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Alle Proklamasies, Goewerments- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.

All Proclamations, Government and General Notices published for the first time, are indicated by a * in the left-hand upper corner.

GOEWERMENSKENNISGEWING.

Onderstaande Goewermentskennisgewing word vir algemene inligting gepubliseer:—

KANTOOR VAN DIE EERSTE MINISTER EN DEPARTEMENT VAN BUITELANDSE SAKKE.

* No. 604.]

[20 Maart 1953.]

Die ondergetekendes, gevolmagtigdes van die regerings verteenwoordig op die diplomatieke konferensie gehou te Genève van 21 April tot 12 Augustus 1949, met die doel om die Geneefse Konvensie van 27 Julie 1929 met betrekking tot die behandeling van krygsgevangenes te hersien, het soos volg ooreengekom:—

DEEL I.

ALGEMENE BEPALINGS.

ARTIKEL 1.

Die hoë kontrakterende partye onderneem om hierdie konvensie in alle omstandighede te eerbiedig en eerbiediging daarvan te verseker.

ARTIKEL 2.

Benewens die bepalinge wat in vrede tyd toegepas word, is hierdie konvensie van toepassing in alle gevalle van verklaarde oorlog of enige ander gewapende botsing wat tussen twee of meer van die hoë kontrakterende partye mag ontstaan, selfs al word 'n staat van oorlog nie deur een van hulle erken nie.

Die Konvensie is ook van toepassing in alle gevalle van gedeeltelike of algehele besetting van die grondgebied van 'n hoë kontrakterende party, selfs al word so 'n besetting nie met die wapen afgeweer nie.

Al is een van botsende moondhede nie 'n party by hierdie Konvensie nie, bly die moondhede wat dit onderteken het, in hul onderlinge verhoudings daardeur gebind. Hulle is ook in hul verhouding tot genoemde moondheid deur die konvensie gebind indien laasgenoemde die bepalinge daarvan aanvaar en toepas.

ARTIKEL 3.

In geval van 'n gewapende botsing van 'n nie-internasionale aard wat in die grondgebied van een van die hoë kontrakterende partye voorkom, moet elke party by die botsing ten minste die volgende bepalinge toepas:—

- (1) Persone wat nie aktief aan die vyandelikhede deelneem nie, insluitende lede van gewapende magte wat die wapens neergelê het en dié wat weens siekte, wonde, aanhouding of enige ander oorsaak, buite geveg gestel is, moet in alle omstandighede menslik behandel word sonder enige nadelige onderskeid wat op ras, kleur, godsdiens of geloof, geslag, geboorte of welstand of enige ander soortgelyke maatstaf gegrond is.

GOVERNMENT NOTICE.

The following Government Notice is published for general information:—

OFFICE OF THE PRIME MINISTER AND DEPARTMENT OF EXTERNAL AFFAIRS.

* No. 604.]

[20 March 1953.]

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 recognised 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.

Met die oog hierop is en bly onderstaande handeling te opsigte van bogenoemde persone te eniger tyd en op enige plek hoegenaamd verbode:—

- (a) Geweldplegings teen en aanslag op die lewe van 'n persoon, in die besonder moord van enige aard, verminking, wrede behandeling en marteling;
 - (b) die aanhou van gyselaars;
 - (c) vergrype en beledigings teen die persoonlike waardigheid, in die besonder vernederende behandeling;
 - (d) die oplê van strawwe en voltrekking van teregstellings sonder dat daar vooraf uitspraak gegee en 'n vonnis gevel is deur 'n wettig saamgestelde hof wat die volle geregtelike waarborge wat deur beskaafde volke as noodsaaklik en onmisbaar erken word, verleen.
- (2) Die gewondes en siekes moet bymekaargemaak en versorg word.

'n Onpartydige mensliewende liggaam, soos die Internasionale Komitee van die Rooikruis, kan sy dienste aan die botsende partye aanbied.

Die botsende partye moet verder daarna streef om al die ander bepalings van hierdie Konvensie, of 'n gedeelte daarvan, deur middel van spesiale ooreenkomste in werking te stel.

Die toepassing van bogenoemde bepalings raak nie die wetlike status van die botsende partye nie.

ARTIKEL 4.

A. Krygsgevangenes, in die sin van hierdie Konvensie, is persone wat onder een van onderstaande kategorieë ressorteer en wat in die vyand se hande geval het:—

- (1) Lede van die gewapende magte van 'n party by die botsing sowel as lede van die verdedigingsmagte of vrywilligerskorps wat deel van dié gewapende magte uitmaak;
- (2) lede van ander verdedigingsmagte en lede van ander vrywilligerkorps, insluitende die van georganiseerde weerstandsbewegings wat onder 'n party by die botsing ressorteer en binne of buite hul eie gebied bedrywig is, selfs as dié gebied beset is; met dien verstande dat hierdie militêre magte of vrywilligerkorps, met inbegrip van die georganiseerde weerstandsbewegings, aan die volgende voorwaardes voldoen, naamlik—
 - (a) dat hulle onder bevel staan van 'n persoon wat vir sy ondergeskikte verantwoordelik is;
 - (b) dat hulle 'n bepaalde onderskeidingsteken dra wat op 'n afstand herkenbaar is;
 - (c) dat hulle openlik wapens dra;
 - (d) dat hulle oorlog voer ooreenkomstig die oorlogsreg en -gebruik;
- (3) lede van gereelde gewapende magte wat trou betuig teenoor 'n regering of owerheid wat nie deur die Aanhoudende Moondheid erken word nie;
- (4) persone wat die gewapende magte vergesel sonder om in werklikheid lede daarvan te wees, soos byvoorbeeld burgerlike lede van militêre lugvaartuigbemanning, oorlogskorrespondente, kommissariaatfieweransiers, lede van arbeiderafdelings of van dienste wat vir die welsyn van die gewapende magte verantwoordelik is; met dien verstande dat die gewapende magte wat hulle vergesel aan hulle magtiging verleen, en hulle vir dié doel van 'n identifikasiekaart wat met die bygaande voorbeeld ooreenstem, voorsien;
- (5) lede van bemannings, met inbegrip van gesagvoerders, loodse en vakleerlinge van die handelsvloot en die bemannings van burgerlugvaartuie van die botsende partye, wat nie die voordeel van gunstiger behandeling kragtens enige ander bepalings van die Volkereg geniet nie;
- (6) bewoners van 'n nie-besette gebied wat by die nadering van die vyand uit eie beweging wapens opneem om aan die invallende magte weerstand te bied sonder om die tyd te hê om staande gewapende eenhede te vorm; met dien verstande dat hulle openlik wapens dra en die oorlogswette en -gebruik eerbiedig.

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) 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 recognised as indispensable by civilised 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 these armed forces.
- (2) Members of other militias and members of other volunteer corps, including those of organised 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 these militias or volunteer corps, including these organised 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 recognisable 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 recognised 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 authorisation 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. Insgelyks moet die volgende persone kragtens hierdie Konvensie as krygsgevangenes behandel word:—

- (1) Persone wat tot die gewapende magte van die besette gebied behoort of behoort het, indien die besettingsmoondheid dit nodig ag om hulle as gevolg van sodanige trou te interneer, selfs al het hy hulle oorspronklik vrygelaat, terwyl die vyandelikhede buite die gebied wat deur hom beset is, aan die gang was, veral waar sulke persone 'n mislukte poging aangewend het om weer by die gewapende magte waartoe hulle behoort en wat in die stryd betrokke is aan te sluit, of waar hulle versuim om aan 'n dagvaarding wat met die oog op internering aan hulle beteken is, gehoor te gee.
- (2) Die persone wat onder een van die kategorieë wat in hierdie artikel genoem word, ressorteer en wat deur neutrale of nie-oorlogvoerende moondhede in hul gebied ontvang is en wat hierdie moondhede kragtens die volkereg verplig is om te interneer, sonder om aan enige gunstiger behandeling wat hierdie moondhede mag verkies om toe te pas, afbreuk te doen en met uitsondering van artikels 8, 10, 15, 30, vyfde paragraaf, 58-67, 92, 126 en, waar daar diplomatieke betrekkings tussen die botsende partye en die neutrale of nie-oorlogvoerende moondheid bestaan, die artikels betreffende die beskermende moondheid. Waar daar sulke diplomatieke betrekkings bestaan, moet die partye by dit botsing waarvan dié persone afhanklik is, toegelaat word om in die hoedanigheid van beskermende moondheid soos in hierdie Konvensie bepaal, teenoor hulle op te tree, met inagneming van die pligte wat hierdie partye in normale omstandighede ooreenkomstig diplomatieke en konsultêre gebruike en verdrae vervul.

C. Hierdie artikel raak geensins die status van mediese personeel en veldpredikers waarvoor daar in artikel 33 van hierdie Konvensie voorsiening gemaak word nie.

ARTIKEL 5.

Hierdie Konvensie is van toepassing op die persone genoem in artikel 4 van die tydstip waarop hulle in die hande van die vyand val, tot hul uiteindelijke vrylating en repatriasie.

Indien daar enige twyfel ontstaan of persone wat vyandig opgetree het en in die vyand se hande geval het, onder enige van die kategorieë wat in artikel 4 genoem is, ressorteer, moet sulke persone tot tyd en wyl hul status deur 'n bevoegde regbank vasgestel word, die beskerming van hierdie Konvensie geniet.

ARTIKEL 6.

Bo en behalwe die ooreenkomste waarvoor daar in artikels 10, 23, 28, 33, 60, 65, 66, 67, 72, 73, 75, 109, 110, 118, 119 en 122 uitdruklik voorsiening gemaak word, kan die hoë kontrakterende partye oor alle sake waarvoor hulle afsonderlike voorsiening nodig ag, spesiale ooreenkomste aangaan. Geen spesiale ooreenkomste mag die omstandighede van krygsgevangenes, soos by hierdie Konvensie omskryf, nadelig beïnvloed of die regte wat daar deur aan hulle verleen word, inkort nie.

Krygsgevangenes geniet solank die Konvensie op hulle van toepassing is, die voordele wat uit sulke ooreenkomste voortspruit, behalwe waar genoemde of latere ooreenkomste uitdruklike andersluidende bepalinge bevat of waar gunstiger maatreëls deur een van die botsende partye ten opsigte van hulle getref word.

ARTIKEL 7.

Krygsgevangenes mag in geen omstandighede gedeeltelik of heeltemal van die regte wat by hierdie Konvensie en by die spesiale ooreenkomste wat in die voorgaande artikel genoem word, indien daar is, afstand doen nie.

ARTIKEL 8.

Hierdie Konvensie moet met die samewerking en onder toesig van die beskermende moondhede wie se plig dit is om die belange van die botsende partye te beskerm,

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 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.

Should any doubt arise 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 and 122, 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.

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 co-operation and under the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties

toegepas word. Vir dié doel kan die beskermende moondhede, afgesien van hul diplomatieke of konsulêre personeel, afgevaardigdes uit die geledere van hul eie landsburgers of die burgers van ander neutrale moondhede benoem. Genoemde afgevaardigdes word aangestel onderworpe aan die goedkeuring van die moondheid ten opsigte waarvan hulle hul verpligtings sal moet nakom.

Dit botsende partye moet die taak van die verteenwoordigers en afgevaardigdes van die beskermende moondhede soveel moontlik vergemaklik.

Die verteenwoordigers of afgevaardigdes van die beskermende moondhede mag in geen geval hul opdrag ingevolge hierdie Konvensie oorskry nie. Hulle moet in die besonder rekening hou met die dringende noodsaaklikhede van die veiligheid van die staat waarin hulle hul verpligtings moet nakom.

ARTIKEL 9.

Die bepalinge van hierdie Konvensie belemmer geensins die mensliwende werksaamhede wat die Internasionale Komitee van die Rooikruis of enige ander onpartydige mensliwende organisasie onderworpe aan die toestemming van die betrokke botsende partye vir die beskerming en verligting van die omstandighede van krygsgevangenes mag onderneem nie.

ARTIKEL 10.

Die hoë kontrakterende partye kan te eniger tyd ooreenkom om die verpligtings wat kragtens hierdie Konvensie op die beskermende moondhede rus, aan 'n organisasie wat volkome onpartydigheid en bekwaamheid waarborg, toe te vertrou.

Wanneer krygsgevangenes, om watter rede ook al, nie by die bedrywighede van 'n beskermende moondheid of van 'n organisasie waarvoor daar in die eerste paragraaf hierbo voorsiening gemaak word, baat vind nie of ophou om baat daarby te vind, moet die aanhoudende moondheid 'n neutrale land of soortgelyke organisasie versoek om dié pligte oor te neem wat kragtens hierdie Konvensie vervul word deur 'n beskermende moondheid wat deur die botsende partye vasgestel is.

Indien beskerming nie dienooreenkomstig gereël kan word nie, moet die aanhoudende moondheid behoudens die bepalinge van hierdie artikel om die dienste van 'n mensliwende organisasie soos die Internasionale Komitee van die Rooikruis vra of die aanbod van sulke diens aanvaar om die mensliwende werksaamhede wat kragtens hierdie Konvensie deur beskermende moondhede nagekom word, oor te neem.

'n Neutrale moondheid of enige organisasie wat deur die betrokke moondheid daarom versoek word of hom vir die doeleindes aangebied het, moet met verantwoordelikhedsbesef optree teenoor die party by die botsing, waarvan persone wat deur hierdie Konvensie beskerm word, afhanklik is, en hy moet voldoende waarborge verstrek dat hy in staat is om die nakoming van die betrokke verpligtings te onderneem en sy pligte onpartydig te vervul.

Daar mag geen afbreuk van bogenoemde bepalinge gedoen word deur spesiale ooreenkomste tussen moondhede waar een van die moondhede se vryheid om met die ander moondheid of sy bondgenote te onderhandel, selfs al is dit net tydelik, ingekort is op grond van militêre aangeleenthede en meer in die besonder waar die hele of 'n aansienlike gedeelte van genoemde moondheid se grondgebied beset is nie.

Waar 'n beskermende moondheid ook al in hierdie Konvensie genoem word, is sodanige vermelding van toepassing op plaasvervangende organisasies soos in hierdie artikel beoog.

