .....

Če se pošljejo, po katerem posredniku? .....

Ali oseba, ki je umrlemu pomagala  
med boleznijo ali v njegovih zadnjih  
trenutkih (zdravnik, medicinska sestra,  
pripadnik verskega osebja, soujetnik),  
v tem obvestilu ali prilogi lahko na kratko  
navede okoliščine smrti in pokopa? .....

(Datum, žig in podpis pristojne oblasti)

Podpisa in naslova dveh prič

.....

Opomba: ta obrazec naj bo sestavljen v dveh ali treh jezikih, predvsem v maternem jeziku vojnega ujetnika in jeziku sile, ki ga pridržuje. Dejanjska velikost obrazca: 21 × 30 cm.

**ANNEX IV**  
**D. NOTIFICATION OF DEATH**  
*(see Article 120)*

(Title of responsible authority)	NOTIFICATION OF DEATH
	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.

**PRILOGA IV**  
**E. POTRDILO O REPATRIACIJI**  
*(glej prilogo II, 11. člen)*

POTRDILO O REPATRIACIJI

Datum:

Taborišče:

Bolnišnica:

Priimek:

Imena:

Datum rojstva:

Čin:

Vojaška identifikacijska številka:

Številka vojnega ujetnika:

Poškodba/bolezen:

Odločitev komisije:

Predsednik skupne  
zdravstvene komisije

A = neposredna repatriacija

B = nastanitev v nevtralni državi

NC = ponovni pregled pri naslednji komisiji

**ANNEX IV**  
**E. REPATRIATION CERTIFICATE**  
*(see Annex II, 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

## PRILOGA V

### VZOREC PRAVILNIKA O PLAČAH, KI JIH VOJNI UJETNIKI POŠILJAJO V SVOJO DRŽAVO

*(glej 63. člen)*

1. Obvestilo iz tretjega odstavka 63. člena vključuje te podatke:
  - a) številko, opredeljeno v 17. členu, čin, priimek in imena vojnega ujetnika, ki je plačnik;
  - b) osebno ime in naslov prejemnika plačila v državi, iz katere vojni ujetnik prihaja;
  - c) znesek, ki ga je treba izplačati, naveden v valuti države, v kateri je vojni ujetnik pridržan.
2. To obvestilo podpišeta vojni ujetnik in predstavnik vojnih ujetnikov; če je vojni ujetnik nepismen, na obvestilu pred pričo naredi znak.
3. Poveljnik taborišča priloži temu obvestilu potrdilo, da sredstva, ki jih ima ta vojni ujetnik na računu, niso nižja od zneska, ki naj se izplača.
4. Taka obvestila so lahko v obliki seznamov, pri čemer vsak list teh seznamov overi s podpisom predstavnik ujetnikov in potrdi poveljnik taborišča.

**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.

# **ŽENEVSKA KONVENCIJA O ZAŠČITI CIVILNIH OSEB MED VOJNO (KONVENCIJA IV) Z DNE 12. AVGUSTA 1949**

Podpisani pooblaščeni predstavniki vlad, zastopanih na diplomatski konferenci, ki je potekala v Ženevi od 21. aprila do 12. avgusta 1949, so se z namenom sprejeti konvencijo o zaščiti civilnih oseb med vojno dogovorili:

## **I. DEL SPLOŠNE DOLOČBE**

### *1. člen*

Visoke pogodbenice se zavezujejo, da bodo spoštovale to konvencijo in zagotavljale, da se upošteva v vseh okoliščinah.

### *2. člen*

Poleg določb, ki se izvajajo že v miru, se ta konvencija uporablja v vsaki napovedani vojni ali vsakem drugem oboroženem spopadu, ki bi se lahko začel med dvema visokima pogodbenicama ali več visokimi pogodbenicami, tudi če katera od njih vojnega stanja ne prizna.

**GENEVA CONVENTION  
RELATIVE TO THE PROTECTION  
OF CIVILIAN PERSONS IN TIME OF WAR  
(CONVENTION IV) 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.

Konvencija se uporablja tudi v vseh primerih delne ali popolne okupacije ozemlja visoke pogodbenice, tudi če proti okupaciji ni oboroženega odpora.

Tudi če ena od sil v spopadu ni pogodbenica te konvencije, ta v medsebojnih odnosih še naprej zavezuje sile, ki so njene pogodbenice. Poleg tega jih konvencija zavezuje v razmerju do te sile, če ta njene določbe sprejema in uporablja.

### *3. člen*

V oboroženem spopadu, ki ni mednaroden in se začne na ozemlju ene od visokih pogodbenic, vsako stran v spopadu zavezujejo najmanj te določbe:

1. Z osebami, ki pri sovražnostih ne sodelujejo dejavno, vključno s pripadniki oboroženih sil, ki so odložili orožje, in tistimi, ki ne morejo sodelovati v boju zaradi bolezni, ran, pridržanja ali drugega vzroka, se vedno ravna človeško, brez razlikovanja glede na raso, barvo, vero ali prepričanje, spol, rojstvo, premoženjsko stanje ali kakršno koli drugo podobno merilo.

V zvezi z navedenimi osebami so in ostajajo vedno in povsod prepovedana ta dejanja:

- a) napad na življenje in telo, še posebej umori vseh vrst, pohabljenje, okrutno ravnanje in mučenje;
- b) jemanje talcev;
- c) napad na osebno dostojanstvo, še posebej zaničevalno in poniževalno ravnanje;

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) izrekanje kazni in izvajanje usmrtitev brez predhodne sodbe pravilno ustanovljenega sodišča, ki zagotavlja vsa pravna jamstva, ki so pri civiliziranih narodih priznana kot nujna.

2. Ranjence in bolnike je treba zbrati in oskrbeti.

Nepristranska humanitarna organizacija, kot je Mednarodni odbor Rdečega križa, lahko stranem v spopadu ponudi svojo pomoč.

Strani v spopadu si poleg tega s posebnimi sporazumi prizadevajo v celoti ali delno uveljaviti tudi druge določbe te konvencije.

Uporaba predhodnih določb ne vpliva na pravni položaj strani v spopadu.

#### *4. člen*

Konvencija štiti osebe, ki se med spopadom ali okupacijo kadar koli in kakor koli znajdejo v rokah ene od strani v spopadu ali ene od okupacijskih sil, katerih državljani niso.

Konvencija ne štiti državljanov države, ki je konvencija ne zavezuje. Državljeni nevtralne države, ki se znajdejo na ozemlju vojskujoče se države, in državljani države, ki je soudeležena pri vojskovanju, ne veljajo za zaščitene osebe, dokler ima država, katere državljani so, v državi, v katere rokah so, redno diplomatsko predstavništvo.

Določbe II. dela pa se uporabljajo širše, kot določa 13. člen.

Osebe, ki jih štiti Ženevska konvencija za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949, Ženevska konvencija za izboljšanje položaja ranjencev,

- (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

bolnikov in brodolomcev v oboroženih silah na morju z dne 12. avgusta 1949 ali Ženevska konvencija o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949, ne veljajo za zaščitene osebe v smislu te konvencije.

### *5. člen*

Kadar stran v spopadu utemeljeno sumi ali ugotovi, da se zaščiteni oseba na njenem ozemlju ukvarja z dejavnostmi, ki ogrožajo varnost države, ta zaščiteni oseba ni upravičena do uveljavljanja pravic in ugodnosti po tej konvenciji, saj bi tako uveljavljanje v njeno korist škodilo varnosti te države.

Če je zaščiteni oseba na okupiranem ozemlju pridržana kot vohun ali saboter ali oseba, za katero se utemeljeno sumi, da se ukvarja z dejavnostjo, ki ogroža varnost okupacijske sile, se tej osebi, kadar vojaška varnost to brezpogojno zahteva, odvzame pravica do komuniciranja po tej konvenciji.

S temi osebami je vedno treba ravnati človeško, v primeru sojenja pa se jim ne sme odvzeti pravica do poštenega in rednega sojenja po tej konvenciji. Ob upoštevanju varnosti države ali okupacijske sile, odvisno od primera, se jim tudi čim prej vrnejo vse pravice in ugodnosti zaščiteneh oseb po tej konvenciji.

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 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.

## *6. člen*

Ta konvencija se uporablja od začetka vsakega spopada ali okupacije, navedenih v 2. členu.

Na ozemlju strani v spopadu se ta konvencija preneha uporabljati po splošnem končanju vojaških operacij.

Na okupiranem ozemlju se ta konvencija preneha uporabljati leto dni po splošnem končanju vojaških operacij; če okupacijska sila na tem ozemlju izvaja naloge vlade, jo med okupacijo zavezujejo določbe 1. do 12., 27., 29. do 34., 47., 49., 51., 52., 53., 59., 61. do 77. in 143. člena te konvencije.

Za zaščitene osebe, osvobodjene, repatriirane ali znova nastanjene po poteku teh rokov, se ta konvencija uporablja še naprej.

## *7. člen*

Visoke pogodbenice poleg sporazumov, ki jih izrecno določajo 11., 14., 15., 17., 36., 108., 109., 132., 133. in 149. člen, lahko sklenejo še druge posebne sporazume o vseh zadevah, ki jih je treba po njihovi presoji posebej urediti. Noben posebni sporazum ne sme neugodno vplivati na položaj zaščitениh oseb, kot ga določa ta konvencija, niti omejevati pravic, ki jim jih priznava.

Zaščitene osebe uživajo ugodnosti po teh sporazumih, dokler se konvencija zanje uporablja, razen če navedeni ali poznejši sporazumi izrecno ne določajo nasprotno ali če ena ali druga stran v spopadu ne sprejme ugodnejših ukrepov v zvezi z njimi.

## *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

## *8. člen*

Zaščitene osebe se nikakor ne morejo niti delno niti v celoti odpovedati pravicam, ki jim jih zagotavljajo ta konvencija in morebitni posebni sporazumi iz prejšnjega člena.

## *9. člen*

Ta konvencija se uporablja v sodelovanju s silami zaščitnicami, katerih naloga je zavarovati interese strani v spopadu, in pod nadzorom teh sil. Za ta namen lahko sile zaščitnice poleg svojega diplomatskega ali konzularnega osebja iz vrst lastnih državljanov ali državljanov drugih nevtralnih sil imenujejo delegate. Odobri jih sila, s katero bodo opravljali svoje naloge.

Strani v spopadu kar najbolj omogočajo delo predstavnikov ali delegatov sil zaščitnic.

Predstavniki ali delegati sil zaščitnic nikakor ne smejo preseči svojih nalog po tej konvenciji. Zlasti upoštevajo nujne varnostne potrebe države, v kateri opravljajo svoje naloge.

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 cooperation 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.

## *10. člen*

Določbe te konvencije niso ovira za humanitarno delovanje Mednarodnega odbora Rdečega križa ali katere koli druge nepristranske humanitarne organizacije, ki gaodobrijo strani v spopadu, da se zaščitijo civilne osebe in se jim pomaga.

## *11. člen*

Visoke pogodbenice se lahko kadar koli dogovorijo, da opravljanje nalog, za katere so po tej konvenciji zavezane sile zaščitnice, zaupajo organizaciji, ki zagotavlja nepristranskost in učinkovitost.

Če po tej konvenciji zaščitene osebe iz kakršnega koli razloga ne uživajo pomoči sile zaščitnice ali druge organizacije iz prejšnjega odstavka ali jo prenehajo uživati, sila, ki jih pridržuje, zaprosi nevtralno državo ali tako organizacijo, da prevzame naloge, ki jih po tej konvenciji opravlja sila zaščitnica, ki jo imenujejo strani v spopadu.

Če zaščite teh oseb ni mogoče ustrezno zagotoviti, sila, ki jih pridržuje, ob upoštevanju določb tega člena zaprosi humanitarno organizacijo, kot je Mednarodni odbor Rdečega križa, ali sprejme njeno ponudbo, da prevzame humanitarne naloge, ki jih opravljajo sile zaščitnice po tej konvenciji.

Vsaka nevtralna sila ali organizacija, ki jo povabi ta sila ali ki se ponudi za ta namen, mora delovati z vso odgovornostjo do strani v spopadu, ki ji pripadajo osebe, zaščitene po tej konvenciji, in predložiti zadostna zagotovila, da je sposobna prevzeti ustrezne naloge in jih opravljati nepristransko.

### *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

Navedenih določb ni mogoče razveljaviti s posebnimi sporazumi med silami, od katerih se ena, pa čeprav le začasno, zaradi vojaških dogodkov, zlasti delne ali popolne okupacije svojega ozemlja, ne more svobodno pogajati z drugo silo ali njenimi zaveznicami.

Kadar koli se v tej konvenciji navede sila zaščitnica, se ta izraz nanaša tudi na organizacije, ki jo v smislu tega člena nadomeščajo.

Določbe tega člena se razširijo na in prilagodijo za državljane nevtralne države, ki so na okupiranem ozemlju ali so se znašli na ozemlju vojskujoče se države, v kateri država, katere državljani so, nima rednega diplomatskega predstavništva.

## *12. člen*

Sile zaščitnice za rešitev nesoglasij ponudijo dobre usluge, kadar presodijo, da je to v korist zaščiteneh oseb, zlasti kadar se strani v spopadu ne morejo sporazumeti o uporabi ali razlagi določb te konvencije.

Za ta namen lahko vsaka sila zaščitnica na povabilo ene strani v spopadu ali na lastno pobudo predlaga stranem v spopadu sestank njihovih predstavnikov, zlasti oblasti, odgovornih za zaščitene osebe, če je le mogoče na ustrezno izbranem nevtralnem ozemlju. Strani v spopadu morajo upoštevati v zvezi s tem dane predloge. Sile zaščitnice po potrebi lahko predlagajo stranem v spopadu v odobritev osebo, ki pripada nevtralni sili ali jo pooblasti Mednarodni odbor Rdečega križa, in je povabljena, da sodeluje na sestanku.

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.

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

## II. DEL

### SPLOŠNA ZAŠČITA PREBIVALSTVA PRED NEKATERIMI POSLEDICAMI VOJNE

#### *13. člen*

Določbe II. dela veljajo za celotno prebivalstvo držav v spopadu brez kakršnega koli razlikovanja, zlasti na podlagi rase, narodne pripadnosti, vere ali političnega prepričanja, in so namenjene ublažitvi trpljenja, ki ga povzroča vojna.

#### *14. člen*

Visoke pogodbenice lahko že v miru, strani v spopadu pa po začetku sovražnosti na svojem ozemlju in po potrebi na okupiranih območjih ustanovijo bolnišnična in varna območja in kraje, organizirane tako, da pred učinki vojne zaščitijo ranjence in bolnike, starejše osebe, otroke, mlajše od petnajstih let, nosečnice in matere z otroki, mlajšimi od sedmih let.

Ob začetku ali med trajanjem sovražnosti te strani lahko sklenejo sporazume o vzajemnem priznavanju tako ustanovljenih območij in krajev. Za ta namen lahko uporabijo določbe iz osnutka sporazuma, priloženega tej konvenciji, s takimi spremembami, kot se jim zdijo potrebne.

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

Sile zaščitnice in Mednarodni odbor Rdečega križa lahko ponudijo svoje dobre usluge, da pomagajo pri ustanovitvi in priznanju teh bolnišničnih in varnih območij in krajev.

#### *15. člen*

Vsaka stran v spopadu lahko neposredno ali prek nevtralne države ali humanitarne organizacije nasprotni strani predlaga, da se na območjih, kjer potekajo boji, ustanovijo nevtralna območja, katerih namen je brez razlikovanja zaščititi pred učinki vojne te osebe:

- a) ranjene in bolne borce ali neborce;
- b) civilne osebe, ki ne sodelujejo v sovražnostih in se med bivanjem na teh območjih ne ukvarjajo z nobeno vojaško dejavnostjo.

Kadar se strani v spopadu sporazumejo o zemljepisnem položaju, upravljanju predvidenega nevtralnega območja, njegovi preskrbi s hrano in nadzoru nad njim, se sklene pisni sporazum, ki ga podpisujejo predstavniki strani v spopadu. Sporazum določi začetek in trajanje nevtralnosti območja.

#### *16. člen*

Ranjenci, bolniki, onemogle osebe in nosečnice se še posebej zaščitijo in spoštujejo.

Kolikor je to mogoče zaradi vojaških razlogov, vsaka stran v spopadu podpre sprejete ukrepe za iskanje umrlih in ranjenih, pomoč brodolomcem in drugim osebam, izpostavljenim hudi nevarnosti, ter za njihovo zaščito pred plenjenjem in grdih ravnanjem.

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.

#### *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,

### *17. člen*

Strani v spopadu si prizadevajo za sklenitev krajevnih dogovorov o evakuaciji ranjencev, bolnikov, onemoglih in starejših oseb, otrok in porodnic z obleganih ali obkoljenih območij ter za prehod verskega osebja vseh veroizpovedi, zdravstvenega osebja in medicinske opreme na njihovi poti na taka območja.

### *18. člen*

Civilnih bolnišnic za oskrbo ranjencev, bolnikov, onemoglih oseb in porodnic nikakor ni dovoljeno napadati, temveč jih strani v spopadu vedno spoštujejo in zaščitijo.

