

This ratification was accompanied by statements of which the original text is reproduced hereafter.

Pursuant to their provisions, the Protocols will enter into force for the Italian Republic on 27 August 1986.

This is the 57th State to become party to Protocol I and the 50th to Protocol II. It is the seventh State to have made the optional declaration accepting the competence of the International Fact-Finding Commission (cf. Article 90 of Protocol I and relevant declaration below).

Italian Statements made at the time of ratification of the Additional Protocols to the 1949 Geneva Conventions

It is the understanding of the Government of Italy that the rules relating to the use of weapons introduced by Additional Protocol I were intended to apply exclusively to conventional weapons. They do not prejudice any other rule of international law applicable to other types of weapons.

The Italian Government understands, in relation to Articles 41, 56, 57, 58, 78 and 86, that the word "feasible" is to be understood as practicable or practically possible taking into account all circumstances ruling at the time, including humanitarian and military considerations.

The situation described in the second sentence of paragraph 3 of Article 44 can exist only in occupied territory.

The word "deployment" in paragraph 3(b) means any movement towards a place from which an attack is to be launched.

In relation to Articles 51 to 58 inclusive, the Italian Government understands that military commanders and other responsible for planning, deciding upon or executing attacks necessarily have to reach decisions on the basis of their assessment of the information from all sources which is available to them at the relevant time.

In relation to paragraph 5(b) of Article 51 and paragraph 2(a) (iii) of Article 57, the Italian Government understands that the military advantage anticipated from an attack is intended to refer to the advantage anticipated from the attack considered as a whole and not only from isolated or particular parts of the attack.

A specific area of land may be a "military objective" if, because of its location or other reasons specified in Article 52, its total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers definite military advantage.

The first sentence of paragraph 2 of the Article prohibits only such attacks as may be directed against non-military objectives. Such a sentence does not deal with the question of collateral damage caused by attacks directed against military objectives.

If and so long as the objectives protected by Article 53 are unlawfully used for military purposes, they will thereby lose protection.

The Government of Italy declares that it recognizes ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the Commission to enquire, as authorized by Article 90, into allegations by such other Party that it has been the victim of violations or has otherwise suffered as a consequence of breaches of the Conventions or the Protocol by Italy.

Italy will react to serious and systematic violations by an enemy of the obligations imposed by Additional Protocol I and in particular its Articles 51 and 52 with all means admissible under international law in order to prevent any further violation.
