

## *Synopsis IV*

### **Identification Fundamental Principle**

by J. de Preux

Families have the right to know the fate of their relatives (P. I, Art. 32).

Each Party to a conflict must search for persons reported missing by an adverse Party and must supply all relevant information on such persons to facilitate the search (P. I, Art. 33).

#### **A. OBLIGATION OF THE POWER OF ORIGIN, OCCUPATION OR RESIDENCE**

#### ***I. Identification of members of the armed forces and other specified persons***

##### **Identity cards and discs**

Each party to a conflict is required to furnish every member of its armed forces with an identity card or identity disc showing at least the names, first names, rank, army, regimental, personal or serial number or its equivalent and the date of birth of the bearer (C. III, Art. 17; C. I, Art. 16).

##### **Identity cards for medical and religious personnel**

In addition to the identity disc, military medical and religious personnel must carry a special identity card with the red cross or red crescent emblem. This card must have the same information required for members of the armed forces and must specify the capacity which entitles the bearer to the protection of the Conventions. It must bear the photograph of the owner and his signature and/or fingerprints and must be embossed with the stamp of the military authority (C. I, Art. 40, C. II, Art. 42).

**Identity cards and discs of auxiliary military medical personnel**

The identity cards and discs of auxiliary military medical personnel must specify the special training they have received, the temporary nature of their duties and their authority for bearing the red cross or red crescent emblem (C. I, Art. 41).

**Identity cards and discs of the medical personnel of recognized aid societies**

The medical personnel of duly recognized and authorized aid societies, employed on the same duties as military medical and religious personnel, must bear the same cards and discs as this personnel (C. I, Arts. 26, 40).

**Identity cards and discs of medical personnel of aid societies of neutral countries**

This personnel must have the same identity documents as those of other recognized aid societies and must receive them before leaving the neutral countries to which they belong (C. I, Art. 27).

**Identity cards of military personnel assigned to civil defence**

Military personnel assigned to civil defence organizations must be provided with an identity card certifying their status. These cards may follow the model shown in Article 14 of Annex I to Protocol I. If persons assigned to civil defence are permitted to carry light individual weapons, an entry to that effect should be made on their card (P. I, Art. 67; Annex I, Art. 14).

**Identity cards for persons authorized to accompany the armed forces without being members of such forces**

These identity cards, in addition to the bearer's country and the military authority issuing the card, must have the bearer's names, first names, date and place of birth, photograph, signature, blood group, religion and indicate the status entitling him or her to accompany the armed forces. If the bearer becomes a prisoner of war, the card must be immediately shown to the Detaining Authorities (C. III, Art. 4; Annex IV A).

## II. *Identification of civilians not attached to the armed forces*

### **Identity cards for civilian medical and religious personnel**

In occupied territories and in areas where fighting is taking place or is likely to take place, civilian medical and religious personnel, including civil defence personnel, should be recognizable by the red cross or red crescent emblem and by an identity card certifying their status (P. I, Arts. 8, 18, 66; Annex I, Regulations concerning identification, Art. 1, 2 and 14).

### **Identity cards for temporary civilian medical and religious personnel**

The identity card for these persons should, as far as possible, be similar to that of the permanent personnel. If circumstances so require, a certificate may be issued in place of the identity card. (P. I, Annex I, Regulations concerning identification, Art. 2).

### **Identity cards for the personnel of recognized civilian hospitals**

Without compromising the provisions of the first article of the Regulations concerning identification (P. I, Annex I), in occupied territories and areas of military operations, these persons shall in all cases be recognizable not only by bearing the emblem of the red cross or red crescent when on duty, but also by an identity card certifying the status of the bearer or the tasks assigned to him, with a photograph of the bearer and the stamp of the competent authority (C. IV, Art. 20; P. I, Arts. 8, 18).

### **Identification of children**

The Parties to a conflict must endeavour to arrange for all children under the age of 12 to be identified by wearing identity discs or by some other means (C. IV, Art. 24).

### **Identification of children in the event of evacuation**

(See Synopsis III: Special Protection of Children).  
(Protocol I, Article 78).

### **Identity cards for journalists**

Journalists engaged in dangerous professional missions in areas of armed conflict may obtain from the government of the State to which they belong, or of the country in which the agency employing them is located, an identity card similar to the model in Protocol I, Annex II, attesting to their status as journalists (P. I, Art. 79).

### **Interrogation**

No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners to obtain any kind of information from them. When questioned, prisoners are required to give only their names, first names and rank, date of birth and registration number, or equivalent information. Prisoners who are unable to state their identity, due to their physical or mental condition, are to be handed over to the medical service and all efforts made to establish their identity (C. III, Art. 17).

### **Identity documents**

Prisoners of war should at no time be without identity documents. The Detaining Power must supply such documents to prisoners who have none (C. III, Art. 18).

### **Evacuations**

The Detaining Power must draw up as soon as possible a list of prisoners evacuated from the combat area (C. III, Art. 20).

### **Transfers**

The Detaining Power must draw up a complete list of transferred prisoners. (C. III, Art. 46).

### **Capture card**

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 transfer, every prisoner of war shall be enabled to write direct to his family, and to the Central Tracing Agency, a card informing them of his capture, address and state of health (C. III, Art. 70).

## **Repatriation**

In the event of repatriation, the same requirements prevail as in the case of transfers. The names of prisoners of war who are detained in connection with indictable offences must be communicated to the Power upon which they depend (C. III, Art. 119).

## **Dispersed prisoners**

Commissions must be established for the purpose of searching for dispersed prisoners and assuring their repatriation (C. III, Art. 119).