Države, udeležene v spopadu, vsem civilnim bolnišnicam izdajo potrdila, da so to civilne bolnišnice in se zgradbe, v katerih delujejo, ne uporabljajo za namene, zaradi katerih bi bila tem bolnišnicam v skladu z 19. členom lahko odvzeta zaščita.

Civilne bolnišnice se označijo z znakom iz 38. člena Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949, vendar le, če to dovoli država.

Kolikor je to mogoče zaradi vojaških razlogov, strani v spopadu sprejmejo potrebne ukrepe, da so razpoznavni znaki, ki označujejo civilne bolnišnice, dobro vidni sovražnim kopenskim, zračnim in pomorskimi silam, da se preprečijo morebitna sovražna dejanja.

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.

Glede na nevarnosti, ki jih za bolnišnice lahko pomeni bližina vojaških ciljev, se priporoča, da se postavijo čim dlje od takih ciljev.

#### *19. člen*

Zaščita, do katere so upravičene civilne bolnišnice, ne preneha, razen če se poleg tega, da opravljajo humanitarne naloge, uporabljajo tudi za sovražniku škodljiva dejanja. Zaščita v vseh ustreznih primerih lahko preneha šele potem, ko ni bilo upoštevano dano opozorilo, v katerem je določen razumen časovni rok.

Dejstvo, da se v teh bolnišnicah zdravijo ranjenci in bolniki oboroženih sil ali da sta v njih lahko orožje in strelivo, ki sta bila tem vojakom odvzeta in še nista bila predana pristojni službi, ne velja za sovražniku škodljivo dejanje.

#### *20. člen*

Osebjem, katerega stalna in edina naloga je skrb za delovanje in upravljanje civilnih bolnišnic, vključno z osebjem, določenim za iskanje, premeščanje, prevažanje in oskrbo ranjenih in bolnih civilnih oseb, onemoglih oseb in porodnic, se spoštuje in zaščiti.

Na okupiranih ozemljih in območjih vojaških operacij se to osebjem prepozna na podlagi identifikacijske izkaznice, ki potrjuje status imetnika ter vsebuje njegovo fotografijo in suhi žig pristojne oblasti, ter vodoodpornega označevalnega rokavnega traku, ki ga med opravljanjem svojih nalog nosi na levi roki. Ta rokavni trak izda država, na njem pa je znak iz 38. člena Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949.

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.

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 armband which they shall wear on the left arm while carrying out their duties. This armband shall be

Drugo osebje, ki skrbi za delovanje in upravljanje civilnih bolnišnic, se spoštuje in zaščiti ter ima pravico, da med opravljanjem svojih nalog nosi rokavni trak pod pogoji iz tega člena. Identifikacijska izkaznica navaja naloge, ki jih te osebe opravljajo.

Uprava vsake bolnišnice vodi sprotno posodobljen seznam osebja, ki je vedno na voljo pristojnim oblastem svoje države ali okupacijske sile.

### *21. člen*

Prevozi ranjenih in bolnih civilnih oseb, onemoglih oseb in porodnic z vozili in bolnišničnimi vlaki po kopnem ali s temu namenjenimi plovili po morju se spoštujejo in zaščitijo enako kakor bolnišnice iz 18. člena ter s soglasjem države označijo z razpoznavnim znakom iz 38. člena Ženevske konvencije za izboljšanje položaja ranjenecv in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949.

### *22. člen*

Zrakoplovi, ki se uporabljajo izključno za premestitev ranjenih in bolnih civilnih oseb, onemoglih oseb in porodnic ter za prevoz zdravstvenega osebja in opreme, se ne napadajo, ampak jim strani v spopadu pustijo, da letijo na višini, v času in po rutah, o katerih se te strani v spopadu posebej dogovorijo.

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

Zrakoplovi so lahko označeni z razpoznavnim znakom iz 38. člena Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949.

Če ni dogovorjeno drugače, so preleti čez sovražnikovo ozemlje ali ozemlje, ki ga je sovražnik okupiral, prepovedani.

Zrakoplovi upoštevajo vsak ukaz za pristanek. Po takem pristanku in morebitnem pregledu zrakoplova in tistih, ki so v njem, zrakoplov lahko nadaljuje polet.

### *23. člen*

Vsaka visoka pogodbenica dovoli prost prehod vseh pošiljk zdravil in medicinskih pripomočkov, bolnišničnega materiala ter predmetov, ki so potrebni za opravljanje verskih obredov, namenjenih samo civilnim osebam druge, čeprav sovražne visoke pogodbenice. Prav tako dovoli prost prehod vseh pošiljk nujno potrebnih živil, oblek in okrepčil, namenjenih otrokom do petnajstega leta starosti, nosečnicam in porodnicam.

Visoka pogodbenica dovoli prost prehod pošiljk iz prejšnjega odstavka le, če meni, da ni nikakršnega resnega razloga za strah:

- a) da bi se pošiljke preusmerile od njihovega namembnega kraja,
- b) da nadzor ne bi bil učinkovit ali
- c) da bi sovražnik pošiljke uporabil za zadovoljitev svojih vojaških ali gospodarskih potreb, tako da bi jih zamenjal za blago, ki bi ga sicer moral nabaviti ali proizvesti, ali da bi tako pridobil material, sredstva ali zmogljivosti za proizvodnjo takega blaga.

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 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

Sila, ki dovoli prehod pošiljk, navedenih v prvem odstavku tega člena, lahko kot pogoj za tako dovolitev zahteva, da razdeljevanje uporabnikom na kraju samem nadzorujejo sile zaščitnice.

Take pošiljke se odpošljejo čim prej, sila, ki dovoljuje njihov prost prehod, pa ima pravico predpisati tehnične pogoje, pod katerimi se prehod dovoli.

#### *24. člen*

Strani v spopadu s potrebnimi ukrepi zagotovijo, da otroci, mlajši od petnajstih let, ki so zaradi vojne osiroteli ali so ločeni od svojih družin, niso prepuščeni sami sebi in da se jim vedno omogočijo vzdrževanje, opravljanje verskih obredov in izobraževanje. Njihovo izobraževanje, če je le mogoče, izvajajo osebe s podobno kulturno tradicijo.

Strani v spopadu med trajanjem spopada omogočijo sprejem teh otrok v nevtralni državi s soglasjem sile zaščitnice, če obstaja, pri čemer se zagotovi spoštovanje načel iz prvega odstavka.

Poleg tega si prizadevajo, da je mogoče vse otroke, mlajše od dvanajstih let, identificirati z identifikacijsko ploščico, ki jo ti otroci nosijo, ali kako drugače.

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.

## 25. člen

Vsem osebam na ozemlju strani v spopadu ali na ozemlju, ki ga je ta okupirala, se omogoči, da članom svoje družine, kjer koli so, pošiljajo izključno osebna sporočila in sporočila od njih tudi prejemajo. Sporočila se hitro in brez nepotrebne zamude odpošljejo naprej.

Če družinsko dopisovanje z redno pošto zaradi okoliščin postane težavno ali nemogoče, se strani v spopadu, na katere se to nanaša, obrnejo na nevtralnega posrednika, kot je osrednja agencija iz 140. člena, in po posvetu z njim določijo, kako bodo zagotovile izpolnjevanje svojih obveznosti pod najboljšimi možnimi pogoji, zlasti s sodelovanjem z nacionalnimi društvi Rdečega križa (Rdečega polmeseca, Rdečega leva in sonca).

Če strani v spopadu menijo, da je treba družinsko dopisovanje omejiti, predpišejo obvezno uporabo standardnih obrazcev, ki vsebujejo petindvajset prosto izbranih besed, in omejijo število poslanih obrazcev na enega na mesec.

## 26. člen

Vsaka stran v spopadu olajša medsebojno iskanje članov zaradi vojne razkropljenih družin, ki želijo obnoviti stike in se, če je le mogoče, srečati. Še posebej spodbuja delo organizacij, ki opravljajo to nalogo, pod pogojem, da so zanjo sprejemljive in delujejo v skladu z njenimi varnostnimi pravili.

## *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 cooperation of the National Red Cross (Red Crescent, Red Lion and Sun) Societies.

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.

**III. DEL**  
**POLOŽAJ ZAŠČITENIH OSEB IN RAVNANJE Z NJIMI**  
**I. ODDELEK**  
**SKUPNE DOLOČBE ZA OZEMLJA STRANI**  
**V SPOPADU IN OKUPIRANA OZEMLJA**

*27. člen*

Zaščitene osebe imajo vedno pravico, da se spoštujejo njihova osebnost, čast, družinske pravice, verska prepričanja in obredi, navade in običaji. Z njimi je treba vedno ravnati človeško in jih zaščititi zlasti pred kakršnim koli nasiljem ali grožnjami, žalitvami in radovedno javnostjo.

Ženske je treba zlasti zaščititi pred vsakim napadom na njihovo čast, še posebej pred posilstvom, prisilno prostitucijo in kakršnim koli nespodobnim dejanjem.

Brez poseganja v določbe, ki se nanašajo na zdravstveno stanje, starost in spol zaščitениh oseb, stran v spopadu, pod oblastjo katere so zaščitene osebe, ravna z vsemi zaščitnimi osebami enako brez kakršnega koli razlikovanja, zlasti na podlagi rase, vere ali političnega prepričanja.

Strani v spopadu lahko v zvezi z zaščitnimi osebami uporabljajo take nadzorne ali varnostne ukrepe, kot so lahko potrebni zaradi vojne.

*28. člen*

Prisotnost zaščitene osebe se ne sme zlorabiti za zavarovanje posameznih mest ali območij pred vojaškimi operacijami.

**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.

### *29. člen*

Stran v spopadu, v rokah katere so zaščitene osebe, je odgovorna za ravnanje svojih zastopnikov s temi osebami ne glede na njihovo morebitno osebno odgovornost.

### *30. člen*

Zaščitnim osebam se zagotovi vse potrebno za pošiljanje prošelj silam zaščitnicam, Mednarodnemu odboru Rdečega križa, nacionalnim društvom Rdečega križa (Rdečega polmeseca, Rdečega leva in sonca) države, v kateri so, pa tudi vsem organizacijam, ki bi jim lahko pomagale.

Oblasti tem organizacijam zagotovijo vse potrebno za to v okviru omejitev zaradi vojaških razlogov ali varnostnih vidikov.

Sila, ki pridržuje zaščitene osebe, ali okupacijska sila poleg obiskov delegatov sil zaščitnic in Mednarodnega odbora Rdečega križa iz 143. člena čim bolj olajša tudi obiske predstavnikov drugih organizacij, ki želijo ponuditi duhovno in materialno pomoč tem osebam.

### *31. člen*

Nad zaščitnimi osebami se ne izvaja nikakršna fizična ali psihična prisila, da bi od njih ali tretjih oseb pridobili podatke.

### *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.

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.

### *32. člen*

Visoke pogodbenice se posebej dogovorijo, da nobena od njih ne bo sprejela nobenega ukrepa, ki bi lahko povzročil telesno trpljenje ali iztrebljanje zaščitene osebe, ki so v njihovih rokah. Ta prepoved ne velja samo za umor, mučenje, telesno kaznovanje, pohabljenje in medicinske ali znanstvene poskuse, ki niso nujno potrebni zaradi zdravljenja zaščitene osebe, ampak tudi za vse druge oblike surovega ravnanja civilnih ali vojaških oseb.

### *33. člen*

Nobena zaščitena oseba ne sme biti kaznovana za kršitev, ki je ni storila. Skupinsko kaznovanje in ukrepi zastraševanja ali teroriziranja so prepovedani.

Plenjenje je prepovedano.

Povračilni ukrepi proti zaščitnim osebam in njihovi lastnini so prepovedani.

### *34. člen*

Jemanje talcev je prepovedano.

*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.

## II. ODDELEK TUJCI NA OZEMLJU STRANI V SPOPADU

### *35. člen*

Vse zaščitene osebe, ki želijo zapustiti ozemlje na začetku spopada ali med njim, imajo pravico, da to storijo, razen če je njihov odhod v nasprotju z nacionalnimi interesi države. Njihove prošnje za zapustitev ozemlja se rešujejo v rednem postopku, odločitev pa se sprejme čim prej. Osebe, ki jim je dovoljeno zapustiti ozemlje, si lahko zagotovijo potrebna sredstva za potovanje in s seboj vzamejo razumno količino osebnih predmetov in predmetov za osebno rabo.

Osebe, ki jim ni dovoljeno zapustiti ozemlja, imajo pravico zahtevati, da tako zavrnitev čim prej prouči pristojno sodišče ali upravno telo, ki ga za to ustanovi sila, ki pridržuje te osebe.

Predstavnikom sile zaščitnice se na zaprosilo sporočijo razlogi za zavrnitev katere koli prošnje za zapustitev ozemlja in čim prej tudi imena vseh oseb, ki jim ni bilo dovoljeno zapustiti ozemlja, razen če to preprečujejo varnostni razlogi ali če temu ugovarjajo udeležene osebe.

### *36. člen*

Odhodi, dovoljeni po prejšnjem členu, se opravijo v zadovoljivih varnostnih, higienskih, zdravstvenih in prehranskih razmerah. Vse z odhodom povezane stroške, nastale po zapustitvi ozemlja sile, ki pridržuje zaščitene osebe, krije ciljna država ali pri nastanitvi v nevtralni državi sila, katere državljan je zaščitena oseba. Izvedbene podrobnosti v zvezi s tako preselitvijo se po potrebi lahko uredijo s posebnimi sporazumi med temi silami.

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 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,

Navedeno ne posega v posebne sporazume o izmenjavi in reparaciji svojih državljanov, ki so v sovražnikovih rokah, ki jih lahko sklenejo strani v spopadu.

### *37. člen*

Z zaščitnimi osebami, ki so v priporu ali prestajajo kazen zapora, se ravna človeško.

Takoj po izpustitvi smejo te osebe zaprositi, da zapustijo ozemlje v skladu s prejšnjimi členi.

### *38. člen*

Razen posebnih ukrepov, sprejetih na podlagi te konvencije, zlasti 27. in 41. člena, položaj zaščitnih oseb načeloma še naprej urejajo določbe o tujcih v miru. Vedno se jim dodelijo te pravice:

1. omogoči se jim prejemanje posamične ali skupinske pomoči, ki se jim lahko pošlje;
2. glede na njihovo zdravstveno stanje se jim zagotovi enaka zdravstvena in bolnišnična oskrba kot državljanom te države;
3. smejo opravljati svoje verske obrede in prejemati duhovno pomoč verskega osebja svoje veroizpovedi;

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. če prebivajo na območju, ki je še posebej izpostavljeno vojnim nevarnostim, se jim enako kot državljanom te države dovoli, da se preselijo s tega območja;
5. otroci, mlajši od petnajstih let, nosečnice in matere otrok, mlajših od sedmih let, so deležni enake prednostne obravnave kot državljani te države.

### *39. člen*

Zaščitnim osebam, ki so zaradi vojne izgubile pridobitno delo, se omogoči, da najdejo plačano delo. Njihove možnosti za zaposlitve so ob upoštevanju varnostnih vidikov in določb 40. člena enake tistim, ki jih imajo državljani sile, na ozemlju katere so te zaščitene osebe.

Kadar stran v spopadu nadzira zaščiteno osebo tako, da se ta oseba ne more sama vzdrževati, zlasti če zaradi varnostnih razlogov ne more najti plačane zaposlitve pod razumnimi pogoji, ta stran v spopadu zagotovi njeno vzdrževanje in vzdrževanje oseb, ki so od te osebe odvisne.

Zaščitene osebe lahko vedno prejemajo sredstva od svoje države, sile zaščitnice ali dobrodelnih društev iz 30. člena.

### *40. člen*

Zaščitene osebe je mogoče prisiliti k delu le v enaki meri kot državljane strani v spopadu, na ozemlju katere so te zaščitene osebe.

Če so zaščitene osebe državljani sovražne države, se lahko prisilijo le k delu, ki je običajno potrebno za zagotavljanje hrane, zatočišča, oblačil, prevoza in zdravja ljudi ter ni neposredno povezano z izvajanjem vojaških operacij.

- (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 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

V primerih iz prejšnjih dveh odstavkov so zaščitene osebe, ki so prisiljene k delu, deležne enakih delovnih razmer in enakih zaščitnih ukrepov kot domači delavci, zlasti glede plačila, delovnih ur, obleke in opreme, predhodnega usposabljanja in odškodnine za nesreče pri delu in poklicne bolezni.

Pri kršitvi navedenih določb smejo zaščitene osebe v skladu s 30. členom uveljaviti svojo pravico do pritožbe.

#### *41. člen*

Če sila, v rokah katere so zaščitene osebe, meni, da so nadzorni ukrepi iz te konvencije neustrezni, ne sme uporabiti nadzornega ukrepa, ki je strožji kot ukrep prisilnega bivanja ali internacije v skladu z določbami 42. in 43. člena.

Pri uporabi drugega odstavka 39. člena za osebe, ki morajo zapustiti svoj običajni kraj prebivališča na podlagi odločitve o prisilnem bivanju v nekem drugem kraju, sila, ki jih pridržuje, kar najbolj upošteva standarde blaginje, določene v IV. oddelku III. dela te konvencije.

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.

#### *42. člen*

Internacija ali prisilno bivanje zaščitениh oseb se lahko odredi le, če je to nujno zaradi varnosti sile, ki te osebe pridržuje.

