

Convention (III) for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention

(List of Contracting Parties)

Alike animated by the desire to diminish, as far as depends on them the evils inseparable from warfare, and wishing with this object to adapt to maritime warfare the principles of the Geneva Convention of 22 August 1864, have decided to conclude a convention to this effect:

They have, in consequence, appointed as their Plenipotentiaries, to wit:

(Here follow the names of Plenipotentiaries)

Who, after communication of their full powers, found in good and due form, have agreed on the following provisions:

Article 1

Military hospital ships, that is to say, ships constructed or assigned by States specially and solely for the purpose of assisting the wounded, sick or shipwrecked, and the names of which shall have been communicated to the belligerent Powers at the beginning or during the course of hostilities, and in any case before they are employed, shall be respected and cannot be captured while hostilities last. These ships, moreover, are not on the same footing as men-of-war as regards their stay in a neutral port.

Article 2

Hospital ships, equipped wholly or in part at the cost of private individuals or officially recognized relief societies, shall likewise be respected and exempt from capture, provided the belligerent Power to whom they belong has given them an official commission and has notified their names to the hostile Power at the commencement of or during hostilities, and in any case before they are employed. These ships should be furnished with a certificate from the competent authorities, declaring that they have been under their control while fitting out and on final departure.

Article 3

Hospital ships, equipped wholly or in part at the cost of private individuals or officially recognized societies of neutral countries, shall be respected and exempt from capture, if the neutral Power to whom they belong has given them an official commission and notified their names to the belligerent Powers at the commencement of or during hostilities, and in any case before they are employed.

Article 4

The ships mentioned in Articles 1, 2 and 3 shall afford relief and assistance to the wounded, sick, and shipwrecked of the belligerents independently of their nationality. The Governments engage not to use these ships for any military purpose. These ships must not in any way hamper the movements of the combatants. During and after an engagement they will act at their own risk and peril. The belligerents

will have the right to control and visit them; they can refuse to help them, order them off, make them take a certain course, and put a commissioner on board; they can even detain them, if important circumstances require it. As far as possible the belligerents shall inscribe in the sailing papers of the hospital ships the orders they give them.

Article 5

The military hospital ships shall be distinguished by being painted white outside with a horizontal band of green about a metre and a half in breadth. The ships mentioned in Articles 2 and 3 shall be distinguished by being painted white outside with a horizontal band of red about a metre and a half in breadth. The boats of the ships above mentioned, as also small craft which may be used for hospital work, shall be distinguished by similar painting. All hospital ships shall make themselves known by hoisting, together with their national flag, the white flag with a red cross provided by the Geneva Convention.

Article 6

Neutral merchantmen, yachts, or vessels, having, or taking on board, sick, wounded, or shipwrecked of the belligerents, cannot be captured for so doing, but they are liable to capture for any violation of neutrality they may have committed.

Article 7

The religious, medical, or hospital staff of any captured ship is inviolable, and its members cannot be made prisoners of war. On leaving the ship they take with them the objects and surgical instruments which are their own private property. This staff shall continue to discharge its duties while necessary, and can afterwards leave when the commander-in-chief considers it possible. The belligerents must guarantee to the staff that has fallen into their hands the enjoyment of their salaries intact.

Article 8

Sailors and soldiers who are taken on board when sick or wounded, to whatever nation they belong, shall be protected and looked after by the captors.

Article 9

The shipwrecked, wounded, or sick of one of the belligerents who fall into the hands of the other, are prisoners of war. The captor must decide, according to circumstances, if it is best to keep them or send them to a port of his own country, to a neutral port, or even to a hostile port. In the last case, prisoners thus repatriated cannot serve as long as the war lasts.

Article 10

The shipwrecked, wounded, or sick, who are landed at a neutral port with the consent of the local authorities, must, failing a contrary arrangement between the neutral State and the belligerents, be guarded by the neutral State, so that they can not again take part in the military operations. The

expenses of tending them in hospital and internment shall be borne by the State to which the shipwrecked, wounded, or sick belong.

Article 11

The rules contained in the above articles are binding only on the Contracting Powers, in case of war between two or more of them. The said rules shall cease to be binding from the time when, in a war between the Contracting Powers, one of the belligerents is joined by a non-Contracting Power.

Article 12

The present Convention shall be ratified as soon as possible. The ratifications shall be deposited at The Hague. On the receipt of each ratification a ' procès-verbal ' shall be drawn up, a copy of which, duly certified, shall be sent through the diplomatic channel to all the Contracting Powers.

Article 13

The non-Signatory Powers who accepted the Geneva Convention of 22 August 1864, are allowed to adhere to the present Convention. For this purpose they must make their adhesion known to the Contracting Powers by means of a written notification addressed to the Netherlands Government, and by it communicated to all the other Contracting Powers.

Article 14

In the event of one of the High Contracting Parties denouncing the present Convention, such denunciation shall not take effect until a year after the notification made in writing to the Netherlands Government, and forthwith communicated by it to all the other Contracting Powers. This denunciation shall only affect the notifying Power. In testimony whereof the respective Plenipotentiaries have signed the present Convention and affixed their seals thereto.

Done at The Hague, 29 July 1899, in a single copy, which shall be kept in the archives of the Government of the Netherlands, and copies of which duly certified, shall be sent through the diplomatic channel to the Contracting Powers.

(Signatures)