ARTIKEL 11.

In gevalle waar dit in die belang van beskermde persone raadsaam gaag word, veral in gevalle van meningsverskil tussen botsende partye ten opsigte van die toepassing of vertolking van die bepalinge van hierdie Konvensie, moet die beskermende moondhede met die oog op die beslegting van die geskil, hul welwillende bemiddeling beskikbaar stel.

to the conflict. To this effect, 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 organisation 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 organisation 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 organisation provided for in the first paragraph above, the Detaining Power shall request a neutral State, or such an organisation, 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 organisation, 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 organisation 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 applies to substitute organisations 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 of settling the disagreement.

Met die oog hierop kan elk van die beskermende moondhede, hetsy op uitnodiging van een party of uit eie beweging aan die botsende partye voorstel dat 'n vergadering van hul verteenwoordigers en in die besonder van die owerhede wat vir die krygsgevangenes verantwoordelik is, gehou word, sover moontlik op geskikte neutrale gebied. Die botsende partye is verplig om uitvoering te gee aan die voorstelle wat vir dié doel aan hulle voorgelê word. Die beskermende moondhede kan, indien nodig, 'n persoon vir goedkeuring deur die botsende partye voorstel wat tot 'n neutrale moondheid behoort of deur die Internasionale Komitee van die Rooikruis afgevaardig is en wat uitgenooi sal word om sodanige vergadering by te woon.

DEEL II.

ALGEMENE BESKERMING VAN KRYGSGEVANGENES.

ARTIKEL 12.

Krygsgevangenes is in die mag van die vyandige moondheid maar nie van die persone of militêre eenhede wat hulle gevange geneem het nie. Afgesien van die indiwiduele verantwoordelikhede wat daar mag bestaan, is die aanhoudende moondheid verantwoordelik vir die behandeling wat hulle ontvang.

Krygsgevangenes kan slegs deur die aanhoudende bereid en bevoeg is om aan die vereistes van die Konvensie is, oorgeplaas word, en wel nadat die aanhoudende moondheid hom daarvan vergewis het dat sodanige moondheid waarna die krygsgevangenes oorgeplaas word, bereid en bevoeg is om aan die vereistes van die Konvensie te voldoen. Wanneer krygsgevangenes in sulke omstandighede oorgeplaas word en terwyl hulle in die bewaring is van die moondheid wat hulle aangeneem het, berus die verantwoordelikheid vir die toepassing van die Konvensie by laasgenoemde moondheid.

Desnieteenstaande, moet die moondheid waardeur die krygsgevangenes oorgeplaas is, indien bogenoemde moondheid versuim om die bepalinge van die Konvensie in enige belangrike opsig na te kom, wanneer hy deur die beskermende moondheid daarvan in kennis gestel word, doeltreffende maatreëls tref om die toestand te verhelp of versoek dat die krygsgevangenes teruggestuur word. Daar moet aan sulke versoeke voldoen word.

ARTIKEL 13.

Krygsgevangenes moet te alle tye met mensliewendheid behandel word. Enige onwettige handeling of versuim van die kant van die aanhoudende moondheid wat die dood tot gevolg het of die gesondheid van 'n krygsgevangene wat in sy bewaring is, in gevaar stel, is verbode, en sal as 'n ernstige skending van hierdie Konvensie beskou word. In die besonder mag geen krygsgevangene aan liggaamlike verminking of aan mediese of wetenskaplike proefnemings van enige aard blootgestel word wat nie deur die mediese, tandheelkundige of hospitaalbehandeling van die betrokke gevangene geregverdig word en in sy belang uitgevoer word nie.

Insgelyks moet krygsgevangenes te alle tye en veral teen geweldpleging of intimidasie of teen beledigings en openbare nuuskierigheid beskerm word.

Weerwraakmaatreëls teen krygsgevangenes is verbode.

ARTIKEL 14.

Krygsgevangenes is in alle omstandighede tot eerbiediging van hul persoon en hul eer geregtig. Vroue moet met al die agting wat aan hulle as vroue verskuldig is, behandel word en moet in alle gevalle ewe gunstige behandeling as die mans geniet.

Krygsgevangenes behou die volle burgerlike bevoegdheid wat hulle ten tyde van hul gevangenessing geniet het. Die aanhoudende moondheid mag nie die uitoefening, binne of buite sy eie gebied, van die regte wat deur sodanige bevoegdheid verleen word, inkort nie, behalwe vir sover dit deur die gevangenskap vereis word.

To this effect, 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.

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 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.

ARTIKEL 15.

Die moonndheid wat krygsgevangenes aanhou, is verplig, om gratis vir hul onderhoud en die mediese behandeling wat hul gesondheidstoestand verg, voorsiening te maak.

ARTIKEL 16.

Met inagneming van die bepalings van hierdie Konvensie betreffende rang en geslag, en behoudens enige begunstigende behandeling wat op grond van hul gesondheidstoestand, ouderdom of vakkundige kwalifikasies aan hulle verleen mag word, moet die aanhoudende moonndheid alle krygsgevangenes eenders behandel sonder enige ongunstige onderskeid wat op ras, nasionaliteit, godsdienstige oortuiging of politieke mening of enige ander onderskeid wat op soortgelyke maatstawwe gegrond is, berus.

DEEL III.

GEVANGESKAP.

AFDELING I.

AANVANG VAN GEVANGESKAP.

ARTIKEL 17.

Elke krygsgevangene is, wanneer hy daaromtrent ondervra word, slegs verplig om sy van, voorname en rang, geboortedatum en leër-, regiments-, persoonlike of volgnummer of ander gelykwaardige inligting te verstrek.

Indien hy hierdie reël moedswillig oortree, kan hy homself aan 'n inkorting van die voorregte wat volgens sy rang of status aan hom verleen word, blootstel.

Elke party by 'n botsing is verplig om die persone wat onder sy beheer is en wat moontlik krygsgevangenes kan word, te voorsien van 'n identifikasiekaart wat die eienaar se van, voorname, rang, leër-, regiments-, persoonlike of volgnummer of gelykwaardige inligting en geboortedatum verstrek. Verder kan die identifikasiekaart die eienaar se handtekening, vingerafdrukke of beide bevat en ook enige ander inligting wat die botsende party mag verkies om aangaande persone wat tot sy gewapende magte behoort, by te voeg. Indien moontlik moet die kaart 6.5 x 10 cm. groot wees en in duplo uitgereik word. Die identifikasiekaart moet op versoek deur die krygsgevangene getoon word maar mag in geen omstandighede van hom wegge neem word nie.

Geen liggaamlike of geestelike marteling of enige ander vorm van dwang mag krygsgevangenes opgelê word met die doel om inligting van enige aard van hulle te verkry nie. Krygsgevangenes wat weier om te antwoord, mag nie gedreig of beledig word of aan enige vorm van onaangename of nadelige behandeling blootgestel word nie.

Krygsgevangenes wat op grond van hul liggaamlike of geestelike toestand nie in staat is om hul identiteit te verstrek nie, moet aan die mediese diens toevertrou word. Alle moontlike middels moet aangewend word om die identiteit van sulke gevangenes behoudens die bepalings van bostaande paragraaf, vas te stel.

Die gevangenes moet ondervra word in 'n taal wat hulle verstaan.

ARTIKEL 18.

Alle besittings en artikels van persoonlike gebruik, met uitsondering van wapens, perde, militêre uitrusting en militêre dokumente, moet in besit van krygsgevangenes bly, asook hul metaalhelms en gasmaskers en soortgelyke artikels wat vir persoonlike beskerming uitgereik word. Besittings en artikels wat vir hul kleding of voeding nodig is, moet insgelyks in hul besit bly, selfs al behoort sulke besittings en artikels tot hul voorgeskrewe militêre uitrusting.

Krygsgevangenes moet nooit sonder identifikasiedokumente wees nie. Die aanhoudende moonndheid moet sulke dokumente verskaf aan krygsgevangenes wat hulle nie het nie.

Rang- en nasionaliteitskentekens, dekorasies en artikels waaraan veral persoonlike of sentimentele waarde geheg word, mag nie van krygsgevangenes afgeneem word nie.

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 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 x 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.

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 any 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.

Geldsomme wat krygsgevangenes by hulle het, mag nie van hulle afgeneem word nie, tensy dit op bevel van 'n offisier geskied en slegs nadat die bedrag en besonderhede betreffende die eienaar in 'n spesiale register aangeteken is en 'n gespesifiseerde ontvangsbewys daarvoor oorhandig is wat leesbare aanduiding van die naam, rang en eenheid van die persoon wat genoemde ontvangsbewys uitreik, bevat. Die gevangene se rekening moet soos in artikel 64 bepaal, met gelde in die geldsoort van die aanhoudende moondheid of wat op versoek van 'n gevangene in sodanige geldsoort omgesit is, gekrediteer word.

Die aanhoudende moondheid mag slegs om veiligheidsredes waarvolle artikels van krygsgevangenes afneem; wanneer sulke artikels afgeneem word, geld die prosedure wat vir die afneem van geldsomme neergelê word.

Sulke voorwerpe, asook die gelde wat afgeneem word en in enige geldsoort behalwe die van die aanhoudende moondheid is en ten opsigte waarvan die eienaars nog nie om omsetting gevra het nie, moet in die aanhoudende moondheid se bewaring bly en moet aan die end van die gevangenskap in hul oorspronklike vorm aan die krygsgevangenes teruggegee word.

ARTIKEL 19.

Krygsgevangenes moet so spoedig moontlik na hul gevangenneming na kampe ontruim word wat ver genoeg van die gevegsone geleë is vir hulle om buite gevaar te wees.

Slegs dié krygsgevangenes wat weens wonde of siekte groter gevaar sou loop indien hulle ontruim sou word as wanneer hulle sou bly waar hulle is, kan tydelik in die gevegsone agtergehou word.

Krygsgevangenes moet nie terwyl hulle op ontruiming uit 'n gevegsone wag, onnodig aan gevaar blootgestel word nie.

ARTIKEL 20.

Die ontruiming van krygsgevangenes moet altyd op menslike wyse geskied en in soortgelyke omstandighede as die wat by die verandering van standplaas van die aanhoudende moondheid se magte geld.

Die aanhoudende moondheid moet krygsgevangenes wat ontruim word, van genoeg voedsel en drinkwater en van die nodige kleding en geriewe vir mediese behandeling voorsien. Die aanhoudende moondheid moet alle geskikte voorsorgmaatreëls tref om hul veiligheid gedurende ontruiming te verseker en moet so spoedig moontlik 'n lys van die krygsgevangenes wat ontruim word, opstel.

Indien krygsgevangenes gedurende ontruiming in deurgangskampe gehuisves moet word, moet hul verblyf in sulke kampe so kort moontlik wees.

AFDELING II.

DIE INTERNERING VAN KRYGSGEVANGENES.

HOOFSTUK I.

ALGEMENE OPMERKINGS.

ARTIKEL 21.

Die aanhoudende moondheid kan krygsgevangenes interneer. Hy kan hulle verplig om nie sekere perke buite die kamp waarin hulle geïnterneer is te oorskry nie, of as genoemde kamp omhein is, om nie buite die omtrek te gaan nie. Behoudens die bepalings van hierdie Konvensie betreffende straf- en dissiplinêre sanksies, mag krygsgevangenes nie in afgesonderde bewaking gehou word nie, tensy dit vir die beskerming van hul gesondheid nodig is, en dan ook slegs solank die omstandighede wat sodanige bewaking vereis, voortduur.

Krygsgevangenes kan gedeeltelik of heeltemal op parool of erewoord vrygelaat word vir sover dit deur die wette van die moondheid waarvan hulle afhanklik is, toegelaat word. Sulke maatreëls moet veral getref word in gevalle waar dit tot die verbetering van hul gesondheidsstand kan bydra. Geen krygsgevangene mag verplig word om vrylating op parool of erewoord te aanvaar nie.

Sums of money carried by prisoners of war may not be taken away from them except by order of an officer after the amount 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 the 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 risk 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.

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 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.

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.

By die uitbreek van vyandelikhede moet elke party by die botsing die teenparty van die wette en regulasies wat sy eie landsburgers toelaat of verbied om vrylating op parool of erewoord te aanvaar in kennis stel. Krygsgevangenes wat op parool vrygelaat word of wat hul erewoord in ooreenstemming met die wette en regulasies wat aldus bekendgemaak is, gegee het, is in hul persoonlike eer verplig om, sowel teenoor die moondheid waarvan hulle afhanklik is as die moondheid wat hulle gevange geneem het, die verpligtings van hul parool of erewoord stiptelik na te kom. In sulke gevalle is die moondheid waarvan hulle afhanklik is nóg verplig om enige diens wat nie in ooreenstemming is met die parool of erewoord wat gegee is nie van hulle te verlang, nóg om dit aan te neem.

ARTIKEL 22.

Krygsgevangenes kan slegs op persele wat op land geleë is en volle waarborg van higiëne en gesondheid bied, geïnterneer word. Behalwe in spesiale gevalle wat in die belang van die gevangenes self geregtig is, moet hulle nie in straf inrigtings geïnterneer word nie.

Krygsgevangenes wat in ongesonde gebiede of waar die klimaat vir hulle nadelig is, geïnterneer is, moet so spoedig moontlik na 'n gunstiger klimaat verwyder word.

Die aanhoudende moondheid moet krygsgevangenes volgens hul nasionaliteit, taal en gewoontes in kampe of kamp-kampongs bymekaarbring; met dien verstande dat die krygsgevangenes nie van krygsgevangenes wat aan die gewapende magte waarmee hulle ten tyde van hul gevangeneeming in diens was, afgesonder moet word nie, tensy dit met hul goedkeuring geskied.

ARTIKEL 23.

Geen krygsgevangene mag te eniger tyd na gebiede waar hy aan die skietery van die gevegsone blootgestel kan word, gestuur word, of in sulke gebiede aangehou word nie en sy teenwoordigheid mag ook nie gebruik word om sekere plekke of gebiede teen militêre verrigtinge te vrywaar nie.