Če katera koli oseba prek predstavnikov sile zaščitnice prostovoljno zahteva internacijo in je ta zaradi njenega položaja potrebna, jo sila, v rokah katere je, internira.

#### *43. člen*

Katera koli zaščitena oseba, ki je bila internirana ali poslana na prisilno bivanje, ima pravico zahtevati, da tak ukrep čim prej prouči pristojno sodišče ali upravno telo, ki ga za to ustanovi sila, ki pridržuje to osebo. Če internacija ali prisilno bivanje obveljata, sodišče ali upravno telo redno in najmanj dvakrat na leto obravnava zadevo te osebe z namenom, da se prvotna odločitev spremeni v njeno korist, če okoliščine to dopuščajo.

Če zaščitene osebe temu ne nasprotujejo, sila, ki jih pridržuje, sili zaščitnici čim prej sporoči imena zaščitениh oseb, ki so bile internirane ali poslane na prisilno bivanje, ali oseb, ki so bile oproščene internacije ali prisilnega bivanja. Sili zaščitnici se pod enakimi pogoji čim prej sporočijo tudi odločitve sodišč ali teles iz prvega odstavka tega člena.

### *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 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.

#### *44. člen*

Sila, ki pridržuje zaščitene osebe, pri uporabi nadzornih ukrepov, navedenih v tej konvenciji, z begunci, ki jih v resnici ne štiti nobena vlada, ne ravna kot s sovražnimi tujci le zato, ker so pravno državljani sovražne države.

#### *45. člen*

Zaščitene osebe se ne predajo sili, ki ni pogodbenica te konvencije.

Ta določba nikakor ne ovira repatriacije zaščitениh oseb ali njihove vrnitve v državo prebivališča po končanju sovražnosti.

Sila, ki pridržuje zaščitene osebe, jih lahko preda le sili, ki je pogodbenica te konvencije, potem ko se prepriča o njeni pripravljenosti in sposobnosti za uporabo te konvencije. Če so zaščitene osebe predane pod takimi pogoji, je za uporabo te konvencije odgovorna sila, ki jih je sprejela, dokler so pod njenim nadzorom. Če ta sila ne izvaja določb te konvencije glede katerega koli pomembnega vidika, sila, ki ji je predala zaščitene osebe, potem ko jo je o tem uradno obvestila sila zaščitnica, sprejme učinkovite ukrepe za izboljšanje stanja ali zahteva vrnitev zaščitениh oseb. To zahtevo je treba upoštevati.

Zaščitena oseba nikakor ne sme biti predana državi, v kateri bi se lahko utemeljeno bala preganjanja zaradi svojega političnega ali verskega prepričanja.

*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.

Določbe tega člena ne ovirajo izročitve zaščitениh oseb, obdolženih kršitev po splošnem kazenskem pravu, na podlagi pogodb o izročanju, sklenjenih pred začetkom sovražnosti.

#### *46. člen*

Če se niso ukinili že prej, se omejevalni ukrepi, sprejeti v zvezi z zaščitениmi osebami, prekličejo čim prej po končanju sovražnosti.

Omejevalni ukrepi v zvezi z njihovim premoženjem se v skladu z zakonodajo sile, ki pridržuje zaščitene osebe, prekličejo čim prej po končanju sovražnosti.

### III. ODDELEK OKUPIRANA OZEMLJA

#### *47. člen*

Zaščitene osebe, ki so na okupiranem ozemlju, ne smejo biti v nobenem primeru kakor koli prikrajšane za ugodnosti iz te konvencije zaradi kakršne koli spremembe, ki nastane v ustanovah ali vladi tega ozemlja zaradi okupacije ozemlja, niti zaradi kakršnega koli sporazuma, ki ga sklenejo oblasti okupiranih ozemelj in okupacijska sila, niti zaradi priključitve celotnega okupiranega ozemlja ali njegovega dela tej sili.

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, 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.

#### *48. člen*

Zaščitene osebe, ki niso državljani sile, katere ozemlje je okupirano, ga smejo zapustiti ob upoštevanju določb 35. člena, odločitve o tem pa se sprejmejo po postopku, ki ga vzpostavi okupacijska sila v skladu s tem členom.

#### *49. člen*

Nasilne posamične ali množične premestitve in tudi deportacija zaščiteneh oseb z okupiranega ozemlja na ozemlje okupacijske sile ali ozemlje katere koli druge države, okupirano ali ne, so prepovedane ne glede na to, kaj je povod zanje.

Okupacijska sila kljub temu lahko v celoti ali delno evakuira neko območje, če to zahteva varnost prebivalstva ali nujni vojaški razlogi. Take evakuacije ne smejo vključevati preselitve zaščiteneh oseb z okupiranega ozemlja, razen kadar se taki preselitvi v resnici ni mogoče izogniti. Tako evakuirane osebe je treba vrniti v njihove domove, takoj ko se na območju končajo sovražnosti.

Okupacijska sila, ki izvaja take preselitve ali evakuacije, kar najbolj zagotovi primerno nastanitev zaščiteneh oseb in tudi, da se premestitev opravi v zadovoljivih higienskih, zdravstvenih, varnostnih in prehranskih razmerah ter da se člani iste družine ne ločijo.

Silo zaščitnico je treba obvestiti o vsaki premestitvi in evakuaciji, takoj ko sta opravljeni.

#### *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.

Okupacijska sila ne pridržuje zaščitenih oseb na območju, ki je posebej izpostavljeno vojnim nevarnostim, razen če tega ne zahteva varnost prebivalstva ali skrajno nujni vojaški razlogi.

Okupacijska sila ne deportira ali premesti dela svojega civilnega prebivalstva na ozemlje, ki ga je okupirala.

#### *50. člen*

Okupacijska sila v sodelovanju z državnimi in lokalnimi oblastmi omogoči ustrezno delovanje vseh ustanov, ki se ukvarjajo z oskrbo in izobraževanjem otrok.

Okupacijska sila stori vse potrebno, da omogoči identifikacijo otrok in registracijo njihovih staršev. Nikakor ne sme spremeniti njihovega osebnega položaja niti jih ne sme vključiti v formacije ali sebi podrejene organizacije.

Če lokalne ustanove niso primerne za to, okupacijska sila zagotovi, da otroke, ki so osiroteli ali so ločeni od svojih staršev zaradi vojne in zanje ne more ustrezno skrbeti bližnji sorodnik ali prijatelj, če je le mogoče, vzdržujejo in izobražujejo osebe njihove narodne pripadnosti, jezika in vere.

Poseben oddelek urada, ustanovljen v skladu s 136. členom, je odgovoren za sprejetje vseh potrebnih ukrepov za identifikacijo otrok, katerih identiteta je nezanesljiva. Vedno se zabeležijo vsi podatki o njihovih starših ali drugih bližnjih sorodnikih, če so na voljo.

Okupacijska sila ne ovira uporabe prednostnih ukrepov v zvezi s hrano, zdravstveno oskrbo in zaščito pred učinki vojne, ki so bili sprejeti pred okupacijo v korist otrok, mlajših od petnajstih let, nosečnic in mater otrok, mlajših od sedmih let.

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.

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.

## 51. člen

Okupacijska sila ne sme prisiliti zaščitene osebe k služenju v njenih oboroženih ali pomožnih silah. Prepovedan je vsak pritisk ali propaganda, katere cilj je prostovoljno vključevanje.

Okupacijska sila sme prisiliti k delu samo zaščitene osebe, starejše od osemnajstih let, in to samo k delu, ki je nujno za potrebe okupacijske vojske ali javnih služb ali za zagotavljanje hrane, zatočišča, oblačil, prevoza ali zdravja prebivalstva okupirane države. Zaščitene osebe se ne smejo prisiliti k nobenemu delu, ki bi jih obvezovalo k sodelovanju v vojaških operacijah. Okupacijska sila ne sme prisiliti zaščitene osebe, da s silo varujejo infrastrukturo, kjer opravljajo prisilno delo.

Delo se opravlja samo na okupiranem ozemlju, kjer so osebe, katerih storitve se zahtevajo. Vsaka taka oseba se, če je le mogoče, zadrži na kraju njene običajne zaposlitve. Delavci so za svoje delo pošteno plačani, delo pa je sorazmerno z njihovimi telesnimi in umskimi sposobnostmi. Zakonodaja, ki velja v okupirani državi ter se nanaša na delovne razmere in zaščitne ukrepe, zlasti v zvezi s plačilom, delovnim časom, opremo, predhodnim usposabljanjem in odškodnino za nesreče pri delu in poklicne bolezni, velja tudi za zaščitene osebe, ki so določene za delo iz tega člena.

Prisilna delovna dolžnost nikakor ne sme privedi do mobilizacije delavcev v vojaško ali polvojaško organizacijo.

## *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.

## *52. člen*

Nobena pogodba, dogovor ali predpis ne posega v pravico delavca, da na predstavnike sile zaščitnice naslovi zahtevo za njeno posredovanje, ne glede na to, ali ta delavec dela prostovoljno ali ne, in ne glede na to, kje je.

Prepovedani so vsi ukrepi za povzročitev nezaposlenosti ali omejitev možnosti dela na okupiranem ozemlju, da bi delavce tako pripravili do dela za okupacijsko silo.

## *53. člen*

Okupacijska sila ne sme uničevati nepremičnin ali premičnin, ki posamično ali skupno pripadajo posameznikom ali državi ali drugim državnim organom, socialnim ali združnim organizacijam, razen če je to nujno zaradi vojaških operacij.

## *54. člen*

Okupacijska sila ne sme spremeniti položaja javnih uslužbencev ali sodnikov na okupiranih ozemljih ali proti njim uporabljati sankcij, prisilnih ukrepov ali jih diskriminirati, če zaradi ugovora vesti ne opravljajo svojih nalog.

Ta prepoved ne posega v uporabo drugega odstavka 51. člena. Ne vpliva na pravico okupacijske sile, da javne uslužbence odstrani z delovnega mesta.

### *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.

### *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.

### *55. člen*

Okupacijska sila je dolžna z vsemi razpoložljivimi sredstvi zagotavljati hrano, zdravila in medicinske pripomočke za prebivalstvo; če viri na okupiranem ozemlju ne zadoščajo, uvozi zlasti potrebna živila, zaloge zdravil in medicinskih pripomočkov ter druge predmete.

Okupacijska sila ne sme zaseči živil, predmetov ali zdravil in medicinskih pripomočkov, ki so na voljo na okupiranem ozemlju, razen za potrebe okupacijskih sil in upravnega osebja, vendar le ob upoštevanju potreb civilnega prebivalstva. Okupacijska sila ob upoštevanju določb drugih mednarodnih konvencij zagotovi, da se zaseženo blago pošteno plača.

Sila zaščitnica ima vedno pravico preveriti stanje živil, zdravil in medicinskih pripomočkov na okupiranih ozemljih, razen kadar so potrebnečasne omejitve zaradi nujnih vojaških potreb.

### *56. člen*

Na okupiranem ozemlju je okupacijska sila dolžna v sodelovanju z državnimi in lokalnimi oblastmi z vsemi razpoložljivimi sredstvi zagotoviti in vzdrževati zdravstvene in bolnišnične ustanove ter službe, javno zdravje in higieno, predvsem s sprejetjem in uporabo profilaktičnih in preventivnih ukrepov, ki so potrebni za preprečevanje širjenja nalezljivih bolezni in epidemij. Zdravstvenemu osebju vseh ravni se dovoli opravljanje njegovih nalog.

### *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.

Če se na okupiranem ozemlju ustanovijo nove bolnišnice in pristojni organi okupirane države tam ne delujejo, jih okupacijske oblasti po potrebi priznajo, kot določa 18. člen. Okupacijske oblasti v podobnih okoliščinah priznajo tudi bolnišnično osebje in prevozna sredstva v skladu z določbami 20. in 21. člena.

Okupacijska sila pri sprejemanju in izvajanju zdravstvenih in higienskih ukrepov upošteva moralne in etične vrednote prebivalstva okupiranega ozemlja.

#### *57. člen*

Okupacijska sila lahko zaseže civilne bolnišnice samo začasno in le v nujnih primerih za oskrbo ranjenih in bolnih vojakov, in to pod pogojem, da se pravočasno in ustrezno zagotovita oskrba in zdravljenje bolnikov ter zadovoljijo potrebe civilnega prebivalstva po bolnišničnem zdravljenju.

Material in zaloge civilnih bolnišnic se ne smejo zaseči, dokler se potrebujejo za civilno prebivalstvo.

#### *58. člen*

Okupacijska sila dovoli verskemu osebju, da zagotavlja duhovno pomoč članom svoje verske skupnosti.

Okupacijska sila sprejme pošiljke knjig in predmetov za verske potrebe ter omogoči njihovo razdeljevanje na okupiranem ozemlju.

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.

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.

## 59. člen

Če je prebivalstvo okupiranega ozemlja ali del tega prebivalstva nezadostno oskrbljen, okupacijska sila sprejme programe pomoči za to prebivalstvo in z vsemi razpoložljivimi sredstvi omogoči njihovo izvedbo.

Ti programi, ki jih lahko izvajajo države ali nepristranske humanitarne organizacije, kot je Mednarodni odbor Rdečega križa, vključujejo predvsem zagotavljanje pošiljk živil, zdravil, medicinskih pripomočkov in oblačil.

Vse pogodbenice dovolijo prost prehod teh pošiljk in zagotovijo njihovo zaščito.

Sila, ki dovoli prost prehod pošiljk, namenjenih na ozemlje, ki ga je okupirala nasprotna stran v spopadu, ima pravico, da pošiljke pregleda, uredi njihov prehod po predpisanem voznem redu in predpisanih poteh ter od sile zaščitnice dobi zadovoljivo zagotovilo, da so te pošiljke namenjene pomoči potrebnemu prebivalstvu in se ne bodo uporabile za korist okupacijske sile.

## 60. člen

Pošiljke pomoči nikakor ne razbremenijo okupacijske sile njenih odgovornosti, ki jih ima na podlagi 55., 56. in 59. člena. Okupacijska sila nikakor ne uporabi pošiljk pomoči za druge namene, razen v nujnih primerih za korist prebivalstva okupiranega ozemlja in s soglasjem sile zaščitnice.

### *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.

### *61. člen*

Razdeljevanje pošiljk pomoči iz prejšnjih členov se opravi v sodelovanju s silo zaščitnico in pod njenim nadzorom. Ta dolžnost se na podlagi sporazuma med okupacijsko silo in silo zaščitnico lahko prenese na nevtralno silo, Mednarodni odbor Rdečega križa ali katero koli drugo nepristransko humanitarno organizacijo.

Te pošiljke se na okupiranem ozemlju oprostijo vseh dajatev, davkov ali carin, razen če so potrebni zaradi interesa gospodarstva tega ozemlja. Okupacijska sila omogoči hitro razdelitev teh pošiljk.

Vse pogodbence si prizadevajo, da se dovolita brezplačen prehod in prevoz pošiljk pomoči, namenjenih na okupirana ozemlja.

### *62. člen*

Ob upoštevanju nujnih varnostnih razlogov smejo zaščitene osebe na okupiranih ozemljih prejemati posamezne poslane jim pošiljke pomoči.

### *63. člen*

Ob upoštevanju začasnih in izrednih ukrepov, ki jih je zaradi nujnih varnostnih razlogov uvedla okupacijska sila:

- a) lahko priznana nacionalna društva Rdečega križa (Rdečega polmeseca, Rdečega leva in sonca) nadaljujejo svoje dejavnosti v skladu z načeli Rdečega križa, določenimi na mednarodnih konferencah Rdečega križa. Tudi druga društva za pomoč lahko nadaljujejo svoje humanitarne dejavnosti pod podobnimi pogoji;

### *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.

### *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

b) okupacijska sila ne sme zahtevati nobenih sprememb osebja ali strukture teh društev, ki bi lahko vplivale na navedene dejavnosti.

Enaka načela se uporabljajo za dejavnosti in osebje posebnih nevojaških organizacij, ki že obstajajo ali se lahko ustanovijo zaradi zagotavljanja življenjskih razmer civilnega prebivalstva z vzdrževanjem ključnih javnih služb, razdeljevanjem pomoči in organizacijo reševanja.

#### *64. člen*

Kazenska zakonodaja na okupiranem ozemlju ostane veljavna; okupacijska sila jo lahko razveljavi ali začasno razveljavi le, kadar ogroža njeno varnost ali ovira uporabo te konvencije. Ob upoštevanju zadnjega in zaradi nujnosti zagotavljanja učinkovitega delovanja pravosodja sodišča na okupiranem ozemlju še naprej delujejo v zvezi z vsemi kršitvami, ki jih zajema navedena zakonodaja.

Okupacijska sila za prebivalce okupiranega ozemlja lahko uporabi določbe, ki so ključne za izpolnjevanje njenih obveznosti po tej konvenciji ter za zagotavljanje urejenega upravljanja ozemlja in varnosti okupacijske sile, pripadnikov in premoženja okupacijskih sil ali uprave pa tudi ustanov in oskrbovalnih poti, ki jih uporablja.

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 threat 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 of 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.

#### *65. člen*

Kazenske določbe, ki jih sprejme okupacijska sila, začnejo veljati šele, ko se objavijo in sporočijo prebivalstvu v njihovem jeziku. Te določbe nimajo retroaktivnega učinka.

