

Accessions to the Geneva Conventions

The International Committee of the Red Cross has received from the Federal Political Department in Berne a communication informing it that the Ministry of Foreign Affairs of the Sultanate of Oman, in its letter of 23 January 1974, has notified its accession to the four Geneva Conventions of August 12, 1949.

This accession takes effect from 31 July 1974.

The International Committee has also received from the Federal Political Department in Berne a communication informing it that the Republic of Guinea-Bissau, in its letter of 26 February 1974, has notified its accession to the four Geneva Conventions of August 12, 1949. This accession contains a number of reservations.

The Protection of Prisoners of War

Before the existence of the Red Cross and the Geneva Conventions, any soldier fallen into enemy hands was entirely at his captor's mercy. Now the Third 1949 Geneva Convention relative to the treatment of prisoners of war—recognized by 133 States—clearly lays down how he must be treated during captivity.

In order for prisoners of war to be protected effectively, their treatment must be open to supervision. It is for that reason that Article 126 of the Third Geneva Convention authorizes Protecting Power representatives to go wherever prisoners of war are held. The delegates of the ICRC have the same prerogative.

How do ICRC delegates carry out a visit to prisoners of war? What does their report cover? What use is made of that report?

The visit procedure includes a preliminary talk with the camp commandant, a general visit in the company of representatives of the authorities, talks in private with prisoners, and a final discussion with the commandant and his staff.

INTERNATIONAL COMMITTEE

The preliminary talk enables the delegates to establish confidence and explain the nature of their visit which is in no way an inspection or an enquiry. Its purposes is to provide relief and comfort to prisoners of war and to help the detaining authorities to discharge their treaty obligations.

During the initial contact with the commandant, the delegates note the figures and the details of the camp organization, which are included in their report: number and nationality of prisoners, appropriations for food, medical staff, family visits, mail, deaths, escapes, transfers and other information which varies from case to case.

The general visit of the camp, usually with the commandant or his adjutant, should permit the delegates to see all premises occupied by the prisoners and to form an idea of the material conditions of captivity. They examine the general appearance of the prisoners of war, the degree of occupation of their quarters, the sanitary facilities available to them, the kitchen, and so forth. The doctor-delegates give their attention to the medical facilities, the running of the hospital or infirmary, and the prisoners' state of health. During this tour of the camp, the delegates interview prisoners. Their right to talk in private with the prisoners is laid down in the Third Geneva Convention.

The delegates discuss with the prisoners' representatives and also with prisoners of their own choosing. They may interview any prisoners wishing to make personal requests. In the course of these talks, the prisoners describe detention conditions and air their complaints.

Although delegates are in no position to carry out a thorough investigation into serious incidents arising out of friction between prisoners and guards or among the prisoners themselves—and such incidents do sometimes cause deaths or serious injuries—they can record the prisoners' version of the events and in some cases conduct a medical examination.

During the final interview—the last phase of the visit—the delegates convey their impressions to the commandant, who may offer his comments and explanations. They endeavour to settle problems on the spot, wherever reference to higher authority can be avoided.

Where incidents have occurred, the commandant's version—like that of the prisoners—will be included in the delegates' report to the ICRC. If the event was sufficiently serious, the delegates demand that the Detaining Power institute an official enquiry, in accordance with Article 121 of the Third Convention, and report to the ICRC.

The delegates' report on their visit, containing information supplied by the authorities and by the prisoners, as well as the delegates' own findings, is sent to the ICRC for scrutiny and forwarding to the Detaining Power and the prisoners' own government.

If a government wishes to publish reports, it must publish in full, without any change, all reports on a series of visits, and not merely isolated reports. The ICRC has always strongly deplored the use of its reports in disputes which cannot but disserve the persons whom the ICRC seeks to protect.