Krygsgevangenes moet in dieselfde mate as die plaaslike burgerbevolking skuilplekke teen lugbombardement en ander krygsgefare hê. Met uitsondering van die wat by die beskerming van hul kwartiere teen genoemde gevare betrokke is, kan hulle so gou moontlik nadat alarm gemaak is, sulke skuilplekke binnegaan. Enige ander beskermingsmaatreëls wat ten gunste van die bevolking getref word, moet ook op hulle van toepassing wees.

Aanhoudende moondhede moet alle nuttige inligting betreffende die geografiese ligging van krygsgevangenekampe deur bemiddeling van die beskermende moondhede aan die betrokke moondhede verskaf.

Wanneer militêre oorwegings dit ook al toelaat, moet krygsgevangenekampe bedags aangedui word deur die letters P.W. of P.G. só geplaas dat dit duidelik uit die lug sigbaar is. Die betrokke moondhede kan egter ook ooreenkom om van enige ander merkstelsel gebruik te maak. Slegs krygsgevangenekampe moet as sodanig gemerk word.

ARTIKEL 24.

Deurgangs- of siftingskampe van 'n permanente aard moet in soortgelyke omstandighede as dié wat in hierdie afdeling beskryf word uitgerus word en die gevangenes daarin moet dieselfde behandeling ontvang as in ander kampe.

HOOFTUK II.

KWARTIERE, VOEDSEL EN KLEDING VAN KRYGSGEVANGENES.

ARTIKEL 25.

Krygsgevangenes moet in net sulke gunstige omstandighede as die magte van die aanhoudende moondheid wat in dieselfde gebied gehuisves is, ingekwartier word. By genoemde omstandighede moet die gewoontes en gebruike van die gevangenes in aanmerking geneem word en hul gesondheid moet in geen geval daardeur benadeel word nie.

Upon the outbreak of hostilities, each Party to the conflict shall notify the adverse Party of the laws and regulations allowing or prohibiting 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 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 not 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 these prisoners shall not be separated from 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.

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.

Bostaande bepalings is veral van toepassing op die slaapsale van krygsgevangenes wat totale oppervlakte en minimum kubieke inhoud sowel as algemene installasies, beddegoed en komberse betref.

Die persele wat vir die indiwiduele of gesamentlike gebruik van krygsgevangenes verskaf word, moet heeltemal teen vogtigheid gevrywaar wees en veral tussen skemertyd en die tyd wanneer die ligte uitgedoof word, voldoende verwarm en verlig wees. Daar moet alle voorsorgsmaatreëls teen die gevaar van brand getref word.

In alle kampe waar vroulike gevangenes sowel as mans gehuisves word, moet afsonderlike slaapsale vir hulle verskaf word.

ARTIKEL 26.

Die daaglikse basiese voedselrantsoene moet wat hoeveelheid, gehalte en verskeidenheid betref, voldoende wees om krygsgevangenes in 'n goeie gesondheidstoestand te hou en om gewigsverlies of die ontwikkeling van voedingsgebreksiektes te voorkom. Daar moet ook op die gebruikelike dieet van gevangenes gelet word.

Die aanhoudende moondheid moet werkende krygsgevangenes van sulke bykomende rantsoene voorsien as wat vir die arbeid wat hulle verrig, nodig is.

Krygsgevangenes moet van genoeg drinkwater voorsien word. Die gebruik van tabak is geoorloof.

Krygsgevangenes moet soveel moontlik aan die voorbereiding van hul maaltye deelneem; hulle kan vir dié doel in die kombuise gebruik word. Verder moet hulle geleentheid verskaf word om self die ekstra voedsel wat in hul besit is, voor te berei.

Daar moet voldoende persele vir die inrigting van 'n menasie verskaf word.

Gesamentlike dissiplinêre maatreëls betreffende voedsel is verbode.

ARTIKEL 27.

Die aanhoudende moondheid moet krygsgevangenes volgens die klimaat van die gebied waarin hulle aangehou word, van voldoende hoeveelhede kleding, onderklere en skoene voorsien. Waar uniforms van vyandige gewapende magte wat deur die aanhoudende moondheid gevange geneem is, vir die klimaat geskik is, moet dit as kleding vir die krygsgevangenes beskikbaar gestel word.

Die aanhoudende moondheid moet die gereelde vervanging en herstel van bogenoemde goedere verseker. Daarbenewens moet krygsgevangenes wat werk, waar die aard van die werk dit ook al vereis, geskikte kleding ontvang.

ARTIKEL 28.

In alle kampe moet winkels ingerig word waar die krygsgevangenes eetware, seep en tabak en artikels vir gewone daaglikse gebruik kan verkry. Die tarief moet in geen geval hoër as die plaaslike handelspryse wees nie.

Die wins wat die kampwinkels oplewer, moet ten bate van die gevangenes aangewend word; daar moet 'n spesiale fonds vir dié doel ingestel word. Die gevangenes se verteenwoordiger het die reg om in die bestuur van die winkel en die aanwending van die fonds 'n aandeel te hê.

Wanneer die kamp gesluit word, moet die kredietsaldo van die spesiale fonds aan 'n internasionale welsynsorganisasie oorhandig word om ten bate van krygsgevangenes van dieselfde nasionaliteit as die wat tot die fonds bygedra het, aangewend te word. In geval van algemene repatriasie moet sodanige wins behoudens enige teenooreenkoms tussen die betrokke moondhede, in die aanhoudende moondheid se besit bly.

HOOFSTUK III.

HIGIENE EN MEDIESE BEHANDELING.

ARTIKEL 29.

Die aanhoudende moondheid is verplig om alle gesondheidsmaatreëls te tref om die sindelikhed van en gesondheid in kampe te verseker en om epidemies te voorkom.

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 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.

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. 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 organisation, 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.

Die krygsgevangenes moet dag en nag sanitêre geriewe tot hul beskikking hê wat aan gesondheidsreëls voldoen en wat voortdurend sindelik gehou moet word. In kampe waar vroulike krygsgevangenes gehuisves word, moet aparte geriewe vir hulle verskaf word.

Afgesien van die baddens en stortbaddens wat in kampe verskaf moet word, moet krygsgevangenes ook van genoeg water en seep vir hul persoonlike toilet en vir die was van hul persoonlike wasgoed voorsien word, en moet hulle die nodige installasies, geriewe en tyd hiervoor hê.

ARTIKEL 30.

Elke kamp moet 'n geskikte siekehuis hê waar krygsgevangenes die nodige versorging kan ontvang en hulle aan 'n geskikte dieet kan hou. Indien dit nodig is, moet afsonderingsale vir besmetlike of sielsieke gevalle afgesonder word.

Krygsgevangenes wat aan 'n ernstige siekte ly of wie se toestand spesiale behandeling, 'n chirurgiese operasie of hospitaalversorging vereis, moet tot enige militêre of burgerlike mediese eenheid waar sodanige behandeling gegee kan word, toegelaat word, selfs waar daar oorweeg word om hulle in die nabye toekoms te repatrieer. Daar moet spesiale geleentheid vir die versorging van ongeskikte persone, veral blindes en vir hul rehabilitasie tot tyd en wyl hulle gerepatrieer word, verskaf word.

Krygsgevangenes moet by voorkeur die aandag van mediese personeel van die moondheid waarvan hulle afhanklik is en, indien moontlik, van hul eie nasionaliteit, geniet.

Krygsgevangenes mag nie verhoed word om hulle vir 'n ondersoek by die mediese gesag aan te meld nie. Die aanhoudende owerheid moet op versoek aan elke gevangene wat behandeling ontvang het, 'n amptelike sertifikaat uitreik wat die aard van sy siekte of basering en die duur van en soort behandeling wat ontvang is, verstrekk. Daar moet 'n duplikaat van hierdie sertifikaat aan die Sentrale Buro vir Krygsgevangenes gestuur word.

Die behandelingskoste, met inbegrip van die koste van enige apparaat wat vir die instandhouding van die goeie gesondheid van die krygsgevangenes nodig is, veral kunsgebitte en ander kunsmatige toestelle en brille moet deur die aanhoudende moondheid gedra word.

ARTIKEL 31.

Krygsgevangenes moet minstens een keer per maand medies ondersoek word. Dit sluit die kontrolering en aantekening van die gewig van elke krygsgevangene in. Die doel hiervan moet veral wees om die algemene gesondheidstoestand, voeding en persoonlike sindelikeit van gevangenes te kontroleer en om besmetlike siektes, veral tuberkulose, malaria en venereiese siektes, te ontdek. Vir dié doel moet die doeltreffendste beskikbare metodes aangewend word, byvoorbeeld periodieke massaminiatuur-radiografie vir die vroegtydige ontdekking van tuberkulose.

ARTIKEL 32.

Krygsgevangenes wat, hoewel hulle nie aan die mediese diens van hul gewapende magte verbonde is nie, geneeshere, chirurge, tandartse, verpleegsters of mediese ordonanse is, kan deur die aanhoudende moondheid verplig word om hul mediese werksaamhede in die belang van krygsgevangenes wat van dieselfde moondheid afhanklik is, uit te voer. In dié geval bly hulle krygsgevangenes maar ontvang dieselfde behandeling as die ooreenstemmende mediese personeel wat deur die aanhoudende moondheid in diens gehou word. Hulle word van enige ander werk ingevolge artikel 49 vrygestel.

HOOFSTUK IV.

MEDIESE PERSONEEL EN VELDPREDIKERS WAT IN DIENS GEHOU WORD OM HULP AAN KRYGSGEVANGENES TE VERLEEN.

ARTIKEL 33.

Terwyl lede van die mediese personeel en veldpredikers deur die aanhoudende moondheid in diens gehou word met die doel om hulp aan krygsgevangenes te verleen, word hulle nie as krygsgevangenes beskou nie. Hulle moet egter ten minste die voordele en beskerming van

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 granted them for that purpose.

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 civil 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.

ARTICLE 31.

Medical inspections of prisoners of war shall be made 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.

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

hierdie Konvensie geniet en moet ook al die geriewe wat vir die mediese versorging en geestelike bediening van krygsgevangenes nodig is, verleen word.

Hulle moet binne die bestek van die militêre wette en regulasies van die aanhoudende moondheid en onder beheer van sy bevoegde dienste ooreenkomstig hul beroepsetiket voortgaan met die nakoming van hul mediese en geestelike pligte ten bate van krygsgevangenes, by voorkeur die wat ook aan die gewapende magte waarvan hulle afhanklik is, behoort. By die uitvoering van hul mediese of geestelike werksaamhede, geniet hulle die volgende geriewe:—

- (a) Hulle is bevoeg om krygsgevangenes wat in arbeiderafdelings of in hospitale buite die kamp is, van tyd tot tyd te besoek. Vir dié doel moet die aanhoudende moondheid die nodige vervoermiddels tot hul beskikking stel.
- (b) Die senior geneeskundige in elke kamp is aan die kamp se militêre owerheid verantwoordelik vir alles wat met die werksaamhede van die aangestelde mediese personeel in verband staan. Met die oog hierop moet die botsende partye by die uitbreek van vyandelikhede ooreenkom ten opsigte van die ooreenstemmende range van die mediese personeel, met inbegrip van dié van verenigings wat artikel 26 van die Konvensie van Genève insake die verligting van die Toestand van die Gewondes en Siekes in die Gewapende Magte te Velde, van 12 Augustus 1949, genoem is. Die senior offisier-geneeskundige sowel as die veldprediker het die reg om oor alle kwessies betreffende hul pligte met die bevoegde owerheid van die kamp te onderhandel. Sulke owerhede moet hulle alle nodige geleentheid vir korrespondensie in verband met hierdie kwessies verleen.
- (c) Hoewel sulke personele aan die inwendige dissipline van die kamp waarin hulle in diens gehou word, onderworpe is, mag hulle nie verplig word om enige ander werk as dié wat by hul mediese of geestelike pligte betrokke is, uit te voer nie.

Tydens die duur van vyandelikhede moet die botsende partye ooreenkom betreffende die moontlike aflossing van die aangestelde personeel en moet hulle reël watter prosedure gevolg sal word.

Geeneen van bostaande bepalings onthef die aanhoudende moondheid van die mediese of geestelike sy van sy verpligtinge ten opsigte van krygsgevangenes nie.

HOOFTUK V.

GEESTELIKE, INTELLEKTUELE EN LIGGAAM-LIKE BEDRYWIGHEDE.

ARTIKEL 34.

Dit staan krygsgevangenes heeltemal vry om hul godsdienste te beoefen, met inbegrip van die bywoning van die eredienste van hul geloof, op voorwaarde dat hulle hul gedra volgens die dissiplinêre roetine wat deur die militêre owerhede voorgeskryf word.

Daar moet voorsiening gemaak word vir geskikte persele waar eredienste gehou kan word.

ARTIKEL 35.

Veldpredikers wat in die vyand se hande val en bly of in diens gehou word met die doel om krygsgevangenes tot hulp te wees, word toegelaat om hul amp ooreenkomstig hul godsdienstige oortuigings ten volle onder hul geloofsgenote onder die krygsgevangenes uit te oefen. Hulle moet onder die verskillende kampe en arbeiderafdelings aangewys word wat krygsgevangenes wat aan dieselfde magte behoort, dieselfde taal praat of dieselfde geloof beoefen, bevat. Hulle moet die nodige geriewe vir die besoek aan krygsgevangenes buite hul kamp geniet, met inbegrip van die vervoermiddele, waarvoor daar in artikel 33 voorsiening gemaak word. Dit staan hulle vry om met die geestelike owerheid in land van hul aanhouding en met die internasionale godsdienstige organisasies, onderworpe aan sensuur, briefwisseling in verband met hul godsdienstige pligte te voer. Briewe en poskaarte wat hulle in verband hiermee stuur, word by die kwota waarvoor daar in artikel 71 voorsiening gemaak word, gevoeg.

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 law 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 authorised 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 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 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.

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 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 the international religious organisations. Letters and cards which they may send for this purpose shall be in addition to the quota provided for in Article 71.

ARTIKEL 36.

Dit staan krygsgevangenes wat predikante is maar wat nie onder hul eie magte as veldpredikers opgetree het nie, vry, wat hul kerkgenootskap ook al mag wees, om hul amp ten volle onder die lede van hul gemeenskap uit te oefen. Met die oog hierop ontvang hulle dieselfde behandeling as die veldpredikers wat deur die aanhoudende moondheid in diens gehou word. Hulle mag nie verplig word om enige ander werk te verrig nie.