#### *66. člen*

Okupacijska sila obdolženca zaradi kršitve kazenskih določb, ki jih je razglasila na podlagi drugega odstavka 64. člena, lahko izroči svojim pravilno ustanovljenim nepolitičnim vojaškim sodiščem pod pogojem, da zasedajo na okupiranem ozemlju. Pritožbena sodišča, če je le mogoče, zasedajo na okupiranem ozemlju.

#### *67. člen*

Sodišča uporabljajo samo tiste zakonske določbe, ki so se uporabljale pred storitvijo kršitve in so v skladu s splošnimi pravnimi načeli, zlasti načelom sorazmernosti kazni. Sodišča upoštevajo dejstvo, da obdolženec ni državljan okupacijske sile.

#### *68. člen*

Zaščitene osebe, ki storijo kršitev samo zato, da bi škodovala okupacijski sili, pri čemer to dejanje ni napad na življenje ali telo pripadnikov okupacijskih sil ali uprave niti ne povzroči resne splošne nevarnosti in večje škode na premoženju okupacijskih sil ali uprave ali na infrastrukturi, ki jo te sile ali uprava uporabljajo, se lahko kaznujejo z internacijo ali običajnim zaporom, če je trajanje take internacije ali zapora sorazmerno s težo storjene kršitve. Pri

### *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.

### *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

takih kršitvah je internacija ali zapor edini ukrep za odvzem prostosti zaščitenim osebam. Sodišča iz 66. člena te konvencije lahko kazen zopora po lastni presoji spremenijo v enako dolgo internacijo.

Na podlagi kazenskih določb, ki jih razglasi okupacijska sila v skladu s 64. in 65. členom, se zaščiteni osebi lahko izreče smrtna kazen le, če je kriva vohunstva, hude sabotaže vojaške infrastrukture okupacijske sile ali naklepnih dejanj, ki so povzročila smrt ene osebe ali več oseb, pod pogojem, da je zakonodaja okupiranega ozemlja, ki je veljala pred okupacijo, za take kršitve določala smrtno kazen.

Smrtna kazen se zaščiteni osebi ne sme izreči, če sodišče ni posebej opozorjeno na dejstvo, da obdolženec ni državljan okupacijske sile in ji zato ni dolžan biti lojalen.

Smrtna kazen se ne sme izreči zaščiteni osebi, ki je ob storitvi kršitve mlajša od osemnajstih let.

#### *69. člen*

Čas, ki ga zaščiteni oseba, obdolžena kršitve, prebije v priporu, se vedno všteje v izrečeno kazen zopora.

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.

## *70. člen*

Okupacijska sila zaščitenim osebam ne sme odvzeti prostosti, jih preganjati ali obsoditi za dejanja, storjena pred okupacijo ali med njeno začasno prekinitvijo, ali za mnenja, izražena pred okupacijo ali med njeno začasno prekinitvijo, razen za kršitve vojnega prava in običajev vojne.

Državljeni okupacijske sile, ki so pred začetkom sovražnosti poskušali zatočišče na ozemlju okupirane države, se ne smejo prijati, preganjati, obsoditi ali deportirati z okupiranega ozemlja, razen zaradi kršitev, storjenih po začetku sovražnosti, ali kršitev po splošnem pravu, storjenih pred začetkom sovražnosti, ki bi po pravu okupirane države upravičile izročitev v miru.

## *71. člen*

Pristojna sodišča okupacijske sile ne izrečejo nobene sodbe brez predhodnega rednega sojenja.

Obdolženci, ki jih okupacijska sila preganja, se o podrobnostih obtožbe takoj pisno obvestijo v jeziku, ki ga razumejo, in čim prej privedejo pred sodišče. Sila zaščitnica se obvesti o vseh postopkih, ki jih okupacijska sila začne proti zaščitenim osebam v zvezi z obtožbami, ki vključujejo smrtno kazen ali kazen dveh ali več let zapora; sili zaščitnici se omogoči, da kadar koli pridobi informacije o poteku teh postopkov. Poleg tega ima sila zaščitnica pravico, da na zahtevo pridobi vse podatke o teh postopkih in o vseh drugih postopkih, ki jih okupacijska sila začne proti zaščitenim osebam.

### *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 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.

Obvestilo sili zaščitnici iz drugega odstavka se pošlje takoj, sila zaščitnica pa ga mora vsekakor dobiti tri tedne pred dnevom prve obravnave. Če se na začetku sojenja ne predloži dokaz, da se določbe tega člena v celoti spoštujejo, se sojenje ne nadaljuje. Obvestilo vsebuje te podatke:

- a) opis obdolženca;
- b) kraj bivanja ali pripora;
- c) opis obtožbe ali obtožb (z navedbo kazenskih določb, na katerih temeljijo);
- d) navedbo sodišča, ki bo obravnavalo zadevo;
- e) kraj in datum prve obravnave.

#### *72. člen*

Obdolženci imajo pravico predstaviti dokaze v svojo obrambo in povabiti priče. Imajo pravico do pomoči odvetnika ali zagovornika po lastni izbiri, ki jih lahko prosto obiskuje in ima na voljo vse potrebno za pripravo obrambe.

Če obdolženec ni izbral odvetnika ali zagovornika, mu ga lahko zagotovi sila zaščitnica. Če obdolženec odgovarja na hudo obtožbo, sile zaščitnice pa ni, mu odvetnika ali zagovornika z njegovim soglasjem zagotovi okupacijska sila.

Obdolžencem med preiskavo in obravnavo na sodišču pomaga tolmač, razen če se mu prostovoljno odrečejo. Imajo pravico, da tolmaču kadar koli ugovarjajo ali zahtevajo njegovo zamenjavo.

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.

### *73. člen*

Obsojenec ima pravico do pritožbe, določene z zakonodajo, ki jo uporablja sodišče. V celoti ga je treba poučiti o njegovi pravici do vložitve pritožbe ali prošnje in o roku, v katerem to lahko stori.

Če je mogoče, se kazenski postopek, ki ga določa ta oddelek, uporablja za pritožbe. Kadar zakonodaja, ki jo uporablja sodišče, ne določa pritožbe, ima obsojenec pravico, da v zvezi z razsodbo in kaznijo vloži prošnjo pri pristojnem organu okupacijske sile.

### *74. člen*

Predstavniki sile zaščitnice se imajo pravico udeležiti sojenja kateri koli zaščiteni osebi, razen če je obravnava izjemoma zaprta za javnost zaradi varnosti okupacijske sile, ki o tem uradno obvesti silo zaščitnico. Sila zaščitnica se uradno obvesti o datumu in kraju sojenja.

Sili zaščitnici se čim prej sporoči vsaka sodba, s katero se izreka smrtna kazen ali kazen dveh ali več let zapor, in njena obrazložitev. Obvestilo vsebuje sklic na obvestilo, poslano v skladu z 71. členom, in pri zaporni kazni kraj, v katerem se bo kazen prestajala. Sodišče vodi tudi evidenco drugih sodb, ki je predstavnikom sile zaščitnice na voljo za vpogled. Pri smrtni kazni ali kazni dveh ali več let zapor začnejo roki za vložitev pritožbe teči, potem ko sila zaščitnica prejme obvestilo o sodbi.

### 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 *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

#### *75. člen*

Osebam, obsojenim na smrt, se nikakor ne odvzame pravica do prošnje za pomilostitev ali odlog izvršitve smrtne kazni.

Nobena smrtna kazen se ne izvrši pred potekom najmanj šestih mesecev od dneva, ko sila zaščitnica prejme obvestilo o pravnomočni sodbi, ki potrjuje smrtno kazen, ali sklep, s katerim se zavrne prošnja za pomilostitev ali odlog izvršitve smrtne kazni.

V posameznih primerih se obdobje šestih mesecev, za katero se odloži izvršitev smrtne kazni, lahko skrajša v izrednih razmerah, ki vključujejo organizirano ogrožanje varnosti okupacijske sile ali njenih oboroženih sil, pod pogojem, da se sila zaščitnica vedno obvesti o skrajšanem obdobju in ima možnost, da pristojnim okupacijskim oblastem v razumnem roku poda izjavo v zvezi s smrtno kaznijo.

#### *76. člen*

Zaščitene osebe, ki so obdolžene kršitev, se pridržijo v priporu v okupirani državi, kjer tudi prestajajo kazen, če so obsojene. Če je mogoče, se ločijo od drugih pridržanih oseb, zagotovita pa se jim ustrezna hrana in higiena, da ostanejo zdravi, ki sta najmanj enaki hrani in higieni v zaporih okupirane države.

Zagotovi se jim zdravstvena oskrba, ki jo zahteva njihovo zdravstveno stanje.

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.

Te osebe imajo pravico tudi do duhovne oskrbe, ki jo lahko zahtevajo.

Ženske se zaprejo v ločene prostore in so pod neposrednim nadzorom žensk.

Z mladoletniki je treba ravnati še posebej skrbno.

Zaščitene osebe, ki so v priporu, imajo pravico, da jih obiščejo delegati sile zaščitnice in Mednarodnega odbora Rdečega križa v skladu z določbami 143. člena.

Te osebe imajo pravico prejeti najmanj en paket pomoči na mesec.

#### *77. člen*

Zaščitene osebe, ki so obdolžene kršitev ali so jih obsodila sodišča na okupiranem ozemlju, se po koncu okupacije skupaj z ustreznimi spisi predajo oblastem osvobojenega ozemlja.

#### *78. člen*

Če okupacijska sila meni, da je treba zaradi nujnih varnostnih razlogov sprejeti varnostne ukrepe v zvezi z zaščitnimi osebami, jih v skrajnem primeru lahko pošlje na prisilno bivanje ali jih internira.

Odločitve o prisilnem bivanju ali internaciji se sprejmejo po rednem postopku, ki ga predpiše okupacijska sila v skladu z določbami te konvencije. Ta postopek vključuje pravico udeleženih strani do pritožbe. Odločitve o pritožbah se sprejmejo v najkrajšem možnem času. Če je odločitev potrjena, jo pristojno telo, ki ga ustanovi okupacijska sila, redno, če je le mogoče vsakih šest mesecev, preverja.

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.

#### *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

Za zaščitene osebe, ki so poslane na prisilno bivanje in morajo zato zapustiti svoje domove, velja 39. člen te konvencije brez kakršnih koli omejitev.

IV. ODDELEK  
PRAVILA O RAVNANJU Z INTERNIRANCI  
*I. POGLAVJE*  
*SPLOŠNE DOLOČBE*

*79. člen*

Strani v spopadu internirajo zaščitene osebe samo v skladu z določbami 41., 42., 43., 68. in 78. člena.

*80. člen*

Interniranci ohranijo polno pravno sposobnost in uveljavljajo pravice v skladu s svojim položajem.

*81. člen*

Strani v spopadu, ki internirajo zaščitene osebe, so jim dolžne zagotoviti brezplačno vzdrževanje in zdravstveno oskrbo, ki jo zahteva njihovo zdravstveno stanje.

Dovoljen ni noben odbitek od sredstev, plač ali terjatev internirancev zaradi plačila teh stroškov.

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.

Sila, ki pridržuje internirance, zagotovi vzdrževanje oseb, ki so odvisne od njih, če te osebe nimajo ustreznih sredstev za preživljanje ali se niso sposobne same preživljati.

#### *82. člen*

Sila, ki pridržuje internirance, jih, kolikor je to mogoče, nastani po narodni pripadnosti, jeziku in običajih. Interniranci, ki so državljani iste države, se ne smejo ločiti od drugih le zato, ker govorijo drug jezik.

Člani iste družine, zlasti starši in otroci, so med internacijo nastanjeni v istem kraju interniranja, razen če je začasna ločitev potrebna zaradi dela, zdravstvenih razlogov ali uveljavljanja določb iz IX. poglavja tega oddelka. Interniranci lahko zahtevajo, da se njihovi otroci, ki so ostali na prostosti brez starševskega varstva, internirajo skupaj z njimi.

Kadar je le mogoče, se člani iste družine nastanijo v istih prostorih, ločeno od drugih internirancev, pri čemer se jim omogoči primerno družinsko življenje.

## *II. POGlavJE* *KRAJI INTERNIRANJA*

#### *83. člen*

Sila, ki pridržuje zaščitene osebe, ne določi krajev interniranja na območjih, ki so posebej izpostavljena vojnim nevarnostim.

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.

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.

Sila, ki pridržuje zaščitene osebe, sovražnim silam prek sil zaščitnic sporoči vse koristne informacije o zemljepisni legi krajev interniranja.

Kadar koli je to mogoče zaradi vojaških razlogov, se internacijska taborišča označijo s črkama IC, ki morata biti podnevi jasno vidni iz zraka. Te sile se lahko dogovorijo tudi o drugačnem načinu označevanja. Tako smejo biti označena le internacijska taborišča.

#### *84. člen*

Internirance je treba nastaniti in oskrbovati ločeno od vojnih ujetnikov in oseb, ki jim je bila odvzeta prostost iz drugih razlogov.

#### *85. člen*

Sila, ki pridržuje zaščitene osebe, mora sprejeti vse potrebne in možne ukrepe, s katerimi zagotovi, da se zaščitene osebe ob internaciji nastanijo v zgradbah ali četrtih, v katerih so zagotovljene primerne higienske in zdravstvene razmere ter zaščita pred vremenskimi vplivi in učinki vojne. Stalni kraji interniranja nikakor niso na nezdravih območjih ali območjih, kjer je podnebje škodljivo za internirance. Če je območje, na katerem je zaščitena oseba začasno internirana, nezdravo ali je njegovo podnebje škodljivo za njeno zdravje, se ta oseba, takoj ko je to mogoče, premesti v ustrežnejši kraj interniranja.

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

Prostori so popolnoma zaščiteni pred vlago, ustrezno ogrevani in osvetljeni, zlasti od mraka do ugašanja luči. Spalnice so dovolj prostorne in dobro prezračene, interniranci pa imajo na voljo ustrezno posteljnino in dovolj odej glede na podnebje, svojo starost, spol in zdravstveno stanje.

Interniranci imajo podnevi in ponoči na voljo sanitarije, ki ustrezajo higienskimi merilom in se stalno čistijo. Zagotovi se jim dovolj vode in mila za dnevno osebno higieno in pranje perila; za ta namen se jim zagotovijo ustrezna oprema in prostori. Na voljo so tudi prhe ali kopalne kadi. Za pranje in čiščenje se jim zagotovi potreben čas.

Kadar je treba internirane ženske, ki niso članice družinske skupnosti, izjemoma in začasno nastaniti v istem kraju interniranja kot moške, se jim obvezno zagotovijo ločene spalnice in sanitarije.

#### *86. člen*

Sila, ki pridržuje internirance, jim ne glede na njihovo versko pripadnost zagotovi primerne prostore za opravljanje njihovih verskih obredov.

#### *87. člen*

V vsakem kraju interniranja se namestijo kantine, razen če so na voljo druge ustrezne možnosti. Njihov namen je omogočiti internirancem nakup živil in predmetov za vsakdanjo rabo, vključno z milom in tobakom, po cenah, ki niso višje od krajevnih tržnih cen, za izboljšanje njihovega osebnega počutja in udobja.

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 necessary 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 foodstuffs and articles of everyday use, including

Dobiček kantin se vplačuje v sklad za pomoč, ki se ustanovi v vsakem kraju interniranja in upravlja v korist oseb, interniranih v tem kraju. Odbor internirancev iz 102. člena ima pravico preverjati upravljanje kantine in navedenega sklada.

Kadar se kraj interniranja zapre, se sredstva iz sklada za pomoč prenesejo v sklad za pomoč v drugem kraju interniranja, namenjen internirancem z istim državljanstvom, ali če takega kraja ni, v osrednji sklad za pomoč, ki se upravlja v korist vseh internirancev, ki jih pridržuje ista sila. Pri splošni osvoboditvi dobiček zadrži sila, ki je osebe pridrževala, razen če se sile, na katere se to nanaša, ne dogovorijo drugače.

#### *88. člen*

V vseh krajih interniranja, ki so izpostavljeni letalskim napadom in drugim vojnim nevarnostim, se zgradi dovolj ustreznih zaklonišč, ki zagotavljajo potrebno zaščito. Ob alarmu se internirancem omogoči čim hitrejši dostop do zaklonišč, razen tistim, ki ostanejo zaradi zaščite svojih prostorov pred navedenimi nevarnostmi. Zanje veljajo vsi zaščitni ukrepi, sprejeti v korist prebivalstva.

V krajih interniranja se sprejmejo vsi potrebni previdnostni ukrepi za zaščito pred požarom.

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.

### III. POGLAVJE HRANA IN OBLAČILA

#### 89. člen

Internirancem se zagotovijo obroki hrane, ki so ustrezni glede količine, kakovosti in raznovrstnosti, da se ohrani dobro zdravstveno stanje internirancev in prepreči podhranjenost. Upoštevajo se tudi prehranske navade internirancev.

Internirancem se omogoči, da si sami pripravljajo kakršno koli dodatno hrano, če jo imajo.

Internirancem se zagotovi dovolj pitne vode. Dovoljena je uporaba tobaka.

Interniranci, ki delajo, dobivajo dodatne obroke hrane glede na delo, ki ga opravljajo.

Nosečnice, doječe matere in otroci, mlajši od petnajstih let, dobivajo dodatno hrano glede na njihove fiziološke potrebe.