## **Identity cards for civil defence personnel**

Civil defence personnel should be provided with an identity card bearing the distinctive civil defence sign, corresponding in other respects to the identity cards of medical and religious personnel (P. I, Annex I, Art. 14).

## **Information about the dead**

Each Party to a conflict, to the fullest extent possible, must facilitate and if necessary carry out the search for and the recording of information about persons who may have died as the result of hostilities or occupation, when such persons have been reported as missing by the adverse Party. This information is to be transmitted either directly or through the Protecting Power, the ICRC or a National Red Cross or Red Crescent Society. In all cases, a copy should be sent to the Central Tracing Agency (P. I, Art. 33).

# **B. PRISONERS OF WAR**

## **I. *Obligations of captor (and Detaining Power)***

### **Wounded, sick and shipwrecked**

As soon as possible, all particulars which may assist in identifying the wounded, sick and shipwrecked must be recorded: the Power on which they depend, their military unit or serial number, names, first names, date of birth, any other information on their identity cards or discs, date and place of capture and information about their injuries or sicknesses. (C. I, Art. 16; C. II, Art. 19).

## **The dead**

The Parties to a conflict must endeavour to reach an agreement which will enable teams to search for, identify and recover the dead from battlefield areas. (P. I, Art. 33).

Interment, cremation or burial at sea, individually as far as circumstances permit, should be preceded by a careful examination, if possible a medical examination, to confirm death, establish identity (see Wounded, sick and shipwrecked) and enable a report to be made providing these details and the date, place and cause of death. One half of the double identity disc, or the disc itself if it is a single one, should remain on the body (C. I, Arts 16, 17; C. II, Art. 20).

## **Death in captivity**

Death certificates or certified lists must be drawn up of all persons who die as prisoners of war. They must contain the following information: names, first names, rank, registration number or equivalent information, date of birth, place, date and cause of death, place and date of burial, and all particulars necessary to identify the graves (C. III, Art. 120 and Annex IV D).

## **National Information Bureaux**

National Information Bureaux, without exercising any pressure on the prisoners (see Interrogation above), must collect the following information about prisoners of war: names, first names, rank, registration number, place and full date of birth, the Power on which they depend, names and first names of the father and of the mother, name and address of the person to be informed and the address to which correspondence for the prisoner may be sent, together with records of transfers, releases, repatriations, escapes, admissions to hospital, health data and deaths. This information is to be sent to the Powers concerned, through the intermediary of the Protecting Power and the Central Tracing Agency (C. III, Art. 122).

## **II. ICRC prerogatives**

### **Work of the Central Tracing Agency**

The Central Tracing Agency centralizes all the information it can obtain about prisoners of war through official or private

channels (C. III, Art. 123). This information is intended for the prisoners' Power of origin or the Power on which they depend.

### **The powers of delegates**

ICRC delegates are entitled to visit prisoners of war at all times and in all places, to speak with them without witnesses and consequently to register them (C. III, Art. 126).

## *III. Prerogatives of the Protecting Power*

Representatives of the Protecting Power have the same prerogatives as those of the ICRC delegates (C. III, Art. 126).

## **C. CIVILIAN INTERNEES**

### *I. Obligations of Powers responsible for internment*

#### **Identification**

Any person, in particular any person protected by the Fourth Convention, who, because of hostilities or occupation, is kept in custody for more than two weeks, subjected to assigned residence or interned, must be identified and the following information must be recorded: names, first names, place and full date of birth, nationality, latest place of residence, distinguishing characteristics, the names and first names of the father and of the mother, state of health, date, nature and place of the measure taken concerning him, address to which correspondence can be sent to him and address of the person to be notified (C. IV, Arts. 43, 136, 138; P. I. Art. 33).

#### **Deaths of internees**

Deaths of internees must be certified in every case by a doctor and a death certificate must be made out showing the causes of death and the conditions under which it occurred. An official and duly registered record of the death must be drawn up in conformity with the procedure in force in the territory where the place of internment is situated. A certified copy of this record must be sent to the Central Tracing Agency and to the Protecting Power (C. IV, Arts. 129, 131; P. I, Art. 33).

### **Internment card**

Every internee must be enabled, upon internment or within one week of his arrival in a place of internment, likewise in the event of sickness or transfer, to send an internment card to his family and to the Central Tracing Agency (C. IV, Art. 106; Annex III).

### **Prohibited identification**

Identification by tattooing or imprinting signs or markings on the body is prohibited (C. IV, Art. 100).

### **Transfers**

A complete list of all internees transferred must be drawn up before their departure (C. IV, Art. 127).

### **National Information Bureaux**

Each national Bureau must collect information concerning persons protected by the Fourth Convention and send it to the Powers concerned through the intermediary of the Protecting Power and the Central Tracing Agency. It must reply to enquiries it receives concerning them (C. IV, Art. 127).

### **Prohibited communications**

The national Bureaux must not communicate information which might be detrimental to the person concerned or to his or her relatives. Even in such a case, however, the information may not be withheld from the Central Tracing Agency (C. IV, Art. 137).

## **II. *ICRC prerogatives***

See paragraph on prisoners of war (C. IV, Arts 140, 143). The Central Tracing Agency must not communicate information which might be detrimental to the persons concerned or to their relatives (C. IV, Art. 140).

## **III. *Prerogatives of Protecting Powers***

See paragraph on prisoners of war (C. IV, Art. 143).

**J. de Preux**  
*Legal Adviser at the ICRC*

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