ARTIKEL 37.

Wanneer krygsgevangenes nie die hulp van 'n aangestelde veldprediker of van 'n krygsgevangene-predikant van dieselfde geloof het nie, moet 'n predikant wat aan dieselfde geloof as die van die krygsgevangenes of aan 'n soortgelyke kerkgenootskap behoort, of in sy afwesigheid 'n opgeleide leek op versoek van die betrokke krygsgevangenes aangestel word om in hierdie amp waar te neem mits sodanige optrede uit die standpunt van geloofsbelydenis gesien, uitvoerbaar is. Hierdie aanstelling moet, onderworpe aan die goedkeuring van die aanhoudende moondheid, met die toestemming van die betrokke gevangenes plaasvind en waar dit ook al nodig mag wees, met die goedkeuring van die plaaslike geestelike owerheid van dieselfde geloof. Die persoon wat aldus aangestel word, moet al die regulasies in die belang van die dissipline en militêre veiligheid, deur die aanhoudende moondheid opgestel, nakom.

ARTIKEL 38.

Met inagneming van die individuele voorkeur van elke gevangene, moet die aanhoudende moondheid die beoefening van intellektuele, opvoedkundige en ontspanningsbedrywighede, sport en spele onder gevangenes aanmoedig en die nodige maatreëls tref om die beoefening daarvan te verseker deur hulle van voldoende persele en die nodige uitrustings te voorsien.

Gevangenes moet die geleentheid kry om aan liggaamlike oefening met inbegrip van sport en spele deel te neem en om in die buitlug te verkeer. Daar moet in alle kampe vir voldoende oop ruimtes vir dié doel voorsiening gemaak word.

HOOFSTUK VI.

DISSIPLINE.

ARTIKEL 39.

Elke krygsgevangenekamp moet onder die onmiddellike gesag van 'n verantwoordelike Kommissie-offisier wat aan die gereelde gewapende magte van die aanhoudende moondheid behoort, geplaas word. Sodanige offisier moet 'n afskrif van hierdie Konvensie in sy besit hê; hy moet seker maak dat die bepalinge daarvan aan die kamp-personeel en die wag bekend is en is volgens voorskrif van sy regering verantwoordelik vir die toepassing daarvan.

Met uitsondering van offisiere moet krygsgevangenes alle offisiere van die aanhoudende moondheid saluer en hulle die uiterlike eerbied betoon wat by die regulasies wat in hul eie leërs van krag is, bepaal word.

Offisier-krygsgevangenes is slegs verplig om offisiere van 'n hoër rang van die aanhoudende moondheid te saluer; hulle moet egter die kampkommandant saluer, wat sy rang ook al mag wees.

ARTIKEL 40.

Die dra van rang- en nasionaliteitstekens en dekorasies is geoorloof.

ARTIKEL 41.

Die teks van hierdie Konvensie en sy aanhangsels en die inhoud van enige spesiale ooreenkoms wat ingevolge artikel 6 gesluit word, moet in elke kamp in die gevangenes se eie taal en op plekke waar dit deur almal gelees kan word, opgeplak word. Afskrifte moet op versoek van gevangenes wat nie tot die opgeplakte afskrif toegang het nie, verskaf word.

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.

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 being out of doors. Sufficient open spaces shall be provided for this purpose in all camps.

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 shall have opportunities for taking physical 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, at places where all may read them. Copies shall be supplied, on request, to the prisoners who cannot have access to the copy which has been posted.

Regulasies, bevele, kennisgewings en publikasies van allerlei aard betreffende die optrede van krygsgevangenes moet in 'n taal wat hulle verstaan, aan hulle uitgereik word. Sulke regulasies, bevele en publikasies moet soos hierbo omskryf, opgeplak word en afskrifte moet aan die gevangenes se verteenwoordiger oorhandig word. Insgelyks moet elke bevel en opdrag wat tot individuele krygsgevangenes gerig word, in 'n taal opgestel word wat hulle verstaan.

ARTIKEL 42.

Die gebruik van wapens teen krygsgevangenes, veral teen dié wat besig is om te ontsnap of te probeer ontsnap, is 'n uiterste middel wat altyd na gelang van omstandighede deur die nodige waarskuwings voorafgegaan moet word.

HOOFSTUK VII.

DIE RANG VAN KRYGSGEVANGENES.

ARTIKEL 43.

By die uitbreek van vyandelikhede moet die botsende partye mekaar van die titels en range van al die persone wat in artikel 4 van hierdie Konvensie genoem word, in kennis stel ten einde gelykheid van behandeling tussen gevangenes van ooreenstemmende range te verseker. Titels en range wat later geskep word, moet insgelyks bekendgemaak word.

Die aanhoudende moondheid moet bevorderings in rang erken wat aan krygsgevangenes verleen word en wat behoorlik deur die moondheid waarvan hierdie gevangenes afhanklik is, bekendgemaak word.

ARTIKEL 44.

Offisiere en gevangenes van ooreenstemmende status moet met die eerbied wat aan hul rang en ouderdom verskuldig is, behandel word.

Ten einde die bediening in offisierskampe te verseker, moet 'n voldoende aantal persone van ander range van dieselfde strydmagte wat sover moontlik dieselfde taal praat, en met inagneming van die rang van sulke offisiere en gevangenes van gelyke status, aangestel word. Sulke ordonnansie moet nie verplig word om enige ander werk te verrig nie. Toesig oor die menasie deur die offisiere self moet op elke moontlike wyse vergemaklik word.

ARTIKEL 45.

Krygsgevangenes wat nie offisiere of gevangenes van gelyke rang is nie, moet met die eerbied wat aan hul rang en ouderdom verskuldig is, behandel word.

Toesig oor die menasie deur gevangenes self moet op elke moontlike wyse vergemaklik word.

HOOFSTUK VIII.

DIE OORPLASING VAN KRYGSGEVANGENES NA HUL AANKOMS IN DIE KAMP.

ARTIKEL 46.

Wanneer die aanhoudende moondheid besluit om krygsgevangenes oor te plaas, moet hy met die belange van die gevangenes self rekening hou, veral met die doel om hul repatriasie nie nog moeiliker te maak nie.

Die oorplasing van krygsgevangenes moet altyd met menslikheid geskied en onder ewe gunstige omstandighede as dié waaronder die aanhoudende moondheid se gewapende magte oorgeplaas word. Die klimaatstoestand waaraan krygsgevangenes gewoon is, moet altyd in aanmerking geneem word en die omstandighede van oorplasing moet geensins vir hul gesondheid nadelig wees nie.

Die aanhoudende moondheid moet krygsgevangenes gedurende oorplasing van voldoende voedsel en drinkwater verskaf om hulle in 'n toestand van goeie gesondheid te hou, en ook die nodige kleding, skuiling en mediese aandag verskaf. Die aanhoudende moondheid moet veral in geval van see- of lugvervoer doeltreffende voorsorgsmaatreëls tref om hul veiligheid gedurende oorplasing te verseker en moet voor hul vertrek 'n volledige lys van al die gevangenes wat oorgeplaas word, opstel.

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.

The Detaining Power shall recognise 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 to 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.

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.

ARTIKEL 47.

Siek of gewonde krygsgevangenes moet nie oorgeplaas word solank hul herstel deur die reis in gevaar gestel kan word nie, tensy die oorplasing gebiedend noodsaaklik vir hul veiligheid is.

Indien die gevegsone nader aan 'n kamp kom, moet die krygsgevangenes in genoemde kamp nie oorgeplaas word nie, tensy hul oorplasing met die nodige veiligheid kan geskied of indien hulle aan groter gevaar blootgestel sou word deur op die plek te bly as om oorgeplaas te word.

ARTIKEL 48.

In geval van oorplasing moet krygsgevangenes amptelik van hul vertrek en van hul nuwe posadres in kennis gestel word. Sulke meddelings moet vroegtydig geskied sodat hulle hul bagasie kan inpak en hul nabestaandes daarvan kan verwittig.

Hulle word toegelaat om hul persoonlike besittings en die korrespondensie en die pakkies wat vir hulle aangekom het, saam te neem. Indien die vervoertoestande dit vereis, kan die gewig van sodanige bagasie beperk word tot wat elke gevangene redelik kan dra en wat in geen geval meer as vyf-en-twintig kilogram per persoon mag wees nie.

Fos en pakkies wat na hul vorige kamp gestuur word, moet, sonder versuim aangestuur word. Die kampkommandant moet volgens ooreenkomst met die gevangenes se verteenwoordiger alle nodige maatreëls tref om die vervoer van die gevangenes se gesamentlike eiendom en die bagasie te verseker wat hulle as gevolg van die beperkings wat kragtens die tweede paragraaf van hierdie artikel opgelê word, nie in staat is om saam met hulle te neem nie.

Die oorplasingskoste moet deur die aanhoudende moondheid gedra word.

AFDELING III.

DIE WERK VAN KRYGSGEVANGENES.

ARTIKEL 49.

Die aanhoudende moondheid kan gesonde krygsgevangenes met inagneming van hul ouderdom, geslag, rang en liggaamlike vermoë en veral met die doel om hulle liggaamlik en geestelik gesond te hou, gebruik om werk te verrig.

Onderoffisier-krygsgevangenes kan slegs verplig word om toesigwerk te doen. Diegene wat nie hiervoor nodig is nie, kan om ander geskikte werk vra, en dit moet sover moontlik vir hulle gegee word.

Indien offisiere of persone van gelyke status om geskikte werk vra, moet dit sover moontlik aan hulle gegee word maar hulle mag in geen omstandighede verplig word om te werk nie.

ARTIKEL 50.

Behalwe werk in verband met die kampadministrasie, -installasie, of -onderhoud, kan krygsgevangenes slegs verplig word om dié werk te doen wat onder die volgende klasse ressorteer:—

- (a) landbou;
- (b) nywerhede waarby die produksie of uithaal van grondstowwe betrokke is; vervaardigingsnywerhede met uitsondering van die metallurgiese, die werktuigkundige en die chemiese nywerheid; openbare werke en bouwerksaamhede van 'n nie-militêre aard of met 'n nie-militêre doel;
- (c) vervoer en hantering van ware met 'n nie-militêre aard of doel;
- (d) handelsbedrywighede, kuns en kunsvlyt;
- (e) huishoudelike diens;
- (f) openbare nuttigheidsdienste met nie-militêre aard of doel.

In geval van oortreding van bostaande bepalings het krygsgevangenes die reg om hul besware ooreenkomstig artikel 78 in te dien.

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.

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 if 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.

SECTION III.

LABOUR OF PRISONERS OF WAR.

ARTICLE 49.

The Detaining power may utilise 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; 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) 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 the right of complaint, in conformity with Article 78.

ARTIKEL 51.

Krygsgevangenes moet veral wat huisvesting, voedsel, kleding en uitrusting betref, in geskikte omstandighede werk; sulke omstandighede mag nie minder gunstig wees as dié wat die burgers van die aanhoudende moondheid wat vir soortgelyke werk gebruik word, geniet nie; klimaatstoestand moet ook in aanmerking geneem word.

Waar krygsgevangenes gebruik word om werk te verrig, moet die aanhoudende moondheid seker maak dat die landswetgewing betreffende die beskerming van arbeid, en meer in die besonder die regulasies vir die veiligheid van werkers, behoorlik in gebiede waar sulke gevangenes gebruik word, toegepas word.

Krygsgevangenes moet opleiding ontvang en van net sulke geskikte beskermmiddels vir die werk wat hulle verrig, voorsien word, as dié wat die burgers van die aanhoudende moondheid ontvang. Behoudens die bepalinge van artikel 52 mag gevangenes aan die normale gevaar wat die burgerlike werkers loop, blootgestel word.

Werktoestande moet in geen geval deur dissiplinêre maatreëls moeiliker gemaak word nie.

ARTIKEL 52.

Geen krygsgevangene mag, tensy hy dit vrywillig doen, vir ongesonde of gevaarlike werk gebruik word nie.

Geen krygsgevangene mag werk gegee word wat deur 'n lid van die aanhoudende moondheid se strydsmagte as vernederende werk beskou sou word nie.

Die verwydering van myne of dergelyke toestelle word as gevaarlike werk beskou.

ARTIKEL 53.

Die duur van krygsgevangenes se daaglikse werk, met inbegrip van die heen- en terugreis, mag nie te lank wees nie en mag in geen geval langer wees as dié van die burgerlike werkers in die distrik wat burgers van die aanhoudende moondheid is en by dieselfde werk gebruik word nie.

Krygsgevangenes moet in die middel van die dag se werk minstens 'n uur rustyd toegestaan word. Die rustyd moet dieselfde wees as dié waartoe werkers van die aanhoudende moondheid geregtig is, indien die van laasgenoemdes langer duur. Daarbenewens word hulle elke week, by voorkeur op Sondag of die rusdag van hul land van herkoms, 'n ononderbroke rustyd van 24 uur toegestaan. Verder word elke gevangene wat 'n jaar lank gewerk het 'n ononderbroke rustyd van agt dae toegestaan en gedurende dié tyd word sy werksbesoldiging aan hom betaal.

By die toepassing van sulke werksmetodes soos stukwerk, moet die werktyd nie daardeur oormatig lank gemaak word nie.

ARTIKEL 54.

Krygsgevangenes se werksbesoldiging moet ooreenkomstig die bepalinge van artikel 62 van hierdie Konvensie vasgestel word.

Krygsgevangenes wat in verband met hul werk beserings opdoen of gedurende of as gevolg van hul werk 'n siekte ontwikkel, moet al die versorging geniet wat hul toestand mag vereis. Die aanhoudende moondheid moet ook aan sulke krygsgevangenes 'n mediese sertifikaat uitreik wat hulle in staat sal stel om hul eise by die moondheid waarvan hulle afhanklik is, in te dien en moet aan die Sentrale Buro vir Krygsgevangenes waarvoor in artikel 122 voorsiening gemaak word, 'n duplikaat stuur.

ARTIKEL 55.