#### 90. člen

Ob pridržanju se internirancem omogoči, da si prisrkbijo potrebna in pozneje po potrebi dodatna oblačila, obutev in spodnje perilo. Če interniranci glede na vremenske razmere nimajo dovolj oblačil niti nimajo možnosti, da si jih prisrkbijo, jim jih brezplačno zagotovi sila, ki jih pridržuje.

Oblačila, ki jih internirancem zagotovi sila, ki jih pridržuje, in zunanje oznake na njihovih oblačilih so taki, da jih ne spravljajo v zadrego ali izpostavljajo posmehu.

*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.

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.

Delavci prejmejo ustrezna delovna oblačila, vključno z zaščitno obleko, kadar koli to zahteva njihovo delo.

#### *IV. POGlavJE* *HIGIENA IN ZDRAVSTVENA OSKRBA*

##### *91. člen*

Vsak kraj interniranja ima primerno ambulanto, ki jo vodi usposobljen zdravnik in v kateri interniranci lahko dobijo potrebno oskrbo in ustrezno predpisano dieto. Za bolnike z nalezljivimi ali duševnimi boleznimi se uredijo izolacijski oddelki.

Porodnice in hudo bolne internirance ali bolnike, ki potrebujejo posebno zdravljenje, kirurški poseg ali bolnišnično oskrbo, sprejme vsaka ustanova, ki jim lahko zagotovi ustrezno zdravljenje, pri čemer njihova oskrba ne sme biti slabša kot oskrba drugega prebivalstva.

Internirance, če je le mogoče, neguje zdravstveno osebje njihove narodne pripadnosti.

Internirancem se ne sme preprečiti pregled pri zdravstvenih oblasteh. Zdravstvene oblasti sile, ki pridržuje zaščitene osebe, vsakemu internirancu, ki je bil zdravljen, na njegovo zahtevo izdajo uradno potrdilo o njegovi bolezni ali poškodbi ter trajanju in načinu zdravljenja. Dvojniki tega potrdila se pošlje osrednji agenciji iz 140. člena.

Zdravljenje, vključno z vsemi potrebnimi pripomočki za vzdrževanje dobrega zdravstvenega stanja internirancev, zlasti zobnimi in drugimi protezami ter očali, je za internirance brezplačno.

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.

## *92. člen*

Interniranci so najmanj enkrat na mesec zdravstveno pregledani. Ti pregledi so namenjeni zlasti spremljanju splošnega zdravstvenega stanja, prehrane in čistoče internirancev ter odkrivanju nalezljivih bolezni, zlasti tuberkuloze, malarije in spolno prenosljivih bolezni. Vključujejo zlasti merjenje telesne teže vsakega interniranca in najmanj enkrat na leto rentgenski pregled.

## *V. POGLAVJE* *VERSKÉ, UMSKE IN TELESNE DEJAVNOSTI*

## *93. člen*

Interniranci so pri opravljanju svojih verskih dolžnosti, vključno z udeležbo pri verskih obredih, popolnoma svobodni pod pogojem, da upoštevajo disciplinska pravila, ki so jih predpisale oblasti, ki jih pridržujejo.

Internirano versko osebje sme za člane svoje skupnosti svobodno opravljati verske obrede. Sila, ki pridržuje internirance, versko osebje pravično razporedi po različnih krajih interniranja, v katerih so interniranci, ki govorijo isti jezik in so iste vere. Če je verskega osebja premalo, mu sila, ki pridržuje internirance, omogoči gibanje iz enega kraja interniranja v drug kraj, tudi tako, da mu zagotovi prevozna sredstva, in mu dovoli obiskovati internirance, ki so v bolnišnici. Versko osebje si o zadevah v zvezi s svojimi nalogami lahko prosto dopisuje z verskimi oblastmi države, v kateri so pridržani, če je mogoče, pa tudi z mednarodnimi verskimi organizacijami svoje veroizpovedi. Tako dopisovanje se ne šteje za del kvote iz 107. člena. Kljub temu zanj veljajo določbe 112. člena.

*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

Kadar interniranci nimajo na voljo pomoči verskega osebja svoje veroizpovedi ali je verskega osebja premalo, lahko lokalne verske oblasti iste veroizpovedi v dogovoru s silo, ki pridržuje internirance, imenujejo člana verskega osebja veroizpovedi, ki ji pripadajo interniranci, ali če je z vidika ustrezne veroizpovedi sprejemljivo, člana verskega osebja podobne vere ali usposobljenega laika. Ta oseba uživa ugodnosti, ki ji pripadajo zaradi nalog, ki jih je prevzela. Tako imenovane osebe upoštevajo vsa pravila glede discipline in varnosti, ki jih določi sila, ki pridržuje internirance.

#### *94. člen*

Sila, ki pridržuje internirance, spodbuja njihove umske, izobraževalne, rekreacijske in športne dejavnosti, pri čemer se vsak od njih svobodno odloči, ali bo pri teh dejavnostih sodeloval ali ne. Sila, ki pridržuje internirance, sprejme vse možne ukrepe za zagotavljanje opravljanja teh dejavnosti, zlasti z zagotovitvijo primernih prostorov.

Internirancem se zagotovi vse potrebno za nadaljevanje ali začetek novega študija. Otrokom in mladini se zagotovi izobraževanje; lahko hodijo v šolo v kraju interniranja ali zunaj njega.

Interniranci imajo možnost telesne vadbe, ukvarjanja s športom in igrami na prostem. Za to se v vseh krajih interniranja zagotovi dovolj odprtih prostorov. Za otroke in mladino se namenijo posebna igrišča.

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.

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 be reserved for children and young people.

Sila, ki pridržuje internirance, jih zaposli kot delavce le, če to sami želijo. Prisilno delo zaščitene osebe, ki ni internirana, bi pomenilo kršitev 40. ali 51. člena te konvencije, delo na delovnih mestih, ki so sramotilna ali ponižujoča, pa je vedno prepovedano.

Interniranci lahko po končanem šesttedenskem delu kadar koli prenehajo delati po osemdnevnem odpovednem roku.

Te določbe ne omejujejo pravice sile, ki pridržuje internirance, da zaposli internirane zdravnike, zobozdravnike ali drugo zdravstveno osebje, da v okviru svoje poklicne dejavnosti pomagajo osebam, ki so internirane z njimi, ali da zaposli internirance za opravljanje upravnih in vzdrževalnih del v krajih interniranja in pri kuhinjskih ali drugih gospodinjskih opravilih ali od njih zahteva, da opravljajo naloge v zvezi z zaščito internirancev pred zračnim bombardiranjem ali drugimi vojnimi nevarnostmi. Od nobenega interniranca se ne sme zahtevati, da opravlja dela, za katera je po mnenju vojaškega zdravnika telesno nezmožen.

Sila, ki pridržuje internirance, je v celoti odgovorna za delovne razmere, zdravstveno oskrbo, izplačilo plač in zagotavljanje odškodnin vsem zaposlenim internirancem za nesreče pri delu in poklicne bolezni. Standardi, ki so predpisani za delovne razmere in odškodnino, so v skladu z notranjo zakonodajo in drugimi predpisi ter prakso in nikakor niso nižji od tistih, ki se uporabljajo za enako delo na istem območju. Plačilo za opravljeno delo se pravično določi s posebnimi sporazumi med interniranci, silo, ki jih pridržuje, in po potrebi drugimi delodajalci ob upoštevanju obveznosti sile, ki pridržuje internirance, da jih brezplačno vzdržuje in jim zagotavlja zdravstveno oskrbo, ki jo zahteva njihovo zdravstveno stanje. Interniranci, ki stalno opravljajo dela, navedena v tretjem odstavku tega

*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

člena, prejemajo od sile, ki jih pridržuje, pošteno plačilo. Delovne razmere in odškodnine za nesreče pri delu in poklicne bolezni za te internirance niso manj ugodne od tistih, ki veljajo za enako delo na istem območju.

*96. člen*

Vse delovne enote ostanejo del kraja interniranja in so od njega odvisne. Pristojne oblasti sile, ki pridržuje internirance, in poveljnik kraja interniranja so odgovorni za spoštovanje določb te konvencije v delovnih enotah. Poveljnik vodi sprotno posodobljen seznam delovnih enot, ki so mu podrejene, in ga pošlje delegatom sile zaščitnice, Mednarodnega odbora Rdečega križa in drugih humanitarnih organizacij, ki lahko obišejo kraje interniranja.

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.

VI. POGLAVJE  
OSEBNA LASTNINA IN FINANČNA SREDSTVA

97. člen

Interniranci smejo zadržati predmete za osebno rabo. Denar, čeki, vrednostni papirji itd. in dragocenosti, ki jih imajo pri sebi, se jim lahko odvzamejo samo v skladu z ustaljenim postopkom. Zanje se jim izda podrobno potrdilo.

Zneski se plačajo na račun vsakega interniranca, kot določa 98. člen. Ti zneski se ne smejo zamenjati v drugo valuto, razen če tako določa zakonodaja, ki velja na ozemlju, na katerem je lastnik interniran, ali če interniranec soglaša s tem.

Predmeti, ki imajo zlasti osebno ali čustveno vrednost, se ne smejo odvzeti.

Internirano žensko lahko preišče samo ženska.

Pri osvoboditvi ali repatriaciji se internirancem vrnejo vsi predmeti, denar in druge dragocenosti, ki so jim bili odvzeti med internacijo, razen predmetov ali zneskov, ki jih na podlagi veljavne zakonodaje zadrži sila, ki jih pridržuje, morebitni saldo v dobro na njihovem računu pa se jim izplača v denarju v skladu z 98. členom. Če se internirančeva lastnina tako zadrži, lastnik prejme podrobno potrdilo.

Družinski ali osebni dokumenti, ki jih imajo interniranci, se jim ne smejo odvzeti brez izdaje potrdila. Interniranci ne smejo nikoli biti brez osebnih dokumentov. Če jih nimajo, jim oblasti, ki jih pridržujejo, izdajo posebne dokumente, ki do konca internacije veljajo za njihove osebne dokumente.

*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.

Interniranci imajo lahko pri sebi določen znesek v gotovini ali v obliki nakupovalnih bonov, ki jim omogoča nakupovanje.

### *98. člen*

Vsi interniranci redno prejemajo sredstva, ki zadoščajo za nakup blaga in predmetov, kot so tobak, toaletne potreščine itd. Ta sredstva so lahko v obliki dobroimetja ali nakupovalnih bonov.

Poleg tega interniranci lahko prejemajo sredstva od sile, ki ji pripadajo, sil zaščitnic, organizacij, ki jim morda pomagajo, ali svojih družin, pa tudi dohodek iz svojega premoženja v skladu z zakonodajo sile, ki jih pridržuje. Višina sredstev, ki jo odobri sila, ki ji interniranci pripadajo, je enaka za vse skupine internirancev (onemogli, bolni, nosečnice itd.), teh sredstev pa ta sila ne sme dodeliti niti jih ne sme sila, ki pridržuje internirance, razdeljevati na podlagi kakršne koli diskriminacije med interniranci, ki jo prepoveduje 27. člen te konvencije.

Sila, ki pridržuje internirance, za vsakega od njih odpre račun, na katerega se nakazujejo sredstva iz tega člena, plače, ki jih interniranec zasluži, in denarne pošiljke, ki jih prejme, v dobro pa se zabeležijo tudi vsote, ki se mu odvzamejo in bi mu bile lahko na voljo po zakonodaji, ki velja na ozemlju, kjer je interniran. Internirancem se v skladu z veljavno zakonodajo na tem ozemlju zagotovi vse potrebno za pošiljanje denarja svojcem in drugim osebam, ki so odvisne od njih. S svojega računa lahko dvignejo zneske za osebne izdatke v okviru omejitev, kakor jih določi sila, ki jih pridržuje. Vedno se jim omogoči vpogled v njihov račun in pridobitev izpiska računa. Sili zaščitnici se na zahtevo zagotovi izpis stanja na računu, ki spremlja interniranca ob premestitvi.

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 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

VII. POGLAVJE  
UPRAVA IN DISCIPLINA

99. člen

Vsak kraj interniranja je pod oblastjo odgovornega častnika rednih vojaških sil ali uradnika redne civilne uprave sile, ki pridružuje zaščitene osebe. Častnik ali uradnik, ki je odgovoren za kraj interniranja, mora imeti izvod te konvencije v uradnem jeziku ali enem od uradnih jezikov svoje države in je odgovoren za njeno uporabo. Osebje, ki nadzoruje internirance, je poučeno o določbah te konvencije in sprejetih upravnih ukrepih, ki zagotavljajo njeno uporabo.

Besedilo te konvencije in besedila posebnih sporazumov, sklenjenih na podlagi te konvencije, se izobesijo v kraju interniranja v jeziku, ki ga interniranci razumejo, ali pa jih ima odbor internirancev.

Predpisi, ukazi, obvestila in objave vseh vrst se sporočijo internancem in so izobešeni v kraju interniranja v jeziku, ki ga interniranci razumejo.

Vsi ukazi in povelja, namenjeni posameznim internancem, so v jeziku, ki ga ti razumejo.

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.

### *100. člen*

Disciplinska ureditev v krajih interniranja je v skladu s humanitarnimi načeli in nikakor ne vsebuje pravil, ki internirancem nalagajo telesne napore, nevarne za njihovo zdravje, ali vključujejo telesno ali moralno viktimizacijo. Prepovedano je tetoviranje in vtiiskanje znakov ali znamenj na telo zaradi identificiranja.

Še posebej so prepovedani dolgotrajno stanje in poimensko klicanje, kaznovanje z drilom, vojaške vaje in manevri ter zmanjšanje obrokov hrane.

### *101. člen*

Interniranci imajo pravico, da pri oblasteh, pod oblastjo katerih so, vlagajo prošnje v zvezi z internacijskimi razmerami, v katerih živijo.

Interniranci imajo tudi pravico, da se brez omejitev prek odbora internirancev, ali če se jim zdi potrebno, tudi neposredno obrnejo na predstavnike sile zaščitnice glede vseh zadev v zvezi z internacijskimi razmerami, zaradi katerih se pritožujejo.

Prošnje in pritožbe se takoj nespremenjene pošljejo naprej; tudi če se izkažejo za neutemeljene, ne smejo biti povod za kaznovanje.

Odbori internirancev lahko predstavnikom sile zaščitnice pošiljajo redna poročila o razmerah v krajih interniranja in o potrebah internirancev.

### *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.

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.

### *102. člen*

V vsakem kraju interniranja interniranci vsakih šest mesecev svobodno in s tajnim glasovanjem volijo člane odbora, pooblaščne, da jih zastopajo pred silo, ki jih pridržuje, silami zaščitnicami, Mednarodnim odborom Rdečega križa in vsako drugo organizacijo, ki jim lahko pomaga. Člani odbora so lahko znova izvoljeni.

Tako izvoljeni interniranci prevzamejo svoje naloge šele potem, ko njihovo izvolitev potrdijo oblasti, ki jih pridržujejo. Razlogi za vse morebitne zavrnitve ali razrešitve se sporočijo silam zaščitnicam.

### *103. člen*

Odbori internirancev skrbijo za telesno, duševno in umsko dobro počutje internirancev.

Če se interniranci odločijo, da bodo vzpostavili vzajemno pomoč, so za to pristojni odbori, ki to nalogo opravljajo poleg posebnih nalog, za katere so zadolženi na podlagi drugih določb te konvencije.

### *104. člen*

Od članov odbora internirancev se ne zahteva, da opravljajo še druga dela, če bi to otežilo opravljanje njihovih nalog.

Člani odbora internirancev lahko iz vrst internirancev imenujejo pomočnike, ki jih potrebujejo. Zagotovi se jim vse potrebno, zlasti delna svoboda gibanja, ki jo potrebujejo za opravljanje svojih nalog (obiski delovnih enot, prevzem pošiljk itd.).

### *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

Članom odborov internirancev se zagotovi vse potrebno za komuniciranje po pošti in telegrafu z oblastmi, ki jih pridržujejo, silami zaščitnicami, Mednarodnim odborom Rdečega križa in njihovimi delegati ter organizacijami za pomoč internirancem. Članom odbora v delovnih enotah se prav tako zagotovi vse potrebno za komuniciranje z odborom internirancev v glavnem kraju interniranja. Tako komuniciranje se ne omejuje in se ne šteje za del kvote iz 107. člena.

Članom odborov internirancev, ki so premeščeni, se zagotovi dovolj časa, da svoje naslednike seznanijo s tekočimi zadevami.

## *VIII. POGLAVJE* *STIKI Z ZUNANJIM SVETOM*

### *105. člen*

Sile, ki pridržujejo zaščitene osebe, takoj po interniranju seznanijo internirance, silo, ki ji pripadajo, in njihovo silo zaščitnico s sprejetimi ukrepi za izvajanje določb tega poglavja. Sile, ki pridržujejo zaščitene osebe, obvestijo te strani tudi o vseh poznejših spremembah teh ukrepov.

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 Chapter. The Detaining Powers shall likewise inform the Parties concerned of any subsequent modifications of such measures.

### *106. člen*

Vsakemu internirancu se takoj po interniranju ali najpozneje teden dni po prihodu v kraj interniranja in tudi ob boleznih ali premestitvi v drug kraj interniranja ali bolnišnico omogoči, da pošlje neposredno svoji družini in osrednji agenciji iz 140. člena dopisnico o interniranju, ki je, če je le mogoče, podobna vzorcu, priloženemu tej konvenciji, in s katero jih obvesti o svojem pridržanju, naslovu in zdravstvenem stanju. Dopisnice se pošljejo čim prej in se nikakor ne smejo zadrževati.

### *107. člen*

Interniranci smejo pošiljati ter prejemati pisma in dopisnice. Če sila, ki pridržuje internirance, meni, da je treba omejiti število pisem in dopisnic, ki jih pošlje vsak interniranec, to število ne sme biti manjše od dveh pisem in štirih dopisnic na mesec; oblikovati jih je treba tako, da so čim bolj podobni vzorcem, priloženim tej konvenciji. Če je treba omejiti korespondenco, naslovljeno na internirance, to omejitev lahko odredi samo sila, ki ji interniranci pripadajo, lahko tudi na zahtevo sile, ki jih pridržuje. Pisma in dopisnice se pošljejo v razumnem roku; ne smejo se zadrževati iz disciplinskih razlogov.

### *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.

Interniranci, ki so dolgo brez novic ali jih od svojih sorodnikov ne morejo prejemati ali jim jih pošiljati po redni pošti, in tudi tisti, ki so zelo oddaljeni od svojih domov, smejo pošiljati telegrame, pri čemer stroške plačajo v valuti, ki jim je na voljo. To določbo lahko uporabijo tudi v nujnih primerih.

Interniranci si praviloma dopisujejo v svojem jeziku. Strani v spopadu lahko dovolijo dopisovanje v drugih jezikih.

### *108. člen*

Interniranci smejo po pošti ali drugače prejemati osebne ali skupinske pošiljke, ki vsebujejo zlasti hrano, oblačila, zdravila, medicinske pripomočke in tudi knjige ter predmete za njihove verske, izobraževalne ali rekreativne potrebe. Take pošiljke nikakor ne odvezujejo sile, ki pridržuje internirance, njenih obveznosti po tej konvenciji.

Če je treba zaradi vojaške nujnosti omejiti količino takih pošiljk, se o tem ustrezno obvestita sila zaščitnica in Mednarodni odbor Rdečega križa ali vsaka druga organizacija, ki pomaga internirancem in je odgovorna za pošiljanje teh pošiljk.

Načini pošiljanja osebnih in skupinskih pošiljk se po potrebi določijo s posebnimi sporazumi med temi silami, ki nikakor ne smejo odlašati z razdelitvijo poslani pomoči internirancem. Knjige se ne smejo pošiljati skupaj s hrano ali oblačili. Zdravila in medicinski pripomočki se praviloma pošiljajo v skupinskih pošiljkah.

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 of such shipments.

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

### *109. člen*

Če strani v spopadu med seboj nimajo sklenjenih posebnih sporazumov o načinih prejemanja in razdeljevanja pošiljk skupinske pomoči, se uporablja pravilnik o skupinski pomoči, ki je priložen tej konvenciji.

Navedeni posebni sporazumi nikakor ne omejujejo pravice odbora internirancev do prevzemanja pošiljk skupinske pomoči, ki so namenjene internirancem, njihovega razdeljevanja in razpolaganja z njimi v korist prejemnikov.

Taki sporazumi prav tako ne omejujejo pravice predstavnikov sil zaščitnic, Mednarodnega odbora Rdečega križa ali vsake druge organizacije, ki pomaga internirancem in je odgovorna za pošiljanje skupinskih pošiljk, do nadziranja razdeljevanja teh pošiljk prejemnikom.

### *110. člen*

Vse pošiljke pomoči, namenjene internirancem, se oprostijo vseh uvoznih, carinskih in drugih dajatev.

Vse po pošti poslane pošiljke, tudi paketi pomoči in denarne pošiljke, ki prihajajo iz drugih držav in so naslovljene na internirance ali jih pošiljajo interniranci neposredno ali prek informacijskih uradov iz 136. člena in osrednje agencije za obveščanje iz 140. člena, se oprostijo poštnine v izvorni državi, ciljni državi in vmesnih državah. Zato oprostitev, ki jo določajo Svetovna poštna konvencija iz leta 1947 in sporazumi Svetovne poštno zveze za korist civilnih oseb sovražnikovega državljanstva, pridržanih v taboriščih ali civilnih zaporih, velja tudi za druge internirance, ki jih štiti ta

### *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

konvencija. Države, ki niso podpisnice navedenih sporazumov, morajo zagotoviti oprostitve dajatev pod enakimi pogoji.

Stroške prevoza pošiljk pomoči, ki so namenjene internirancem in se zaradi teže ali drugega vzroka ne morejo poslati po pošti, na vseh ozemljih pod svojim nadzorom krije sila, ki pridržuje internirance. Druge sile, ki so pogodbenice te konvencije, krijejo stroške prevoza na svojih ozemljih.

Stroške v zvezi s prevozom takih pošiljk, ki niso zajeti v prejšnjih odstavkih, krijejo pošiljatelji.

Visoke pogodbenice si prizadevajo kar najbolj zmanjšati pristojbine za telegrame, ki jih pošiljajo interniranci ali so nanje naslovljeni.

#### *111. člen*

Če vojaške operacije preprečijo silam, da bi izpolnile svoje obveznosti zagotavljanja prevoza pošte in pošiljk pomoči, kot določajo 106., 107., 108. in 113. člen, lahko sile zaščitnice, Mednarodni odbor Rdečega križa ali vsaka druga organizacija, ki jo strani v spopadu pravilno odobrijo, prevzame prevoz teh pošiljk z ustreznimi sredstvi (vlak, motorna vozila, plovila, zrakoplov itd.). Visoke pogodbenice si za to prizadevajo priskrbeti ta prevozna sredstva in jim dovoliti prehod, zlasti z izdajo potrebnih dovolilnic.

Tak prevoz se lahko uporablja tudi za pošiljanje:

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.

#### *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) korespondence, seznamov in poročil, ki si jih izmenjujejo osrednja agencija za obveščanje iz 140. člena in nacionalni uradi iz 136. člena;
- b) korespondence in poročil o internirancih, ki si jih sile zaščitnice, Mednarodni odbor Rdečega križa in druge organizacije, ki pomagajo internirancem, izmenjujejo s svojimi delegati ali stranmi v spopadu.

Te določbe v ničemer ne omejujejo pravice katere koli strani v spopadu, da organizira druga prevozna sredstva, če tako želi, in izdaja dovolilnice za ta prevozna sredstva pod vzajemno dogovorjenimi pogoji.

Stroške, ki nastanejo pri uporabi teh prevoznih sredstev, sorazmerno s pomembnostjo pošiljk krijejo strani v spopadu, katerih državljani imajo od teh pošiljk koristi.

#### *112. člen*

Cenzura korespondence, ki je naslovljena na internirance ali ki jo ti pošiljajo, se opravi čim hitreje.

Pregled pošiljk, namenjenih internirancem, se ne opravlja v razmerah, v katerih bi se blago v pošiljkah pokvarilo. Pregled se opravi v prisotnosti naslovnika ali osebe, internirane skupaj z njim, ki jo naslovník za to pravilno pooblasti. Dostava osebnih ali skupinskih pošiljk internirancem se ne sme odlašati z izgovorom o težavah s cenzuro.

Vsaka prepoved dopisovanja, ki jo odredijo strani v spopadu iz vojaških ali političnih razlogov, je le začasna in čim krajša.

- (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.

### *113. člen*

Sile, ki pridržujejo zaščitene osebe, prek sile zaščitnice ali osrednje agencije iz 140. člena ali kako drugače zagotovijo vse potrebno za pošiljanje oporok, pooblastil, dovoljenj ali drugih dokumentov, ki so namenjeni internirancem ali jih ti pošiljajo.

Sile, ki pridržujejo internirance, vedno omogočijo pripravo in overovitev teh dokumentov v predpisani pravni obliki v imenu internirancev; internirancem omogočijo zlasti posvetovanje s pravnikom.

### *114. člen*

Sila, ki pridržuje internirance, jim zagotovi vse potrebno za upravljanje njihovega premoženja, če to omogočajo internacijske razmere in ni v nasprotju z veljavno zakonodajo. V nujnih primerih in če okoliščine to dopuščajo, jim ta sila lahko dovoli odhod iz kraja interniranja.

### *115. člen*

Vedno kadar je interniranec stranka v postopku, ki ga vodi katero koli sodišče, sila, ki ga pridržuje, na njegovo zahtevo obvesti sodišče o njegovem pridržanju in v zakonskih omejitvah zagotovi sprejetje vseh potrebnih ukrepov za preprečevanje kakršne koli škode, ki bi jo ta interniranec lahko utrpel zaradi internacije v zvezi s pripravo ali vodenjem zadeve ali izvršitvijo sodbe sodišča.

### *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.

### *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.

### *116. člen*

Vsak interniranec sme redno in kolikor je mogoče pogosto sprejemati obiskovalce, zlasti bližnje sorodnike.

Kolikor je to mogoče, smejo interniranci v nujnih primerih obiskati svoj dom, zlasti ob smrti ali hudi bolezni katerega od sorodnikov.

## *IX. POGLAVJE KAZENSKÉ IN DISCIPLINSKE SANKCIJE*

### *117. člen*

Ob upoštevanju določb tega poglavja veljajo za internirance, ki med internacijo storijo kršitev, zakoni, ki veljajo na ozemlju, kjer so pridržani.

Če splošni zakoni, predpisi in ukazi dejanja, ki jih storijo interniranci, določajo za kazniva, pri čemer enaka dejanja niso kazniva, kadar jih storijo osebe, ki niso interniranci, se taka dejanja kaznujejo le disciplinsko.

Interniranec se za isto dejanje ali na podlagi iste obtožbe lahko kaznuje le enkrat.

### *118. člen*

Sodišča ali oblasti pri določanju kazni kar najbolj upoštevajo dejstvo, da obdolženec ni državljan sile, ki ga pridržuje. Lahko omilijo kazen, predpisano za kršitev, ki je interniranec obdolžen, niso pa dolžni uporabiti najnižje predpisane kazni.

*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

Zapiranje v prostore brez dnevne svetlobe in na splošno vse oblike okrutnosti so brez izjeme prepovedani.

Z interniranci, ki so prestali disciplinsko ali sodno kazen, se ne ravna drugače kot z drugimi interniranci.

Čas trajanja preventivnega pridržanja interniranca se všteje v njegovo disciplinsko ali sodno kazen, ki vključuje odvzem prostosti.

Odbori internirancev so obveščeni o vseh sodnih postopkih proti internirancem in o njihovem izidu.

### *119. člen*

Internirancem se lahko izrečejo te disciplinske kazni:

1. denarna kazen do največ 50 odstotkov zneska, ki ga interniranec prejme na podlagi določb 95. člena v obdobju, ki ni daljše od tridesetih dni;
2. ukinitvev ugodnosti, dodeljenih poleg obravnave, ki jo določa ta konvencija;
3. težaško delo v zvezi z vzdrževanjem kraja interniranja, ki ne presega dveh ur dnevno;
4. pripor.

Disciplinske kazni nikakor ne smejo biti nečloveške, surove ali nevarne za zdravje internirancev. Upoštevati je treba internirančevo starost, spol in zdravstveno stanje.

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.

#### *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

Trajanje posamezne kazni nikakor ne sme preseči tridesetih zaporednih dni, tudi če se interniranec obravnava zaradi več disciplinskih prekrškov, ki so lahko povezani ali ne.

#### *120. člen*

Interniranci, ki so ujeti pri pobegu ali poskusu pobega, se za to dejanje kaznujejo samo disciplinsko, tudi če gre za ponovno kršitev.

Ne glede na tretji odstavek 118. člena so interniranci, ki so kaznovani zaradi pobega ali poskusa pobega, lahko pod posebnim nadzorom, ki se izvaja v kraju interniranja in ne odpravlja nobenih zaščitnih ukrepov po tej konvenciji, pod pogojem, da tak nadzor ne ogroža njihovega zdravja.

Interniranci, ki pomagajo pri pobegu ali poskusu pobega ali napeljujejo nanj, se kaznujejo le disciplinsko.

#### *121. člen*

Pobeg ali poskus pobega, tudi ponovni, ne velja za oteževalno okoliščino, kadar je interniranec preganjan zaradi kršitve, storjene med pobegom.

Strani v spopadu zagotovijo, da so pristojne oblasti prizanesljive pri odločanju, ali se kršitev kaznuje disciplinsko ali sodno, zlasti glede dejanj v zvezi s pobegom, uspelim ali ne.

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.

## 122. člen

Dejanja, ki pomenijo disciplinsko kršitev, se takoj preiščejo. To pravilo se uporablja zlasti pri pobegu ali poskusu pobega. Znova ujeti interniranci se čim prej predajo pristojnim oblastem.

Pri disciplinskih kršitvah se vsem internirancem pripor med čakanjem na sojenje kar najbolj skrajša in ne traja več kot štirinajst dni. Čas trajanja pripora se vedno všteje v kazen odvzema prostosti.

Določbe 124. in 125. člena veljajo za internirance, ki v priporu čakajo na sojenje zaradi disciplinskih kršitev.

## 123. člen

Brez poseganja v pristojnost sodišč in visokih oblasti lahko disciplinske kazni izreka le poveljnik kraja interniranja ali odgovorni častnik, na katerega je poveljnik prenesel svoja disciplinska pooblastila, ali častnik, ki ga nadomešča.

Pred izrekom disciplinske kazni je treba obdolženega interniranca natančno obvestiti o kršitvi, ki je obdolžen, in mu omogočiti, da pojasni svoje ravnanje in se zagovarja. Dovolj se mu, da povabi prič in po potrebi zahteva storitve usposobljenega tolmača. Odločitev se razglasi v prisotnosti obdolženca in člana odbora internirancev.

Čas od izreka disciplinske kazni do njene izvršitve ne sme biti daljši od meseca dni.

### *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.

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.

Če je internirancu izrečena še kakšna disciplinska kazen, morajo med izvrševanjem ene in druge kazni preteči najmanj trije dnevi, če katera od teh kazni traja deset dni ali več.

Poveljnik kraja interniranja vodi evidenco izrečenih disciplinskih kazni, ki je na voljo za vpogled predstavnikom sile zaščitnice.

#### *124. člen*

Interniranci se nikakor ne smejo premeščati v ustanove za prestajanje kazni (zapore, kazenske zavode, kaznilnice itd.), da bi tam prestajali disciplinske kazni.

Vsi prostori za prestajanje disciplinskih kazni so v skladu s higienskimi zahtevami; v njih je zagotovljena ustrezna posteljina.

Internirancem, ki prestajajo kazen, se omogoči vzdrževanje osebne higiene.

Internirane ženske, ki prestajajo disciplinsko kazen, so zaprte v prostorih, ločenih od prostorov, v katerih so internirani moški, in so pod neposrednim nadzorom žensk.

#### *125. člen*

Interniranci, ki so disciplinsko kaznovani, se smejo gibati in smejo biti na svežem zraku najmanj dve uri na dan.

Na svojo zahtevo so lahko prisotni na dnevni zdravniških pregledih. Deležni so oskrbe, ki jo potrebujejo zaradi svojega zdravstvenega stanja, in se po potrebi premestijo v ambulanto v kraju interniranja ali v bolnišnico.

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.

Smejo brati in pisati ter pošiljati in prejemati pisma. Njihovi paketi in denarne pošiljke se lahko zadržijo do konca prestajanja kazni; do takrat se zanje zadolži odbor internirancev, ki pokvarljivo blago iz paketov preda ambulanti.

Nobenemu internirancu, ki je disciplinsko kaznovan, se ne smejo odvzeti ugodnosti po določbah 107. in 143. člena te konvencije.

#### *126. člen*

Določbe 71. do vključno 76. člena se smiselno uporabljajo za postopke proti internirancem, ki so na državnem ozemlju sile, ki jih pridržuje.

### *X. POGlavJE* *PREMESTITVE INTERNIRANCEV*

#### *127. člen*

Premestitev internirancev se vedno opravi človeško. Premestitev se praviloma opravi z vlakom ali drugimi prevoznimi sredstvi v razmerah, ki so najmanj enake tistim pri premeščanju oboroženih sil sile, ki pridržuje internirance. Če je treba take premestitve izjemoma opraviti peš, se lahko opravijo le, če so interniranci dobrega zdravja in pri tem nikakor niso izpostavljeni pretiranim naporom.

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.

#### *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

Sila, ki pridržuje internirance, jim med premestitvijo zagotovi dovolj pitne vode in hrane, ki je ustrezna glede količine, kakovosti in raznovrstnosti, da se ohrani njihovo dobro zdravstveno stanje, in tudi potrebna oblačila, ustrezno zavetje in potrebno zdravstveno oskrbo. Sila, ki pridržuje internirance, sprejme vse ustrezne ukrepe, da zagotovi njihovo varnost pri premestitvi, že pred odhodom pa sestavi popoln seznam internirancev, ki se premeščajo.

Bolni, ranjeni ali onemogli interniranci in porodnice se ne premeščajo, če bi potovanje resno ogrozilo njihovo zdravje, razen če je to nujno zaradi njihove varnosti.