Krygsgevangenes se geskiktheid vir werk moet gereeld, ten minste eenkeer per maand, deur 'n mediese ondersoek geverifieer word. Die ondersoek moet veral met die oog op die soort werk wat krygsgevangenes moet verrig, geskied.

Indien enige krygsgevangene homself as ongeskik vir werk beskou, moet hy toegelaat word om voor die mediese owerheid van sy kamp te verskyn. Geneeshere of chirurges kan aanbeveel dat gevangenes wat volgens hul mening ongeskik vir werk is, daarvan vrystelling verleen word.

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 utilising 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.

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 weekly, 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 accordance with the provisions of Article 62 of the 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 122.

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.

ARTIKEL 56.

Die organisasie en bestuur van arbeiderafdelings moet met die van krygsgevangenekampe ooreenstem. Elke arbeiderafdeling bly onder beheer van, en administratief deel van 'n krygsgevangenekamp. Die militêre owerheid en die kommandant van genoemde kamp is volgens die voorskrif van sy regering vir die nakoming van die bepalinge van hierdie Konvensie in arbeiderafdelings verantwoordelik.

Die kampkommandant moet 'n uitvoerige register hou van die arbeiderafdelings wat van sy kamp afhanklik is en dit beskikbaar stel vir die afgevaardigdes van die beskermende moondheid, die Internasionale Komitee van die Rooikruis of van ander verenigings vir die verligting van die omstandighede van krygsgevangenes wat die kamp mag besoek.

ARTIKEL 57.

Die behandeling van krygsgevangenes wat vir private persone werk, selfs waar laasgenoemdes vir hul bewaking en beskerming verantwoordelik is, mag nie minder gunstig wees as die wat deur hierdie Konvensie bepaal word nie. Die aanhoudende moondheid, die militêre owerheid en die kommandant van die kamp waar sulke krygsgevangenes vandaan kom, aanvaar volle verantwoordelikheid vir die onderhoud, versorging, behandeling en betaling van die werkbesoldiging van sulke krygsgevangenes.

Sulke krygsgevangenes het die reg om met die krygsgevangenes se verteenwoordiger in die kampe waarvan hulle afhanklik is, in verbinding te bly.

AFDELING IV.

GELDMIDDELE VAN KRYGSGEVANGENES.

ARTIKEL 58.

By die uitbreek van vyandelikhede en in die afwagting van 'n reëling met die beskermende moondheid betreffende hierdie saak, kan die aanhoudende moondheid die maksimum geldbedrag vasstel wat gevangenes in kontant of enige dergelyke vorm in hul besit mag hê. Alles bo hierdie bedrag wat regmatig in hulle besit was, en wat van hulle afgeneem is of aan hulle onthou word, moet saam met enige geld wat deur hulle gedeponeer is, op hul rekening geplaas word en mag nie sonder hul toestemming in enige ander geldsoort omgesit word.

Indien krygsgevangenes toegelaat word om dienste of geriewe buite die kamp teen kontant te bekom, moet sodanige betaling deur die gevangene self of deur die kampadministrasie geskied en op die betrokke gevangene se rekening geplaas word. Die nodige reëls in verband hiermee word deur die aanhoudende moondheid neergelê.

ARTIKEL 59.

Krygsgevangenes se individuele rekenings moet ooreenkomstig die bepalinge van artikel 64 van hierdie afdeling gekrediteer word met die kontant wat ooreenkomstig artikel 18 ten tyde van hul gevangenneming van hulle afgeneem is en in die aanhoudende moondheid se geldsoort is.

Krygsgevangenes se afsonderlike rekenings moet ook gekrediteer word met die bedrae wat, weens die omsetting in ander valuta van bedrae wat terselfdertyd van krygsgevangenes afgeneem is, in die geldsoort van die aanhoudende moondheid is.

ARTIKEL 60.

Die aanhoudende moondheid moet aan alle krygsgevangenes 'n maandelikse geldvoorskot toestaan waarvan die bedrag deur omsetting van onderstaande bedrae in genoemde moondheid se geldsoort vasgestel moet word.

- Kategorie I: Gevangenes met 'n laer rang as die van sersant: agt Switserse frank.
- Kategorie II: Sersante en ander onderoffisiere of gevangenes van gelyke rang: twaalf Switserse frank.
- Kategorie III: Adjunkoffisiere en kommissie-offisiere onder die rang van majoor of gevangenes van gelyke rang: vyftig Switserse frank.
- Kategorie IV: Majoor, luitenant-kolonels, kolonels of gevangenes van gelyke rang: sestig Switserse frank.
- Kategorie V: Opperoffisiere of krygsgevangenes van gelyke rang: vyf-en-sewentig Switserse frank.

ARTICLE 56.

The organisation 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 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 moneys deposited by them, and shall not be converted into any other currency without their consent.

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 the camp administration and charged 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.
- Category V: General officers or prisoners of war of equivalent rank: Seventy-five Swiss francs.

Die betrokke botsende partye kan egter die voorskot-loonbedrag wat aan gevangenes van bostaande kategorieë verskuldig is, volgens spesiale ooreenkoms wysig.

Indien die bedrae wat in die eerste paragraaf hierbo aan-gegee is, voorts buitengewoon hoog is in vergelyking met die besoldiging van die aanhoudende moondheid se gewapende magte, of om enige rede die aanhoudende moondheid in 'n ernstige verleentheid sou stel, dan, in afwagting van die sluiting van 'n spesiale ooreenkoms met die moondheid waarvan die gevangenes afhanklik is ten einde bogenoemde bedrae te wysig—

- (a) moet die aanhoudende moondheid voortgaan om die gevangenes se rekenings met die bedrae in die eerste paragraaf hierbo te krediteer;
- (b) kan die aanhoudende moondheid die bedrag wat uit dié geldloonsvoorskotte aan krygsgevangenes vir hul persoonlike gebruik beskikbaar gestel word, beperk tot redelike bedrae, maar bedrae wat in die geval van Kategorie I nooit minder as die bedrag wat die aanhoudende moondheid aan die lede van sy eie stydmagte, toestaan, mag wees nie.

Die redes vir enige beperkings moet sonder versuim aan die beskermende moondheid meegedeel word.

ARTIKEL 61.

Die aanhoudende moondheid moet geldsomme vir verspreiding as aanvullingsbesoldiging vir krygsgevangenes wat die moondheid waarvan die krygsgevangenes afhanklik is aan hulle kan stuur, ontvang op voorwaarde dat die betaalbare bedrae vir elke gevangene van dieselfde kategorie, aan alle gevangenes van dié kategorie wat van die moondheid afhanklik is, betaalbaar is en dat dit so spoedig moontlik ooreenkomstig die bepalinge van artikel 64 in hul afsonderlike rekenings oorgedra sal word. Sodanige aanvullingsbesoldiging onthef nie die aanhoudende moondheid van enige verpligting ingevolge hierdie Konvensie nie.

ARTIKEL 62.

Krygsgevangenes moet 'n redelike besoldiging regstreeks van die aanhoudende owerheid ontvang. Die skaal moet deur genoemde owerheid vasgestel word maar in geen geval minder as 'n kwart van 'n Switserse frank vir 'n volle werkdag wees nie. Die aanhoudende moondheid moet krygsgevangenes en ook die moondheid waarvan hulle afhanklik is, deur bemiddeling van die beskermende moondheid ver-wittig van die skaal van daaglikse werkbesoldiging wat hy vasgestel het.

Insgelyks moet werkbesoldiging deur die aanhoudende owerheid aan krygsgevangenes betaal word wat permanent vir pligte of 'n geskoolde of halfgeskoolde beroep in verband met die administrasie, installasie of instandhouding van kampe afgesonder word, betaal word, en ook aan gevangenes wat verplig word om geestelike of mediese pligte ten bate van hul medegevangenes uit te voer.

Die besoldiging van die gevangenes se verteenwoordiger, sy raadgewers, indien daar is, en van assistente, moet uit die fonds wat deur die winkelwinste in stand gehou word, betaal word. Hierdie loonskaal moet deur die gevangenes se verteenwoordiger vasgestel en deur die kampkommandant goedgekeur word. Indien daar nie so 'n fonds bestaan nie, moet die aanhoudende owerheid die gevangenes volgens 'n redelike loonskaal betaal.

ARTIKEL 63.

Krygsgevangenes word toegelaat om geldsendings wat aan afsonderlike individue of aan hulle gesamentlik gestuur word, te ontvang.

Elke krygsgevangene beskik, soos in die volgende artikel bepaal word, binne die beperkings wat opgelê is deur die aanhoudende moondheid wat die nodige betalings op versoek doen, oor die krediet-saldo van sy rekening. Onderworpe aan finansiële of geldelike beperkings wat die aanhoudende moondheid noodsaaklik ag, kan krygsgevangenes ook buitelandse betalings laat doen. In so 'n geval sal betalings van krygsgevangenes aan afhanklikes voorkeur geniet.

However, the Parties to the conflict concerned may by special arrangement 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 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.

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.

Gevangenes kan in elk geval, onderworpe aan die toestemming van die moondheid waarvan hulle afhanklik is, soos volg betalings in hul eie land laat doen: Die aanhoudende moondheid moet deur bemiddeling van die beskermmoondheid aan genoemde moondheid 'n mededeling stuur wat al die nodige besonderhede betreffende die krygsgevangenes, die persone aan wie die bedrae betaal word en die moondheid waarvan die gevangenes afhanklik is, moet met die bedrae wat aldus gedebiteer is, gekrediteer word.

By die toepassing van bostaande bepalings sal raadpleging van die modelregulasies in Aanhangsel V van hierdie Konvensie nuttig wees.

ARTIKEL 64.

Die aanhoudende moondheid moet vir elke krygsgevangene 'n rekening hou wat ten minste die volgende verstrek:—

- (1) Die bedrae wat aan die gevangene verskuldig is of wat hy as loonvoorskot, werkbesoldiging of uit enige ander bron ontvang het; die bedrae in die geldsoort van die aanhoudende moondheid wat van hom afgeneem is en die bedrae wat van hom afgeneem is en wat op sy versoek in die geldsoort van genoemde moondheid omgesit is.
- (2) Die betalings wat in kontant of in enige dergelike vorm aan die gevangene gedoen is; die betalings wat op sy versoek namens hom gedoen is; die bedrae wat kragtens artikel 63, paragraaf 3, oorgedra is.

ARTIKEL 65.

Elke item wat op 'n krygsgevangene se rekening geboek word, moet deur hom of namens hom deur dié gevangene se verteenwoordiger mede onderteken of geparafeer word.

Krygsgevangenes moet te alle tye redelike geleentheid gegee word om hul rekenings te raadpleeg of afskrifte daarvan te verkry, wat ook deur die verteenwoordigers van die beskermmoondhede gedurende besoeke aan die kamp ondersoek kan word.

Wanneer krygsgevangenes van een kamp na 'n ander oorgeplaas word, word hul persoonlike rekenings aange-stuur. In geval van oorpasing van een aanhoudende moondheid na 'n ander, word die geld wat hulle besit en wat nie in die geldsoort van die aanhoudende moondheid is nie, vir hulle aangestuur. Hulle moet sertifikate ontvang vir enige ander gelde waarmee hul rekenings gekrediteer is.

Die betrokke botsende partye kan ooreenkom om mekaar by bepaalde tussenpose deur bemiddeling van die beskermende moondheid van die bedrae van die krygsgevangenes se rekenings te verwittig.

ARTIKEL 66.

By die beëindiging van gevangenskap deur die vrystelling of repatriasie van 'n krygsgevangene, moet die aanhoudende moondheid hom 'n staat van die kreditsaldo wat op daardie tydstop aan hom verskuldig is, verstrek wat deur 'n bevoegde offisier van die moondheid onderteken is.

Die aanhoudende moondhede moet ook deur bemiddeling van die beskermende moondheid aan die regering waarvan die krygsgevangenes afhanklik is, lyste stuur van al die nodige gegewens ten opsigte van alle krygsgevangenes wie se gevangenskap deur repatriasie, vrystelling, ontsnapping, die dood of op enige ander wyse beëindig is en wat die bedrae van hul kreditsaldo verstrek. Sulke lyste moet op die elke bladsy deur 'n bevoegde verteenwoordiger van die aanhoudende moondheid gesertifiseer word.

Enigeen van bogenoemde bepalings van hierdie artikel kan deur onderlinge ooreenkoms tussen enige twee botsende partye gewysig word.

Die moondheid waarvan die krygsgevangenes afhanklik is, is verantwoordelik vir die vereffening van enige kreditsaldo wat die aanhoudende moondheid by die beëindiging van sy gevangenskap aan die krygsgevangene verskuldig is.

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, or working pay or derived from any other source; the sums in the currency of the Detaining Power which were 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 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 initialed 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 moneys 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 moneys standing to the credit of their accounts.

The Parties to the conflict concerned may agree to notify each other at specific intervals through the Protecting Power, the amount of the accounts of the prisoners of war.

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 authorised 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 authorised 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.

ARTIKEL 67.

Betalings van loonvoorskotte aan krygsgevangenes ooreenkomstig artikel 60 geskied namens die moondheid waarvan hulle afhanklik is. Die betaling van sulke loonvoorskotte, asook alle betalings wat kragtens artikel 63, paragraaf 3, en artikel 68, deur genoemde moondheid gedoen word, moet by die beëindiging van vyandelikhede by wyse van reëlins tussen die betrokke moondhede afgehandel word.

ARTIKEL 68.

Enige eis van 'n krygsgevangene om skade vergoeding ten opsigte van 'n besering of ander vorm van ongeskiktheid wat deur werk ontstaan, moet deur die beskermende moondheid na die moondheid waarvan hy afhanklik is, verwys word. Die aanhoudende moondheid moet in alle gevalle ooreenkomstig artikel 54 die betrokke krygsgevangene van 'n verklaring wat die aard van die besering of ongeskiktheid, die omstandighede waarin dit ontstaan het en besonderhede betreffende mediese of hospitaalbehandeling, verstrek. Die verklaring moet deur 'n verantwoordelike offisier van die aanhoudende moondheid onderteken word en die mediese besonderhede moet deur 'n offisier-geneeskundige, gesertifiseer word.