Če se območje bojevanja približuje kraju interniranja, se interniranci iz tega kraja premestijo le, če se premestitev lahko opravi dovolj varno ali če bi vztrajanje v kraju interniranja zanje pomenilo večje tveganje kot sama premestitev.

Pri odločanju o premestitvi sila, ki pridržuje internirance, upošteva njihove interese, predvsem pa ne stori ničesar, s čimer bi otežila njihovo repatriacijo ali vrnitev domov.

### *128. člen*

Pri premestitvi je treba internirance uradno obvestiti o odhodu in novem poštnem naslovu. Obveščeni morajo biti pravočasno, da lahko pripravijo prtljago in obvestijo bližnje sorodnike.

S seboj smejo vzeti osebne predmete, korespondenco in pakete, ki so prispeli zanje. Teža prtljage se po potrebi lahko omeji zaradi razmer premestitve, nikakor pa ne na manj kot petindvajset kilogramov na interniranca.

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.

Korespondenca in paketi, naslovljeni na njihov prejšnji kraj interniranja, se jim pošljejo brez odlašanja.

Poveljnik kraja interniranja sprejme v soglasju z odborom internirancev potrebne ukrepe za zagotavljanje prevoza skupne lastnine internirancev in prtljage, ki je interniranci zaradi omejitev na podlagi drugega odstavka tega člena ne morejo vzeti s seboj.

## *XI. POGlavJE*

### *SMRT*

#### *129. člen*

Oporoke internirancev sprejemajo v hrambo pristojne oblasti; ob smrti interniranca se njegova oporoka brez odlašanja preda osebi, ki jo je pokojni predhodno določil.

Smrt interniranca vedno potrdi zdravnik; pripravi se poročilo o smrti, v katerem so navedeni vzrok smrti in okoliščine, v katerih je smrt nastopila.

Uradno potrdilo o smrti, vpisano v register, se sestavi v skladu s postopkom, ki velja na ozemlju kraja interniranja, njegova overjena kopija pa se brez odlašanja pošlje sili zaščitnici in osrednji agenciji iz 140. člena.

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 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.

### *130. člen*

Oblasti, ki pridržujejo internirance, zagotovijo, da so interniranci, ki umrejo med internacijo, dostojno pokopani, če je le mogoče v skladu z obredi veroizpovedi, ki so ji pripadali, ter da se njihovi grobovi spoštujejo, ustrezno vzdržujejo in označijo tako, da jih je vedno mogoče prepoznati.

Umrli interniranci se pokopljejo v posamične grobove, razen če jih je treba zaradi neizogibnih okoliščin pokopati v skupni grob. Trupla se smejo upepeliti le zaradi nujnih higienskih razlogov ali veroizpovedi pokojnika ali če je to v skladu s pokojnikovo izrecno željo po upepelitvi. Pri upepelitvi se v potrdilo o smrti vpiše zaznamek o upepelitvi in razlog zanj. Pepel hranijo oblasti, ki pridržujejo internirance, in ga na zahtevo čim prej predajo bližnjim sorodnikom.

Takoj ko okoliščine to dopuščajo, najpozneje pa ob končanju sovražnosti sila, ki pridržuje internirance, prek informacijskih uradov iz 136. člena pošlje sezname grobov umrlih internirancev silam, ki so jim umrli interniranci pripadali. Ti sezname vsebujejo vse podatke, ki so potrebni za identifikacijo umrlih internirancev, in točen kraj njihovih grobov.

### *131. člen*

Sila, ki pridržuje internirance, takoj uradno preišče vsako smrt ali hujšo poškodbo interniranca, ki jo je povzročil ali za katero se sumi, da jo je povzročil stražar, drug interniranec ali katera koli druga oseba, pa tudi vsako drugo smrt, katere vzrok je neznan.

### *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.

O takih primerih se takoj obvesti sila zaščitnica. Pridobijo se izpovedi morebitnih prič, nato pa se pripravi poročilo, ki vključuje te izpovedi, in se pošlje sili zaščitnici.

Če se s preiskavo ugotovi krivda ene osebe ali več oseb, sila, ki pridržuje internirance, stori vse potrebno za sodni pregon odgovorne osebe ali oseb.

*XII. POGLAVJE*  
*OSVOBODITEV, REPATRIACIJA IN NASTANITEV*  
*V NEVTRALNI DRŽAVI*

*132. člen*

Sila, ki pridržuje internirance, vsakega interniranca osvobodi takoj, ko ni več vzrokov za njegovo internacijo.

Strani v spopadu si poleg tega med trajanjem sovražnosti prizadevajo skleniti sporazume o osvoboditvi, repatriaciji, vrnitvi v kraj prebivališča ali nastanitvi v nevtralni državi za nekatere skupine internirancev, zlasti otroke, nosečnice, matere z dojenčki in majhnimi otroki, ranjence, bolnike in internirance, ki so že dolgo časa pridržani.

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.

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.

### *133. člen*

Internacija preneha čim prej po končanju sovražnosti.

Interniranci na ozemlju ene od strani v spopadu, proti katerim se vodi kazenski postopek zaradi kršitev, ki se ne kaznujejo samo disciplinsko, se lahko pridržijo do konca tega postopka, in če je zaradi okoliščin to potrebno, do izteka kazni. Enako velja za internirance, ki so bili že prej obsojeni na kazen odvzema prostosti.

Po dogovoru med silo, ki pridržuje internirance, in silami, na katere se to nanaša, se po končanju sovražnosti ali okupacije ozemlja ustanovijo komisije za iskanje razkropljenih internirancev.

### *134. člen*

Visoke pogodbenice si po končanju sovražnosti ali okupacije prizadevajo zagotoviti vrnitev vseh internirancev v njihov zadnji kraj prebivanja ali olajšati njihovo repatriacijo.

### *135. člen*

Sila, ki pridržuje internirance, krije stroške vrnitve osvobojenih internirancev v kraje, kjer so prebivali, ko so bili internirani, ali če so bili prijeti med potovanjem ali na odprtem morju, stroške dokončanja njihovega potovanja ali vrnitve v odhodni kraj.

Kadar sila, ki pridržuje internirance, osvobojenemu interniranca, ki je imel prej na njenem ozemlju stalno prebivališče, ne dovoli prebivati na svojem ozemlju, ta sila krije stroške repatriacije tega interniranca. Če se interniranec želi vrniti v svojo državo na lastno odgovornost ali zahtevo vlade sile, ki ji pripada, sili, ki ga pridržuje, ni treba kriti stroškov njegovega potovanja zunaj njenega ozemlja.

### *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

Sili, ki pridržuje interniranca, ni treba plačati stroškov repatriacije interniranca, ki je bil interniran na lastno zahtevo.

Če se interniranci premestijo v skladu s 45. členom, se sila, ki jih premesti, in sila, ki jih sprejme, dogovorita o medsebojni razdelitvi prej navedenih stroškov.

Navedeno ne posega v posebne sporazume, ki jih lahko sklenejo strani v spopadu v zvezi z izmenjavo in repatriacijo svojih državljanov, ki so v sovražnikovih rokah.

## V. ODDELEK INFORMACIJSKI URADI IN OSREDNJA AGENCIJA

### *136. člen*

Ob začetku spopada in v vseh primerih okupacije vsaka stran v spopadu ustanovi uradni informacijski urad, ki je odgovoren za prejemanje in pošiljanje informacij v zvezi z zaščitnimi osebami pod njeno oblastjo.

Vsaka stran v spopadu svojemu informacijskemu uradu kar najhitreje pošlje informacije o vsakem ukrepu, ki ga sprejme v zvezi z zaščitenimi osebami, ki je pripravljena več kot dva tedna, poslana na prisilno bivanje ali internirana. Poleg tega od svojih različnih služb, ki se ukvarjajo s temi zadevami, zahteva, da navedeni urad takoj obvesti o vseh spremembah, ki se nanašajo na te zaščitene osebe, kot so premestitev, izpustitev, osvoboditev, repatriacija, pobeg, sprejem v bolnišnico, rojstvo in smrt.

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.

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

### *137. člen*

Vsak nacionalni urad prek sil zaščitnic ali osrednje agencije iz 140. člena takoj in kar najhitreje pošlje informacije v zvezi z zaščitnimi osebami silam, katerih državljani so te zaščitene osebe, ali silam, na ozemlju katerih so te osebe prebivale. Uradi prav tako odgovorijo na vse prejete poizvedbe glede zaščitnih oseb.

Informacijski uradi pošiljajo informacije o zaščiteni osebi, razen če bi pošiljanje teh informacij lahko škodovalo tej osebi ali njenim sorodnikom. Tudi v takem primeru se informacije ne smejo prikrievati osrednji agenciji, ki po seznanitvi z okoliščinami sprejme potrebne previdnostne ukrepe iz 140. člena.

Vsa pisna obvestila, ki jih izda kateri koli urad, so potrjena s podpisom ali žigom.

### *138. člen*

Informacije, ki jih prejema in pošilja nacionalni informacijski urad, so take, da omogočajo točno identifikacijo zaščitene osebe in hitro obveščanje bližnjih sorodnikov. Informacije v zvezi z vsako osebo zajemajo najmanj njen priimek, imena, kraj in datum rojstva, državljanstvo, zadnje prebivališče in posebne značilnosti, očetovo ime, dekliški priimek matere, datum in vrsto ukrepov, ki so bili sprejeti v zvezi s to osebo, pa tudi kraj, kjer so bili ti ukrepi sprejeti, naslov, kamor se ji lahko pošilja pošta, ter priimek, ime in naslov osebe, ki jo je treba obvestiti.

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 enquiries 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

Prav tako se redno, če je le mogoče vsak teden, sporočajo informacije o zdravstvenem stanju hudo bolnih ali hudo ranjenih internirancev.

#### *139. člen*

Vsak nacionalni informacijski urad je poleg tega odgovoren za zbiranje vseh osebnih dragocenosti, ki so jih pustile zaščitene osebe, navedene v 136. členu, zlasti tiste, ki so bile repatriirane ali osvobojene ali so pobegnile ali umrle; informacijski urad navedene dragocenosti neposredno ali po potrebi prek osrednje agencije pošlje osebam, ki jih to zadeva. Urad te predmete pošlje v zapečatenih paketih skupaj z izjavami, ki natančno dokazujejo identiteto osebe, ki so ji ti predmeti pripadali, in s popolnim seznamom vsebine paketa. O prejemih in odpremah takih dragocenosti se vodi podrobna evidenca.

#### *140. člen*

V nevtralni državi se ustanovi osrednja agencija za obveščanje o zaščitениh osebah, zlasti interniranih. Mednarodni odbor Rdečega križa, če se mu zdi potrebno, predlaga silam, na katere se to nanaša, ustanovitev agencije, kot jo določa 123. člen Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949.

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.

#### *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.

Naloga agencije je zbrati vse informacije, navedene v 136. členu, ki jih lahko pridobi po uradnih ali zasebnih poteh, in jih čim prej poslati državam, iz katerih udeležene osebe izvirajo ali v katerih imajo prebivališče, razen kadar bi tako pošiljanje škodilo osebam, na katere se informacije nanašajo, ali njihovim sorodnikom. Od strani v spopadu prejme vse potrebno za tako pošiljanje.

Visoke pogodbenice, zlasti tiste, katerih državljani uporabljajo storitve osrednje agencije, se zaprosijo za vso potrebno finančno pomoč za njeno delovanje.

Navedene določbe se nikakor ne razlagajo kot omejevanje humanitarne dejavnosti Mednarodnega odbora Rdečega križa in društev za pomoč iz 142. člena.

#### *141. člen*

Nacionalni informacijski uradi in osrednja agencija za obveščanje so oproščeni plačila poštnine in deležni drugih oprostitev, določenih v 110. členu, če je mogoče, pa so oproščeni tudi plačevanja telegrafskih pristojbin ali se jim te vsaj občutno znižajo.

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.

**IV. DEL**  
**IZVAJANJE KONVENCIJE**  
**I. ODDELEK**  
**SPLOŠNE DOLOČBE**

*142. člen*

Sile, ki pridržujejo zaščitene osebe, ob upoštevanju ukrepov, ki so po njihovem mnenju nujni za zagotovitev njihove varnosti ali zadovoljevanje katere koli druge razumne potrebe, zagotovijo predstavnikom verskih organizacij, društvom za pomoč ali kakršni koli drugi organizaciji, ki pomaga zaščitenim osebam, ali njihovim pravilno akreditiranim zastopnikom vse potrebno za obiskovanje zaščitenih oseb, delitev pomoči in potrebščin iz katerega koli vira za izobraževalne, rekreativne ali verske namene ali za pomoč pri organiziranju njihovega prostega časa v krajih interniranja. Taka društva ali organizacije se lahko ustanovijo na ozemlju sile, ki pridržuje zaščitene osebe, ali v kateri koli drugi državi, lahko pa so tudi mednarodne.

Sila, ki pridržuje zaščitene osebe, lahko omeji število društev in organizacij, katerih delegati lahko opravljajo svoje naloge na njenem ozemlju in pod njenim nadzorom, vendar pod pogojem, da taka omejitev ne ovira učinkovite in zadostne pomoči vsem zaščitenim osebam.

Na tem področju se vedno priznava in upošteva poseben položaj Mednarodnega odbora Rdečega križa.

**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 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.

### *143. člen*

Predstavniki ali delegati sil zaščitnic imajo dovoljenje za obisk vseh krajev, kjer so zaščitene osebe, zlasti tistih, kjer so internirane, pridržane ali kjer delajo.

Imajo dostop do vseh prostorov, v katerih so zaščitene osebe, z njimi pa se lahko pogovarjajo brez prič s pomočjo tolmača ali brez njega.

Taki obiski se ne smejo prepovedati, razen zaradi vojaške nujnosti, in to le kot izjemen in začasen ukrep. Trajanje in pogostost teh obiskov nista omejena.

Predstavniki in delegati lahko popolnoma prosto izbirajo kraje, ki jih želijo obiskati. Sila, ki pridržuje zaščitene osebe, ali okupacijska sila, sila zaščitnica in po potrebi tudi sila, ki ji osebe, ki jih bodo obiskali, pripadajo, se lahko dogovorijo, da se obiskov smejo udeležiti rojaki internirancev.

Navedene pravice imajo tudi delegati Mednarodnega odbora Rdečega križa. Imenovanje delegatov odobri sila, ki upravlja ozemlja, na katerih bodo delegati opravljali svoje naloge.

### *144. člen*

Visoke pogodbenice se zavezujejo, da bodo v svojih državah v miru in vojni čim bolj širile poznavanje besedila te konvencije, zlasti da jo bodo vključile v programe vojaškega, in če je le mogoče tudi civilnega usposabljanja, tako da se z njenimi načeli lahko seznanijo vse prebivalstvo.

### *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.

Vse civilne, vojaške, policijske ali druge oblasti, ki med vojno prevzamejo odgovornost za zaščitene osebe, morajo imeti besedilo konvencije in biti o njenih določbah posebej poučene.

*145. člen*

Visoke pogodbenice si prek Švicarskega zveznega sveta, med sovrážnostmi pa prek sil zaščitnic izmenjajo uradne prevode te konvencije ter zakone in druge predpise, ki jih lahko sprejmejo za zagotavljanje njene uporabe.

*146. člen*

Visoke pogodbenice se zavezujejo, da bodo sprejele zakonodajo, potrebno za zagotovitev učinkovitih kazenskih sankcij za osebe, ki storijo ali ukažejo storiti katero koli od hudih kršitev te konvencije, ki so opredeljene v naslednjem členu.

Vsaka visoka pogodbenica mora poiskati osebe, ki so domnevno storile ali ukazale storiti tako hudo kršitev, in jih privedi pred svoje sodišče ne glede na njihovo državljanstvo. Če se ji zdi ustrezneje, jih lahko v skladu z določbami svoje zakonodaje izroči v sojenje drugi visoki pogodbenici, če ta zadostno izkaže utemeljene obtožbe proti njim.

Vsaka visoka pogodbenica sprejme potrebne ukrepe za preprečevanje vseh dejanj, ki so v nasprotju z določbami te konvencije in niso hude kršitve, opredeljene v naslednjem členu.

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 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

Obdolžencem se vedno zagotovijo pravna jamstva glede sodnega postopka in obrambe, ki niso manj ugodna od tistih iz 105. člena in nadaljnjih členov Ženevske konvencije o ravnanju z vojnimi ujetniki z dne 12. avgusta 1949.

#### *147. člen*

Huda kršitev iz prejšnjega člena je katero koli od teh dejanj, če je storjeno zoper osebe ali premoženje, ki jih štiti konvencija: naklepno pobijanje, mučenje ali nečloveško ravnanje, vključno z biološkimi poskusi, naklepno povzročanje velikega trpljenja, hudih telesnih poškodb ali okvar zdravja, protipravna deportacija ali premestitev ali protipravno pridržanje zaščitene osebe, prisila zaščitene osebe, da služi v oboroženih silah sovražne sile, ali naklepen odvzem pravice zaščiteni osebi do poštenega in rednega sojenja po tej konvenciji, jemanje talcev in obsežno uničevanje in prilaščanje premoženja, ki ju vojaška nujnost ne upravičuje ter sta storjena protipravno in samovoljno.

#### *148. člen*

Nobeni visoki pogodbenici ni dovoljeno, da sebe ali drugo visoko pogodbenico odveže kakršne koli odgovornosti v zvezi s kršitvami iz prejšnjega člena, ki jo ima sama ali druga visoka pogodbenica.