Enige eis van 'n krygsgevangene om skadevergoeding ten opsigte van persoonlike besittings, geld of kosbaarhede waarop die aanhoudende moondheid kragtens artikel 18 beslag gelê het, en nie by sy repatriasie terugbesorg is nie of ten opsigte van verlies waaraan die aanhoudende moondheid of enigeen van sy amptenare volgens bewering skuld het, moet insgelyks na die moondheid waarvan hy afhanklik is, verwys word. Enige sulke persoonlike besittings wat gedurende gevangenskap vir gebruik deur die krygsgevangenes nodig was, moet nogtans op koste van die aanhoudende moondheid vervang word. Die aanhoudende moondheid moet die krygsgevangenes in alle gevalle voorsien van 'n verklaring wat deur 'n verantwoordelike offisier onderteken is en alle beskikbare inligting ten opsigte van die redes waarom sulke besittings, geld of kosbaarhede nie aan hom terugbesorg is nie, verstrek. 'n Afskrif van hierdie staat word deur die Sentrale Buro vir Krygsgevangenes waarvoor in artikel 123 voorsiening gemaak word aan die moondheid waarvan hy afhanklik is, aangestuur.

AFDELING V.

BETREKKING VAN KRYGSGEVANGENES MET DIE BUITEWERELD.

ARTIKEL 69.

Sodra krygsgevangenes in die aanhoudende moondheid se hande val, moet hy hulle en die moondheid waarvan hulle afhanklik is, deur bemiddeling van die beskermende moondheid van die maatreëls wat getref word om die bepalinge van hierdie Afdeling na te kom, in kennis stel. Insgelyks moet hulle die betrokke partye van enige latere wysigings van sulke maatreëls in kennis stel.

ARTIKEL 70.

Onmiddellik by gevangenneming of nie later nie as een week na aankoms by 'n kamp, selfs al is dit 'n deurgangskamp, en ook in geval van siekte of oorplasing na 'n hospitaal of 'n ander kamp, moet elke krygsgevangene in staat gestel word om enersyds regstreeks aan sy huisgesin en andersyds aan die Sentrale Buro vir Krygsgevangenes waarvoor in artikel 123 voorsiening gemaak word, 'n poskaart, indien moontlik volgens die model wat by hierdie Konvensie aangeheg is, te stuur, wat sy familiebetrekkings van sy gevangenneming, adres en gesondheidstoestand verwiig. Genoemde poskaarte moet so spoedig moontlik aangestuur word en moet geensins vertraag word nie.

ARTIKEL 71.

Krygsgevangenes moet toegelaat word om briewe en poskaarte te stuur en te ontvang. Indien die aanhoudende moondheid dit nodig ag om die getal briewe en poskaarte wat elke krygsgevangene stuur, te beperk, mag genoemde getal nie minder as twee briewe en vier kaartjies per maand wees nie, met uitsondering van die gevangenskaartjies

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.

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 from a prisoner of war for compensation in respect of personal effects, moneys or valuable impounded by the Detaining Power 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 Agency for Prisoners of War provided for in Article 123.

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 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 of the capture cards provided for in Article 70, and conforming

soos in artikel 70 bepaal is en wat so ver moontlik met die voorbeelde wat by hierdie Konvensie aangeheg is, ooreenkom. Verdere beperkings mag slegs opgelê word indien die beskermende moondheid daarvan oortuig is dat dit in die betrokke krygsgevangenes se belang is vanweë die moeilikheid in verband met vertaling, omdat die aanhoudende moondheid nie genoeg gekwalifiseerde taalkenners kan kry om die nodige sensuurwerk te doen nie. Indien daar beperkings gelê moet word op die korrespondensie wat krygsgevangenes ontvang kan dit slegs, moontlik op versoek van die aanhoudende moondheid deur die moondheid waarvan die gevangenes afhanklik is, opgelê word. Sulke briewe en poskaarte moet langs die spoedigste weg waaroor die aanhoudende moondheid beskik, gestuur word; hulle mag nie vertraag word of om dissiplinêre redes teruggehou word nie.

Krygsgevangenes wat vir 'n lang tydperk geen nuus ontvang het nie of wat in staat is om langs die gewone posroete van hul nabestaande nuus te ontvang of nuus aan hulle te stuur nie, en ook diegene wat baie ver van hul huise af is, moet toegelaat word om telegramme te stuur en die gelde hiervoor moet op die krygsgevangenes se rekenings by die aanhoudende moondhede geplaas word of in die geldsoort wat hulle tot hul beskikking het, betaal word. Hulle moet insgelyks in dringende gevalle van hierdie maatregel kan gebruik maak.

In die algemeen moet krygsgevangenes se korrespondensie in hul moedertaal gevoer word. Die botsende partye kan korrespondensie in ander tale toelaat.

Die sakke wat die krygsgevangenes se pos bevat, moet stewig versêl en van 'n etiket voorsien word sodat die inhoud duidelik aangedui is en moet aan die kantore waarvoor dit bestem is, geadresseer word.

ARTIKEL 72.

Krygsgevangenes word toegelaat om deur die pos of op enige ander wyse individuele pakkies of gesamentlike besendings te ontvang, veral eetware, kleding, mediese voorrade en artikels van 'n godsdienstige, opvoedkundige of ontspanningsaard wat aan hul behoeftes kan voldoen, met inbegrip van boeke, godsdienstige artikels, wetenskaplike gereedskap, eksamenstelle, musiekinstrumente, sportuitrusting en materiaal wat krygsgevangenes in staat sal om hul studies of hul kulturele bedrywighede voort te sit.

Sulke versendings onthef die aanhoudende moondheid geensins van die verpligtings wat hom kragtens hierdie Konvensie opgelê word nie.

Die enigste beperkings wat hierdie besendings opgelê kan word, is dié wat deur die beskermende moondheid in die gevangenes se eie belang voorgestel word, of dié wat deur die Internasionale Komitee van die Rooikruis of enige ander organisasie wat hulp aan gevangenes verleen, slegs ten opsigte van hul eie besendings as gevolg van buitengewone druk op vervoer of verbindings, voorgestel word.

Die voorwaardes vir die stuur van individuele pakkies en esamentlike hulpvoorrade moet, indien nodig, deur spesiale ooreenkomste tussen die betrokke moondhede wat in geen geval die ontvangs van hulpvoorrade deur die gevangenes mag vertraag nie, gereël word. Boeke mag nie by pakkies kleding of eetware ingesluit word nie. Mediese voorrade moet in die reël in gesamentlike pakkies versend word.

ARTIKEL 73.

By gebrek aan spesiale ooreenkomste tussen die betrokke moondhede ten opsigte van die voorwaardes van die ontvangs en verspreiding van gesamentlike hulpbesendings, is die reëls en regulasies betreffende gesamentlike besendings wat by hierdie Konvensie gaan, van toepassing.

Bogenoemde spesiale ooreenkomste mag in geen geval beperkings lê op die reg van die gevangenes se verteenwoordigers om gesamentlike hulpbesendings wat vir krygsgevangenes bestem is, in besit te neem, tot die uitdeling daarvan oor te gaan of om in die belang van die gevangenes daarvoor te beskik nie.

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.

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 organisation 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 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.

Sulke ooreenkomste mag ook nie beperkings lê op die reg van verteenwoordigers van die beskermende moondheid, die Internasionale Komitee van die Rooikruis of enige ander organisasie wat aan krygsgevangenes hulp verleen en vir die stuur van gesamentlike besendings verantwoordelik is, om oor die verspreiding onder die ontvangers toesig te hou nie.

ARTIKEL 74.

Alle hulpbesendings vir krygsgevangenes word van invoer-, doeane- en ander regte vrygestel.

Korrespondensie, hulpbesendings en gemagtigde besendings wat aan krygsgevangenes geadresseer is of wat krygsgevangenes of regstreeks deur die pos of deur bemiddeling van die Inligtingsburo wat in artikel 122 vermeld word en die Sentrale Buro vir Krygsgevangenes wat in artikel 123 vermeld word, versend word, word in die land van herkoms en van bestemming en ook in die lande wat tussenin geleë is, posvry versend.

Indien hulpbesendings wat vir krygsgevangenes bestem is, weens gewig of enige ander oorsaak nie deur die postkantoor gestuur kan word nie, moet die aanhoudende moondheid die vervoerkoste in al die gebiede onder sy beheer dra. Die ander moondhede wat partye by die Konvensie is, moet die vervoerkoste in hul onderskeie gebiede dra.

By gebrek aan spesiale ooreenkomste tussen die betrokke partye, moet die koste, afgesien van die koste wat deur bogenoemde vrystelling gedek word, wat aan die vervoer van sulke besendings verbonde is, op die versenders se rekening geplaas word.

Die Hoë Kontrakterende Partye moet probeer om die tariewe vir telegramme wat deur krygsgevangenes gestuur of aan hulle gerig word, soveel moontlik te verminder.

ARTIKEL 75.

Ingeval militêre verrigtinge die betrokke moondhede verhoed om hul verpligting ten opsigte van die versekering van die vervoer van die besendings wat in artikels 70, 71, 72 en 77 genoem word, na te kom, moet die betrokke beskermende moondhede, die Internasionale Komitee van die Rooikruis of enige ander organisasie wat behoorlik deur die botsende partye goedgekeur is, onderneem om die vervoer van sulke besendings op gepaste wyse (in spoorwegtrokke, motorvoertuie, vaartuie of vliegtuie, ens.) te verseker. Vir hierdie doel moet die Hoë Kontrakterende Partye probeer om hulle van sodanige vervoer te voorsien en om die nodige sirkulering moontlik te maak, veral deur die nodige vrygeleide te verleen.

Sodanige vervoermiddel kan ook vir die vervoer van die volgende gebruik word:—

- (a) Korrespondensie, lyste en verslae wat gewissel word tussen die Sentrale Inligtingsburo genoem in artikel 123 en die Nasionale Buro genoem in artikel 122;
- (b) Korrespondensie en verslae betreffende krygsgevangenes wat die beskermende moondhede, die Internasionale Komitee van die Rooikruis of enige ander liggaam wat hulp aan die gevangenes verleen met hul eie afgevaardigdes of met die partye by die botsing wissel.

Hierdie bepalings doen geensins afbreuk aan die reg van enige party by die botsing om indien hy dit so verkies, ander vervoermiddels te reël nie en dit sluit ook nie die verlening van 'n vrygeleide onder omstandighede waarvoor onderling ten opsigte van sulke vervoermiddels ooreengekom is, uit nie.

By gebrek aan spesiale ooreenkomste moet die koste wat by die gebruik van sulke vervoermiddels aangegaan word na verhouding deur die botsende partye wie se landgenote die voordeel daarvan geniet het, gedra word.

ARTIKEL 76.

Korrespondensie wat aan krygsgevangenes gerig is, of deur hulle versend word, moet so gou moontlik gesensor word. Pos moet slegs in die land van versending en die land van ontvangs en slegs eenkeer in elk gesensor word.

Nor shall such agreements restrict the right of representatives of the Protecting Power, the International Committee of the Red Cross or any other organisation 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 authorised 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 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 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 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 organisation 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.

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.

Versendings wat vir krygsgevangenes bestem is, moet nie op sodanige wyse ondersoek word dat die inhoud daarvan aan bederf blootgestel word nie; behalwe in geval van skriftelike of drukwerk, moet dit in teenwoordigheid van die geadresseerde of van 'n medegevangene wat behoorlik deur hom daartoe gemagtig is, geskied. Die aflewering van individuele of gesamentlike besendings aan gevangenes mag nie onder voorwendsel van sensuur-moeilikhede vertraag word nie.

Enige verbod op korrespondensie wat om militêre of politieke redes deur die botsende partye uitgevaardig word, moet slegs van tydelike aard wees en so kort moontlik duur.

ARTIKEL 77.

Die aanhoudende moondhede moet al die geriewe verskaf vir die oordra, deur die beskermende moondheid of die Sentrale Buro vir Krygsgevangenes wat in artikel 123 genoem word, van stukke, papiere of dokumente wat vir krygsgevangenes bestem is of deur hulle versend word, veral volmagte en testamente.

In alle gevalle moet hulle die opstel en ten uitvoer legging van sulke dokumente namens krygsgevangenes vergemaklik; in die besonder moet hulle gevangenes toelaat om 'n regsgeleerde te raadpleeg en die nodige maatreëls vir die bekragtiging van hul handtekenings tref.

AFDELING VI.

DIE BETREKKINGE VAN KRYGSGEVANGENES MET DIE OWERHEDE.

HOOFSTUK I.

KRYGSGEVANGENES SE KLAGTES BETREFFENDE DIE TOESTANDE VAN GEVANGESKAP.

ARTIKEL 78.

Krygsgevangenes het die reg om aan die militêre owerhede in wie se mag hulle hul bevind, hul versoeke betreffende die toestand van gevangenskap waaraan hulle onderworpe is, bekend te maak.

Hulle het ook die onbeperkte reg om hulle of deur bemiddeling van hul verteenwoordiger of, indien hulle dit nodige ag, regstreeks tot die verteenwoordiger van die beskermende moondhede te wend ten einde hul aandag te vestig op enige pante ten opsigte waarvan hulle betreffende hul toestand van gevangenskap mag hê.

Hierdie versoeke en besware mag nie beperk word of as deel van die korrespondensiekwota wat in artikel 71 genoem word beskou word nie. Dit moet sonder versuim deurgestuur word. Selfs waar dit nie as gegrond erken word nie, mag dit nie tot enige straf aanleiding gee nie.

Krygsgevangenes se verteenwoordigers kan periodieke verslae oor die toestand in kampe en die krygsgevangenes se behoeftes na die verteenwoordigers van die beskermende moondhede stuur.

HOOFSTUK II.

KRYGSGEVANGENES SE VERTEENWOORDIGERS.

ARTIKEL 79.

In alle plekke waar daar krygsgevangenes is, behalwe in dié waar daar offisiere is, kies die gevangenes by wyse van geheime stemming elke ses maande en ook in geval van vakatures, verteenwoordigers wat daarmee belas is om hulle te verteenwoordig by die militêre owerhede, die beskermende moondhede, die Internasionale Komitee van die Rooikruis en enige ander organisasie wat hulp aan hulle mag verleen. Hierdie verteenwoordiger van gevangenes is herkiesbaar.