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.

*149. člen*

Na zahtevo ene od strani v sporu se ob vsaki domnevni kršitvi konvencije uvede preiskava na način, o katerem se dogovorijo zainteresirane strani.

Če se dogovor o postopku preiskave ne doseže, se strani sporazumejo o izbiri razsodnika, ki določi nadaljnji postopek.

Ko se ugotovi kršitev, jo strani v sporu zatrejo in čim prej kaznujejo.

II. ODDELEK  
KONČNE DOLOČBE

*150. člen*

Ta konvencija je sestavljena v angleškem in francoskem jeziku. Besedili sta enako verodostojni.

Švicarski zvezni svet zagotovi uradna prevoda konvencije v ruski in španski jezik.

*151. člen*

Danes sprejeta konvencija je na voljo za podpis do 12. februarja 1950 za sile, ki so imele predstavnike na konferenci, ki se je začela v Ženevi 21. aprila 1949.

*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.

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.

### *152. člen*

Ta konvencija se čim prej ratificira, listine o ratifikaciji pa se deponirajo v Bernu.

O deponiranju vsake listine o ratifikaciji se sestavi zapisnik, overjeno kopijo zapisnika pa Švicarski zvezni svet pošlje vsem silam, v imenu katerih je bila konvencija podpisana ali ki so ga o svojem pristopu uradno obvestile.

### *153. člen*

Ta konvencija začne veljati šest mesecev po deponiranju najmanj dveh listin o ratifikaciji.

Zatem za vsako visoko pogodbenico začne veljati šest mesecev po deponiranju njene listine o ratifikaciji.

### *154. člen*

V odnosih med silami, ki jih zavezuje Haaška konvencija o zakonih in običajih vojne na kopnem, bodisi da gre za konvencijo z dne 29. julija 1899 bodisi za tisto z dne 18. oktobra 1907, in so pogodbenice te konvencije, ta konvencija dopolnjuje II. in III. poglavje pravilnika, ki je priložen prej navedenima haaškima konvencijama.

### *155. člen*

K tej konvenciji lahko po dnevu začetka veljavnosti pristopi vsaka sila, v imenu katere ni bila podpisana.

*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.

### *156. člen*

O pristopu se uradno pisno obvesti Švicarski zvezni svet, pristop pa začne učinkovati šest mesecev po dnevu prejema uradnega obvestila o pristopu.

Švicarski zvezni svet obvesti o pristopu vse sile, v imenu katerih je bila konvencija podpisana ali ki so ga o svojem pristopu uradno obvestile.

### *157. člen*

Ob nastopu razmer iz 2. in 3. člena imajo deponiranje listin o ratifikaciji, ki ga strani v spopadu opravijo pred začetkom sovražnosti ali okupacije ali po tem, in uradna obvestila o pristopu, ki jih pošljejo pred začetkom sovražnosti ali okupacije ali po tem, takojšnji učinek. Švicarski zvezni svet kar najhitreje pošlje obvestilo o ratifikacijah ali pristopih strani v spopadu.

### *158. člen*

Vsaka visoka pogodbenica lahko odpove to konvencijo.

Uradno pisno obvestilo o odpovedi se pošlje Švicarskemu zveznemu svetu, ki ga pošlje vladam vseh visokih pogodbenc.

Odpoved začne učinkovati leto dni po dnevu, ko je Švicarski zvezni svet o njej uradno obveščen. Odpoved, o kateri se pošlje uradno obvestilo v času, ko sila, ki jo je sporočila, sodeluje v spopadu, ne učinkuje, dokler ni sklenjen mir in niso končani postopki v zvezi z osvoboditvijo, repatriacijo in ponovno nastanitvijo oseb, ki jih ta konvencija ščiti.

### *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 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

Odpoved velja samo za silo, ki jo sporoči. Ne vpliva na obveznosti, ki še naprej zavezujejo strani v spopadu na podlagi načel mednarodnega prava, kot izhajajo iz običajev, ustaljenih med civiliziranimi narodi, zakonov človečnosti in zapovedi javne vesti.

*159. člen*

Švicarski zvezni svet to konvencijo registrira pri Sekretariatu Organizacije združenih narodov. Švicarski zvezni svet Sekretariat Organizacije združenih narodov obvešča o vseh ratifikacijah, pristopih in odpovedih, ki jih prejme v zvezi s to konvencijo.

V potrditev tega so podpisani, ki so predložili ustrezna pooblastila, podpisali to konvencijo.

Sestavljeno v Ženevi 12. avgusta 1949 v angleškem in francoskem jeziku. Izvirnik se hrani v arhivu Švicarske konfederacije. Švicarski zvezni svet pošlje overjeno kopijo konvencije vsaki državi podpisnici in vsaki državi, ki pristopi k njej.

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.

# PRILOGA I

## OSNUTEK SPORAZUMA O BOLNIŠNIČNIH IN VARNIH OBMOČJIH IN KRAJIH

### *1. člen*

Bolnišnična in varna območja so namenjena samo osebam iz 23. člena Ženevske konvencije za izboljšanje položaja ranjencev in bolnikov v oboroženih silah na bojišču z dne 12. avgusta 1949 in 14. člena Ženevske konvencije o zaščiti civilnih oseb med vojno z dne 12. avgusta 1949 ter osebju, ki je zadolženo za organizacijo in upravljanje teh območij in krajev ter oskrbo tam nastanjenih oseb.

Kljub temu imajo osebe, ki stalno prebivajo na teh območjih, pravico ostati tam.

### *2. člen*

Osebe, ki v kakršni koli vlogi prebivajo na bolnišničnem in varnem območju, ne smejo niti znotraj niti zunaj njega opravljati del, neposredno povezanih z vojaškimi operacijami ali proizvodnjo vojaškega materiala.

### *3. člen*

Sila, ki ustanovi bolnišnično in varno območje, sprejme vse potrebne ukrepe za prepeved dostopa vsem osebam, ki nimajo pravice do prebivanja na njem ali vstopa nanj.

**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.

*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.

#### *4. člen*

Bolnišnična in varna območja izpolnjujejo te pogoje:

- a) obsegajo le manjši del ozemlja, ki ga upravlja sila, ki jih je ustanovila;
- b) glede na možnosti nastanitve so redko poseljena;
- c) oddaljena so od vseh vojaških ciljev in na njih ni nobenih vojaških ali velikih industrijskih objektov ali upravnih ustanov;
- d) niso na območjih, ki bi zelo verjetno lahko postala pomembna za vodenje vojne.

#### *5. člen*

Za bolnišnična in varna območja veljajo te obveznosti:

- a) oskrbovalne poti in prevozna sredstva, ki so na njih, se ne uporabljajo za prevoz vojaškega osebja ali materiala, niti v tranzitu;
- b) nikakor se ne branijo z vojaškimi sredstvi.

#### *6. člen*

Bolnišnična in varna območja se označijo s poševnimi rdečimi progami na beli podlagi, nameščeni na zgradbah in zunanji meji območja.

Območja, ki so namenjena samo ranjencem in bolnikom, se lahko označijo z rdečim križem (rdečim polmesečem, rdečim levom in soncem) na beli podlagi.

Ponoči so lahko podobno označena z ustrezno osvetlitvijo.

#### *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.

## *7. člen*

Sile že v miru ali na začetku sovražnosti pošljejo vsem visokim pogodbenicam seznam bolnišničnih in varnih območij, ustanovljenih na ozemljih pod njihovo oblastjo. Obvestijo jih tudi o vsakem novem območju, ustanovljenem med sovražnostmi.

Takoj ko nasprotna stran prejme navedeno obvestilo, je območje pravilno ustanovljeno.

Če nasprotna stran meni, da pogoji iz tega sporazuma niso izpolnjeni, lahko priznanje območja zavrne, pri čemer mora o tem nemudoma obvestiti stran, ki je za to območje odgovorna, lahko pa svoje priznanje takega območja pogojuje z uvedbo nadzora iz 8. člena.

## *8. člen*

Vsaka sila, ki je priznala eno ali več bolnišničnih in varnih območij, ki jih je ustanovila nasprotna stran, ima pravico zahtevati, da posebna komisija ali več posebnih komisij preveri, ali območja izpolnjujejo pogoje in obveznosti iz tega sporazuma.

Zato imajo člani posebnih komisij vedno prost dostop do različnih območij in lahko tudi stalno prebivajo tam. Zagotovi se jim vse potrebno za opravljanje njihovih nalog v zvezi s takim nadzorom.

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 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.

### *9. člen*

Če posebne komisije ugotovijo kakršna koli dejstva, za katera menijo, da so v nasprotju z določbami tega sporazuma, na to opozorijo silo, ki območje upravlja, in določijo petdnevni rok za odpravo nepravilnosti.

O tem uradno obvestijo silo, ki je območje priznala.

Če sila, ki območje upravlja, po izteku tega roka ne upošteva opozorila, lahko nasprotna stran izjavi, da je ta sporazum v zvezi s tem območjem ne zavezuje več.

### *10. člen*

Vsaka sila, ki vzpostavi eno ali več bolnišničnih in varnih območij, ter nasprotne strani, ki so bile obveščene o obstoju teh območij, imenujejo člane posebnih komisij iz 8. in 9. člena ali pa jih imenujejo sile zaščitnice ali druge nevtralne sile.

### *11. člen*

Bolnišnična in varna območja se nikakor ne smejo napasti. Strani v spopadu jih vedno zaščitijo in spoštujejo.

### *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.

### *12. člen*

Med okupacijo ozemlja se bolnišnična in varna območja na tem ozemlju še naprej spoštujejo in uporabljajo kot taka.

Okupacijska sila lahko spremeni njihov namen pod pogojem, da sprejme vse ukrepe za zagotovitev varnosti oseb na njih.

### *13. člen*

Ta sporazum velja tudi za kraje, ki jih sile lahko uporabljajo za enake namene kot bolnišnična in varna območja

*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.

## PRILOGA II

### OSNUTEK PRAVILNIKA O SKUPINSKI POMOČI

#### *1. člen*

Odbori internirancev lahko razdeljujejo pošiljke skupinske pomoči, za katere so odgovorni, vsem internirancem, ki so pod upravo kraja interniranja odbora internirancev, vključno s tistimi, ki so v bolnišnicah ali zaporih ali drugih ustanovah za prestajanje kazni.

#### *2. člen*

Razdeljevanje pošiljk skupinske pomoči se opravi v skladu z navodili darovalcev in načrtom, ki ga pripravijo odbori internirancev. Razdeljevanje zalog zdravil in medicinskih pripomočkov se, če je le mogoče, opravi v soglasju z vojaškimi zdravniki z najvišjim činom, ki v bolnišnicah in ambulantah lahko ne upoštevajo teh navodil zaradi potreb bolnikov. V tako opredeljenih omejitvah se razdelitev vedno opravi pravično.

#### *3. člen*

Člani odbora internirancev smejo odhajati na železniške postaje ali v ali na kraje, kamor prihajajo pošiljke pomoči, blizu krajev interniranja, da preverijo količino in kakovost prejetega blaga ter pripravijo podrobna poročila za darovalce.

**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, 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.

#### *4. člen*

Odborom internirancev se zagotovi vse potrebno za preverjanje, ali se je razdeljevanje skupinske pomoči v vseh pododdelkih in enotah njihovega kraja interniranja opravilo v skladu z njihovimi navodili.

#### *5. člen*

Odbori internirancev smejo izpolniti obrazce ali vprašalnike, namenjene darovalcem, ki se nanašajo na pošiljke skupinske pomoči (razdelitev, potrebe, količine itd.), ali pa to naročijo članom odborov internirancev v delovnih enotah ali vojaškim zdravnikom z najvišjim činom v ambulantah ali bolnišnicah. Ti obrazci in vprašalniki se skrbno izpolnjeni brez odlašanja pošljejo darovalcem.

#### *6. člen*

Zaradi rednega zagotavljanja pošiljk skupinske pomoči internirancem v krajih interniranja in zadovoljevanja potreb, ki bi lahko nastale zaradi prihoda novih internirancev, smejo odbori internirancev pripraviti in vzdrževati zadostne zaloge skupinske pomoči. Za to imajo na voljo ustrezna skladišča; vsako skladišče ima dve ključavnici: ključ ene ključavnice ima odbor internirancev, ključ druge pa poveljnik kraja interniranja.

#### *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.

## *7. člen*

Visoke pogodbenice in še zlasti sile, ki pridržujejo internirance, odobrijo, kolikor je le mogoče in ob upoštevanju predpisov o oskrbi prebivalcev s hrano, nakupe blaga na svojem ozemlju zaradi razdeljevanja skupinske pomoči internirancem. Prav tako omogočijo tudi prenos sredstev in izvajanje drugih finančnih, tehničnih ali upravnih ukrepov zaradi takih nakupov.

## *8. člen*

Navedene določbe ne ovirajo pravice internirancev, da prejemajo skupinsko pomoč pred svojim prihodom v kraj interniranja ali med premestitvijo, niti predstavnikov sile zaščitnice, Mednarodnega odbora Rdečega križa ali katere koli druge humanitarne organizacije, ki pomaga internirancem in je odgovorna za pošiljanje te pomoči, pri zagotavljanju razdeljevanja te pomoči prejemnikom s kakršnimi koli po njihovem mnenju primernimi sredstvi.

*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.

# PRILOGA III

## I. DOPISNICA O INTERNIRANJU

### 1. Sprednja stran

POŠTA CIVILNEGA INTERNIRANCA		Prosto poštrine
DOPISNICA		
<p>POMEMBNO</p> <p>To dopisnico mora izpolniti vsak interniranec takoj po interniranju in vsakič, ko se njegov naslov spremeni zaradi preместitve v drugi kraj interniranja ali bolnišnico.</p> <p>Ta dopisnica se razlikuje od posebne dopisnice, ki jo sme vsak interniranec poslati svojim sorodnikom.</p>	<p>OSREDNJA AGENCIJA ZA OBVEŠČANJE O ZAŠČITENIH OSEBAH</p> <p>MEDNARODNI ODBOR RDEČEGA KRIŽA</p>	

### 2. Zadnja stran

Piši čitljivo in z velikimi tiskanimi črkami – 1. Državljanstvo		
2. Priimek	3. Imena (v celoti izpisana)	4. Očetovo ime
.....		
5. Datum rojstva	6. Kraj rojstva	
7. Poklic		
8. Naslov pred pridržanjem		
9. Naslov bližnjega sorodnika		
.....		
*10. Interniran dne: (ali) Prišel iz (bolnišnice itd.) dne:		
*11. Zdravstveno stanje		
12. Zdajšnji naslov		
13. Datum	14. Podpis	
* Nepotrebno prečrtaj – Ne dodajaj nobenih pripomb – Glej pojasnila na drugi strani dopisnice		

(Velikost dopisnice: 10 × 15 cm)

# ANNEX III

## I. INTERNMENT CARD

### 1. Front

CIVILIAN INTERNEE MAIL		Postage free
POST CARD		
<p style="text-align: center;"><b>IMPORTANT</b></p> <p>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.</p> <p>This card is not the same as the special card which each internee is allowed to send to his relatives.</p>	<p><b>CENTRAL INFORMATION AGENCY FOR PROTECTED PERSONS</b></p> <p><b>INTERNATIONAL COMMITTEE OF THE RED CROSS</b></p>	

### 2. Reverse side

Write legibly and in block letters – 1. 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		
13. Date	14. Signature	
*Strike out what is not applicable – Do not add any remarks – See explanations on the other side of card		

(Size of internment card – 10 × 15 cm)

# PRILOGA III

## II. PISMO

SLUŽBA CIVILNIH INTERNIRANCEV

Prosto poštine

Naslovník

Ulica in številka

Namembni kraj (z velikimi tiskanimi črkami)

Pokrajina ali okrožje

Država (z velikimi tiskanimi črkami)

Naslov kraja interniranja

Datum in kraj rojstva

Prilimek in ime

**Posiljatelj:**

(Velikost pisma: 29 × 15 cm)

**ANNEX III**  
**II. LETTER**

CIVILIAN INTERNEE SERVICE

To

Street and number

Place of destination (*in block capitals*)

Province or Department

Country (*in block capitals*)

Postage free

Internment address

Date and place of birth

Surname and first names

**Sender:**

(Size of letter – 29 × 15 cm)

# PRILOGA III

## III. DOPISNICA

### 1. Sprednja stran

POŠTA CIVILNEGA INTERNIRANCA

Prosto poštnine

DOPISNICA

**Posiljatelj:**  
Primek in ime:  
Datum in kraj rojstva  
Naslov kraja interniranja

Naslovnik  
Ulica in številka  
Namembni kraj (z velikimi tiskanimi črkami)  
Pokrajina ali okrožje  
Država (z velikimi tiskanimi črkami)

### 2. Zadnja stran

Datum:

.....

.....

.....

.....

.....

.....

Piši samo po črtah in kolikor je mogoče čitljivo.

(Velikost dopisnice: 10 × 15 cm)



Zbirka Mednarodno pravo izhaja v sodelovanju med Ministrstvom za zunanje zadeve Republike Slovenije in Fakulteto za družbene vede Univerze v Ljubljani. Ureja jo uredniški odbor v sestavi:

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