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 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 recognised 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.

CHAPTER II.

PRISONERS 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 organisation which may assist them. These prisoners' representatives shall be eligible for re-election.

In kampe vir offisiere en persone van gelyke status of in gemengde kampe, word die senior offisier onder die krygsgevangenes as die verteenwoordiger van die kamp se gevangenes erken. In kampe vir offisiere word hy deur een of meer raadgewers wat deur die offisiere gekies word, bygestaan; in gemengde kampe word sy assistente uit die geledere van en deur die krygsgevangenes wat nie offisiere is nie, gekies.

Offisierskrygsgevangenes van dieselfde nasionaliteit moet in arbeidskampe vir krygsgevangenes geplaas word ten einde die pligte van die kampadministrasie waarvoor die krygsgevangenes verantwoordelik is, uit te voer. Hierdie offisiere kan kragtens die eerste paragraaf van hierdie artikel as krygsgevangenes se verteenwoordigers gekies word.

In so 'n geval moet die verteenwoordigers se assistente uit die geledere van dié krygsgevangenes wat nie offisiere is nie, gekies word.

Elke verteenwoordiger wat gekies word, moet deur die aanhoudende moonheid goedgekeur word voordat hy die reg het om sy pligte te aanvaar. Waar die aanhoudende moonheid weier om die verkiesing van 'n krygsgevangene deur sy medekrygsgevangenes goed te keur, moet hy die beskermende moonheid van sy redes vir sodanige weiering verwittig.

In alle gevalle moet die krygsgevangenes se verteenwoordigers dieselfde nasionaliteit, taal en gebruike hê as die krygsgevangenes wat hy verteenwoordig. Krygsgevangenes wat volgens hul nasionaliteit, taal en gebruike in verskillende afdelings van 'n kamp ingedeel is, moet dus ooreenkomstig bostaande paragrawe hul eie verteenwoordiger vir elke afdeling hê.

ARTIKEL 80.

Verteenwoordigers van krygsgevangenes moet die liggaamlike, geestelike en intellektuele welsyn van krygsgevangenes bevorder.

In die besonder waar krygsgevangenes besluit om 'n stelsel van onderlinge hulp te organiseer, val die organisasie bo en behalwe die spesiale pligte waarmee hy ingevolge ander bepalinge van hierdie Konvensie belas is, binne die gebied van die krygsgevangenes se verteenwoordiger.

Krygsgevangenes se verteenwoordigers mag nie bloot omrede hul pligte vir enige oortredings wat krygsgevangenes begaan, verantwoordelik gehou word nie.

ARTIKEL 81.

Krygsgevangenes se verteenwoordigers mag nie verplig word om enige ander werk te verrig indien die uitvoering van hul pligte daardeur bemoeilik word nie.

Krygsgevangenes se verteenwoordigers kan sulke assistente uit die gevangenes se geledere aanstel as wat hulle nodig mag hê. Hulle moet alle materiële geriewe, veral 'n sekere mate van vryheid van beweging, vir die uitvoering van hul pligte (ondersoek van arbeiderafdelings, ontvang van voorrade, ens.) geniet.

Krygsgevangenes se verteenwoordigers word toegelaat om persele waar krygsgevangenes aangehou word, te besoek en elke krygsgevangene het die reg om sy verteenwoordiger ongehinderd te raadpleeg.

Krygsgevangenes se verteenwoordigers moet ook alle geleentheid verskaf word om deur middel van die pos- en telegraafdiens met die aanhoudende owerhede, beskermende moondhede, die Internasionale Komitee van die Rooikruis en hul afgevaardigdes, die Gemengde Mediese Kommissies en met die liggame wat hulp aan krygsgevangenes verleen, in verbinding te tree.

Arbeiderafdelings se verteenwoordigers kry dieselfde geleentheid om met die verteenwoordigers van die hoofkamp in verbinding te tree. Sodanige verbinding moet nie beperk word of as deel van die kwota wat in artikel 71 genoem word, gereken word nie.

Krygsgevangenes se verteenwoordigers wat oorgeplaas word, moet 'n redelike tydperk verleen word om hul opvolgers op hoogte van sake te bring.

In geval van ontslag moet die beskermende moonheid van die redes daarvoor verwittig word.

In camps for officers and persons of equivalent status or in mixed camps, the senior officer among the prisoners of war shall be recognised 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.

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 well-being of prisoners of war.

In particular, where the prisoners decide to organise amongst themselves a system of mutual assistance, this organisation 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 (inspections of labour detachments, receipts of supplies, etc.).

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 with 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 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.

HOOFSTUK III.

STRAF EN DISCIPLINÊRE SANKSIES.

I. ALGEMENE BEPALINGS.

ARTIKEL 82.

'n Krygsgevangene is onderworpe aan die wette, regulasies en bevele wat in die aanhoudende moondheid se strydmagte van krag is; die aanhoudende is daartoe geregtig om geregtelike of dissiplinêre maatreëls ten opsigte van enige oortreding wat deur 'n krygsgevangene teen sulke wette, regulasies of bevele begaan word, te tref. Daar word egter geen maatreëls of straf wat met die bepalinge van hierdie hoofstuk strydig is, toegelaat nie.

Indien 'n handeling van 'n krygsgevangene kragtens enige wet, regulasie of bevel van die aanhoudende moondheid strafbaar is, terwyl dieselfde handeling nie strafbaar sou wees indien 'n lid van die aanhoudende moondheid se gewapende magte hom daaraan sou skuldig maak nie, mag sulke handelinge slegs dissiplinêre strawwe meebring.

ARTIKEL 83.

Waar daar beslis moet word of die maatreëls ten opsigte van 'n beweerde oortreding van 'n krygsgevangene van geregtelike of dissiplinêre aard moet wees, moet die aanhoudende moondheid seker maak dat die bevoegde owerheid die grootste mate van toegewendheid uitoefen en, waar moontlik dissiplinêre eerder as geregtelike maatreëls toepas.

ARTIKEL 84.

'n Krygsgevangene mag slegs deur 'n militêre hof verhoor word tensy die wette van die aanhoudende moondheid wat op die tyd van krag is, uitdruklik toelaat dat 'n burgerlike hof 'n lid van die aanhoudende moondheid se gewapende magte ten opsigte van die beweerde oortreding van die krygsgevangene verhoor.

In geen omstandigheid hoegenaamd mag 'n krygsgevangene deur enige hof verhoor word wat nie die algemeen erkende noodsaaklike waarborg van onafhanklikheid en onpartydigheid bied nie, en in die besonder waarvan die prosedure nie die beskuldigde die regte en middele van verdediging soos in artikel 105 bepaal, verleen nie.

ARTIKEL 85.

Krygsgevangenes wat ingevolge die wette van die aanhoudende moondheid vir misdrywe wat voor gevangenskap gepleeg is, vervolg word, geniet selfs by skuldigbevinding die voordele van hierdie Konvensie.

ARTIKEL 86.

Geen krygsgevangene mag meer as eenkeer vir dieselfde daad of weens dieselfde aanklag gestraf word nie.

ARTIKEL 87.

Krygsgevangenes mag nie deur die militêre owerhede en houe van die aanhoudende moondheid tot enige strawwe veroordeel word nie, behalwe dié waarvoor daar ten opsigte van die lede van genoemde moondheid se gewapende magte wat dergelike oortredings begaan het, voorsiening gemaak word.

Wanneer die straf bepaal word, moet die houe of owerhede van die aanhoudende moondheid sover moontlik die feit in aanmerking neem dat die beskuldigde, aangesien hy nie een van die aanhoudende moondheid se burgers is nie, nie deur enige bondgenootskapsplig gebonde is nie, en dat hy hom as gevolg van omstandighede buite sy eie beheer in die aanhoudende moondheid se mag bevind. Dit staan genoemde houe of owerhede vry om die straf van die oortreding waarvan die krygsgevangene beskuldig word, te versag en hulle is dus nie verplig om die minimum voorgeskrewe straf op te lê nie.

Gesamentlike strawwe vir individuele handelinge, lyfstraf, gevangesetting in persele sonder daglig en enige vorm van marteling of wreedheid in die algemeen, is verbode.

Geen krygsgevangene mag deur die aanhoudende moondheid sy rang ontnem word of verhinder word om sy rangtekens te dra nie.

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 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 whatsoever 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 recognised, and, in particular, the procedure of which does not afford the accused the rights of defence provided for in Article 105.

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 punishments, imprisonment in premises without daylight and in general any form of torture or cruelty are forbidden.

No prisoner of war may be deprived of his rank by the Detaining Power, or prevented from wearing his badges.

ARTIKEL 88.

Offisiere, onderoffisiere en manlike krygsgevangenes wat dissiplinêre of geregtelike straf ondergaan, mag nie aan strengere behandeling onderwerp word as dié wat ten opsigte van dergelike straf op lede van die aanhoudende moondheid se gewapende magte van gelyke rang toegepas word nie.

'n Vroulike krygsgevangene mag in geen geval 'n swaarder straf opgelê word of tot 'n swaarder straf veroordeel word, of terwyl straf ondergaan word, strenger as 'n vroulike lid van die aanhoudende moondheid se gewapende magte wat aan 'n dergelike misdaad skuldig is, behandel word nie.

Krygsgevangenes wat dissiplinêre of geregtelike vonnisse uitgedien het, mag nie verskillend van die ander krygsgevangenes behandel word nie.

II. DISSIPLINÊRE SANKSIES.

ARTIKEL 89.

Krygsgevangenes kan die volgende dissiplinêre strawwe opgelê word:—

- (1) 'n Boete van hoogstens 50 persent van die besoldigingsvoorskotte en werkbessoldiging wat die krygsgevangene andersins kragtens die bepalings van artikels 60 en 62 gedurende 'n tydperk van hoogstens 30 dae sou ontvang het;
- (2) weerhouding van voorregte bo en behalwe die behandeling waarvoor hierdie Konvensie voorsiening maak;
- (3) harde arbeid van hoogstens twee uur per dag;
- (4) opsluiting.

Die straf wat onder (3) genoem word, mag nie op offisiere toegepas word nie.

In geen geval mag dissiplinêre strawwe onmenslik, brutaal of 'n gevaar vir die krygsgevangene se gesondheid wees nie.

ARTIKEL 90.

In geen geval mag één straf langer as dertig dae duur nie. Enige tydperk van opsluiting tot tyd en wyl 'n dissiplinêre oortreding verhoor word, of 'n dissiplinêre straf opgelê word, moet afgetrek word van die straf wat 'n krygsgevangene opgelê word.

Die dertig dae wat hierbo vasgestel is, mag nie oorskry word nie, selfs nie indien hy, wanneer sy straf opgelê word, vir verskeie handelingte tegelyk aanspreeklik is nie, of sulke handelingte ook al met mekaar in verband staan al dan nie.

Die tydperk tussen die uitspraak van 'n oplegging van dissiplinêre straf en die voltrekking van die vonnis mag nie langer as 'n maand wees nie.

Wanneer 'n krygsgevangene 'n verdere dissiplinêre straf opgelê word, moet 'n tydperk van minstens drie dae tussen die voltrekking van enige twee strawwe verloop indien een daarvan tien dae of langer duur.

ARTIKEL 91.

Die ontsnapping van 'n krygsgevangene word as geslaagd beskou wanneer hy—

- (1) by die strydmagte van die moondheid waarvan hy afhanklik is of dié van 'n geallieerde moondheid, aangesluit het;
- (2) die gebied onder beheer van die aanhoudende moondheid of 'n bondgenoot van genoemde moondheid verlaat het;
- (3) by 'n skip wat die vlag van die moondheid waarvan hy afhanklik is of van 'n geallieerde moondheid voer, in die territoriale water van die aanhoudende moondheid aangesluit het, waar genoemde skip nie onder beheer van laasgenoemde moondheid is nie.

Krygsgevangenes wat daarin geslaag het om in die sin van hierdie artikel te ontsnap en wat weer gevange geneem word, is nie ten opsigte van hul vorige ontsnapping strafbaar nie.

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 cases 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 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.

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.

ARTIKEL 92.

'n Krygsgevangene wat probeer ontsnap en weer gevange geneem word voordat hy in die sin van artikel 91 daarin slaag, is selfs by herhaling slegs met dissiplinêre straf ten opsigte van hierdie daad strafbaar.

'n Krygsgevangene wat weer gevange geneem word, moet sonder versuim aan die bevoegde militêre owerheid oorhandig word.

Nieteenstaande artikel 88, paragraaf vier, kan krygsgevangenes wat as gevolg van 'n mislukte ontsnapping gestraf is, onder spesiale bewaking geplaas word. Sodanige bewaking mag nie hul gesondheidstoestand nadelig beïnvloed nie, moet in 'n krygsgevangenekamp toegepas word en mag geensins die intrekking van enige van die waarborge wat hierdie Konvensie aan hulle verleen, meebring nie.

ARTIKEL 93.

Ontsnapping of 'n poging tot ontsnapping, selfs by herhaling, word nie as 'n verswarende omstandigheid beskou ingeval die krygsgevangene na verhoor volgens geregtelike prosedure ten opsigte van 'n oortreding wat gedurende sy ontvlugting of poging tot ontvlugting begaan is, verwys word nie.

In ooreenstemming met die beginsel wat in artikel 83 vermeld word, kan oortredings wat deur krygsgevangenes begaan word met die uitsluitlike voorneme om hul ontsnapping te bevorder en wat geen geweld teen lyf of lede, soos oortredings teen openbare eiendom, diefstal sonder voorneme van selfverryking, die opstel of gebruik van onegte papiere en die dra van burgerlike klere, slegs dissiplinêre straf meebring.

Krygsgevangenes wat by ontsnapping of 'n poging tot ontsnapping behulpsaam is, is ten opsigte hiervan slegs met dissiplinêre straf strafbaar.

ARTIKEL 94.

Indien 'n ontsnapte krygsgevangene weer gevange geneem word, moet die moondheid waarvan hy afhanklik is, op die wyse wat in artikel 122 omskryf word, daarvan in kennis gestel word miis sy ontsnapping bekendgemaak is.

ARTIKEL 95.

'n Krygsgevangene wat weens oortreding teen dissipline aangekla is, mag nie in afwagting van die verhoor opgesluit word nie, tensy 'n lid van die aanhoudende moondheid se gewapende magte indien hy weens 'n dergelike oortreding aangekla sou word, so aangehou sou word of indien dit in die belang van die kamporde en -dissipline nodig is.

Enige tydperk wat 'n krygsgevangene in afwagting van die beslissing van 'n dissiplinêre oortreding in opsluiting deurbring, moet tot 'n volstrekte minimum beperk word en mag nie langer as veertien dae duur nie.

Die bepalings van artikels 97 en 98 van hierdie Hoofstuk is van toepassing op krygsgevangenes wat in afwagting van die behandeling van dissiplinêre oortredings aan opsluiting onderworpe is.

ARTIKEL 96.

Handelinge wat oortredinge van dissipline is, moet onmiddellik ondersoek word.

Sonder om aan die bevoegdheid van howe en hoër militêre owerhede afbreuk te doen, kan dissiplinêre straf slegs deur 'n offisier wat in sy hoedanigheid van kamp-kommandant met dissiplinêre bevoegdheid bekleed is, of deur 'n plaasvervangende verantwoordelike offisier of een aan wie hy sy dissiplinêre bevoegdhede oorgedra het, uitgespreek word.

In geen geval mag sulke bevoegdhede aan 'n krygsgevangene oorgedra of deur 'n krygsgevangene uitgeoefen word nie.

Voordat enige dissiplinêre vonnis uitgespreek word, moet die beskuldigde presiese inligting betreffende die oortreding waarvan hy aangekla word, ontvang en geleentheid gegee word om sy gedrag te verduidelik en homself te verdedig. Hy moet veral toegelaat word om met sy getuies in verbinding te tree en om, indien nodig, van die dienste van 'n gekwalifiseerde tolk gebruik te maak.

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.

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, the wearing of civilian clothing, shall occasion 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.

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

Die besluit moet aan die beskuldigde krygsgevangene en aan die krygsgevangenes se verteenwoordiger bekendgemaak word.

'n Register van dissiplinêre strawwe moet deur die kampkommandant gehou word en vir ondersoek deur verteenwoordigers van die beskermende moondheid beskikbaar wees.

ARTIKEL 97.

In geen geval moet krygsgevangenes na gevangenisinrigtings (gevangenis, verbeteringsgestigte, tughuise, ens.) oorgeplaas word ten einde daar dissiplinêre straf te ondergaan nie.

Alle persele waarin dissiplinêre straf ondergaan word, moet beantwoord aan die gesondheidsvereistes wat in artikel 25 uiteengesit is. 'n Krygsgevangene wat straf ondergaan, moet in staat gestel word om homself in ooreenstemming met artikel 29 sindelik te hou.

Offisiere en persone van gelyke status moet nie in dieselfde kwartiere as onderoffisiere of manskappe gehuisves word nie.

Vroulike krygsgevangenes wat dissiplinêre straf ondergaan, moet in kwartiere apart van die manlike krygsgevangenes opgesluit word en onder onmiddellike toesig van vroue staan.

ARTIKEL 98.

'n Krygsgevangene wat opsluiting as dissiplinêre straf ondergaan, geniet nog die voorregte van die bepalinge van hierdie Konvensie behalwe vir sover dit deur die blote feit dat hy opgesluit is, nie toegepas kan word nie. In geen geval mag hy die voorregte van die bepalinge van artikels 78 en 126 ontnem word nie.

'n Krygsgevangene wat 'n dissiplinêre straf opgelê word, mag nie van die voorregte wat aan sy rang verbonde is, ontdoen word nie.

Krygsgevangenes wat 'n dissiplinêre straf opgelê is, moet toegelaat word om minstens twee uur per dag oefening te neem en in die buitelig te bly.

Op hul versoek moet hulle toegelaat word om die daaglikse mediese ondersoeke by te woon. Hulle moet die aandag geniet wat hul gesondheidstoestand vereis en indien nodig na die kampsiekhuis of na 'n hospitaal verwyder word.

Hulle moet toegelaat word om te lees en te skryf en ook om briewe te versend en te ontvang. Pakkies en geldsendings kan egter tot voltooiing van die straf aan hulle onthou word. Dit moet intussen aan die gevangenes se verteenwoordiger toevertrou word, wat die bederfbare inhoud van sulke pakkies aan die siekhuis sal oorhandig.

III. GEREGETELIKE VERVOLGING.

ARTIKEL 99.

Geen krygsgevangene mag verhoor of veroordeel word weens 'n daad wat nie deur die wette van die aanhoudende moondheid of deur die Volkerereg wat ten tyde van die pleging van genoemde daad van krag is, verbied word nie.

Geen morele of liggaamlike druk mag op 'n krygsgevangene uitgeoefen word ten einde hom te dwing om te erken dat hy aan die daad waarvan hy beskuldig word, skuldig is nie.

Geen krygsgevangene mag veroordeel word sonder dat hy geleentheid gegee word om sy verdediging en die hulp van 'n gekwalifiseerde advokaat by te bring nie.

ARTIKEL 100.

Krygsgevangenes en die beskermende moondhede moet so spoedig moontlik van die oortredings wat kragtens die wette van die aanhoudende moondheid met die dood strafbaar is, verwittig word.

Daarna kan ander oortredings nie sonder die goedkeuring van die moondheid waarvan die krygsgevangenes afhanklik is, met die dood strafbaar gemaak word nie.

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.

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.

They shall have permission to read and write, likewise so 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 upon which the prisoners of war depend.

Die doodvonnis mag nie oor 'n krygsgevangene uitgespreek word nie tensy die aandag van die hof in ooreenstemming met artikel 87, paragraaf 2 in die besonder op die feit gevestig word dat die beskuldigde, aangesien hy nie 'n burger van die aanhoudende moondheid is nie, nie deur enige bondgenootskapsverplichting gebonde is nie en dat hy hom as gevolg van omstandighede buite sy beheer in die aanhoudende moondheid se mag bevind.

ARTIKEL 101.

Indien die doodstraf oor 'n krygsgevangene uitgespreek word, mag die vonnis nie voltrek word voor verloop van 'n tydperk van minstens ses maande met ingang van die datum waarop die beskermende moondheid aan 'n aangewese adres die uitvoerige mededeling waarvoor in artikel 107 voorsiening gemaak word, ontvang het nie.

ARTIKEL 102.

'n Doodvonnis oor 'n krygsgevangene uitgespreek, is slegs geldig indien die vonnis deur dieselfde hof volgens dieselfde prosedure as in die geval van lede van die aanhoudende moondheid se gewapende magte uitgespreek is en verder, indien die bepalinge van hierdie hoofstuk nagekom word.

ARTIKEL 103.

Geregtelike ondersoek betreffende 'n krygsgevangene moet so spoedig as wat omstandighede dit toelaat, geskied, sodat sy verhoor so gou moontlik kan plaasvind. 'n Krygsgevangene moet nie hangende verhoor opgesluit word nie, tensy 'n lid van die aanhoudende moondheid se gewapende magte so opgesluit sou word indien hy van 'n dergelike oortreding aangekla sou word of indien dit in die belang van landsveiligheid noodsaaklik is. Hierdie opsluiting moet in geen geval langer as drie maande duur nie.

Enige tydperk wat 'n krygsgevangene in afwagting van verhoor in opsluiting deurbring, moet van enige vonnis van gevangensetting wat oor hom uitgespreek word, afgetrek word en by die vasstelling van enige straf in aanmerking geneem word.

Die bepalinge van artikels 97 en 98 van hierdie hoofstuk is van toepassing op 'n krygsgevangene gedurende opsluiting hangende verhoor.

ARTIKEL 104.

In 'n geval waar die aanhoudende moondheid besluit het om geregtelike stappe teen 'n krygsgevangene te doen, moet hy die beskermende moondheid so spoedig moontlik en minstens drie weke voor die aanvang van die verhoor daarvan in kennis stel. Die tydperk van drie weke neem 'n aanvang op die dag waarop sodanige mededeling die beskermende moondheid aan 'n adres wat vooraf deur laasgenoemde aan die aanhoudende moondheid bekendgemaak is, bereik.

Genoemde mededeling moet die volgende inligting verstrek:—

- (1) Van en voorname van die krygsgevangene, sy rang, sy leër-, regiments- en persoonlike of volgnummer, sy geboortedatum en sy beroep of ambag, indien hy een het;
- (2) plek van internering of opsluiting;
- (3) uiteensetting van die beskuldiging of beskuldigings waarvan die krygsgevangene aangekla sal word, met vermelding van die betrokke regsbepalings;
- (4) aanduiding van die hof wat die saak sal verhoor en ook die datum en plek wat vir die aanvang van die verhoor vasgestel is.

Dieselfde mededeling moet deur die aanhoudende moondheid aan die verteenwoordigers van die gevangenes bekendgemaak word.

Indien geen bewys by die aanvang van die verhoor gelewer word dat bogenoemde mededeling die beskermende moondheid, die krygsgevangene en die gevangenes se verteenwoordiger minstens drie weke voor die opening van die verhoor bereik het nie, kan die verhoor nie plaasvind nie en moet dit verdaag word.

The death sentence cannot be pronounced against 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 against 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 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, at least three weeks before the opening of the trial, then the latter cannot take place and must be adjourned.

ARTIKEL 105.

Die krygsgevangene het die reg om deur een van sy medegevangenes bygestaan te word, om deur 'n gekwalifiseerde advokaat van sy eie keuse verdedig te word, om getuies in te roep en indien hy dit nodig ag, van die dienste van 'n bevoegde tolk gebruik te maak. Hy moet vroegtydig voor die verhoor deur die aanhoudende moondheid van hierdie regte verwittig word.

By gebrek aan 'n keuse deur 'n krygsgevangene moet die beskermende moondheid vir hom 'n advokaat verskaf en minstens een week vir dié doel tot sy beskikking hê. Die aanhoudende moondheid moet genoemde moondheid op sy versoek voorsien van 'n lys van die persone wat geskik is om die verdediging te voer. By gebrek aan 'n keuse van 'n advokaat deur die krygsgevangene of die beskermende moondheid, moet die aanhoudende moondheid 'n bevoegde advokaat aanstel om die verdediging waar te neem.

Die advokaat wat die verdediging namens die krygsgevangene waarneem, moet 'n tydperk van minstens twee weke voor die aanvang van die verhoor tot sy beskikking hê en ook die nodige geleentheid verskaf word om die verdediging van die beskuldigde voor te berei. Hy mag veral die beskuldigde ongehinderd besoek en hom privaat spreek. Hy mag ook enige getuies vir die verdediging, met inbegrip van krygsgevangenes, raadpleeg. Hy geniet hierdie voorregte tot die tydperk van appèl of petisie verstryk het.

Besonderhede betreffende die beskuldiging of beskuldigings waarvan die krygsgevangene aangekla sal word, en ook dokumente wat in die algemeen ingevolge die wette wat in die aanhoudende moondheid se gewapende magte van krag is, tot die beskuldigde gerig word, moet in 'n taal wat hy verstaan en vroegtydig voor die aanvang van die verhoor aan die beskuldigde krygsgevangene meegeleë en afgelewer word. Dieselfde mededelings moet in dieselfde omstandighede aan die advokaat vir die verdediging namens die krygsgevangene oorgebring word.

Die verteenwoordigers van die beskermende moondheid het die reg om die verhoor van die saak by te woon tensy dit in uitsonderlike gevalle in die belang van die landsveiligheid *in camera* gehou word. In so 'n geval moet die aanhoudende moondheid die beskermende moondheid dienooreenkomstig in kennis stel.

ARTIKEL 106.

Elke krygsgevangene het soos die lede van die aanhoudende moondheid se gewapende magte, die reg om teen die vonnis wat oor hom uitgespreek word, appèl aan te teken of om 'n versoekskrif daarteen in te dien met die oog op die nietigverklaring of hersiening van die vonnis of die heropening van die verhoor. Hy moet volledig van sy reg om appèl te mag aanteken of om 'n versoekskrif te mag indien en van die tydgrens in verband daarmee, verwittig word.

ARTIKEL 107.

Enige veroordeling en vonnis wat oor 'n krygsgevangene uitgespreek word, moet onmiddellik in die vorm van 'n beknopte mededeling, wat ook moet aandui of hy die reg het om met die oog op die nietigverklaring van die vonnis of die heropening van die verhoor die reg het om appèl aan te teken, aan die beskermende moondheid bekendgemaak word. Dié mededeling moet insgelyks aan die betrokke verteenwoordiger van die gevangenes gestuur word; en ook aan die beskuldigde krygsgevangene in 'n taal wat hy verstaan, indien die vonnis nie in sy teenwoordigheid uitgespreek is nie. Die aanhoudende moondheid moet ook onmiddellik die beskermende moondheid in kennis stel van die krygsgevangene se besluit om van sy reg van appèl gebruik te maak of daarvan afstand te doen.

Verder, indien 'n krygsgevangene finaal skuldigbevind is, of indien 'n vonnis wat oor 'n krygsgevangene uitgespreek is, in die eerste plek 'n doodvonnis is, moet die

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 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; and 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 this right of appeal.

Furthermore, if a prisoner of war is finally convicted or if a sentence pronounced against a prisoner of war in the

word nie.

Geen siek of beseerde krygsgevangene wat kragtens die eerste paragraaf van hierdie artikel gerepatrieer kan word, mag gedurende vyandelikhede teen sy wil gerepatrieer word.

Tydens die duur van die vyandelikhede moet die partye by die botsing daarna streef om met die samewerking van die betrokke neutrale moondheid reëlings te tref vir die huisvesting in neutrale lande van die siek en gewonde krygsgevangenes wat in die tweede paragraaf van die volgende artikel genoem word. Daarbenewens kan hulle met die oog op die regstreekse repatriasie of internering in 'n neutrale land van liggaamlik geskikte krygsgevangenes wat 'n langer tydperk van gevangenskap deurgemaak het, ooreenkomstig aangaan.

Behoudens die bepaling van die derde paragraaf van hierdie artikel, is partye by die botsing verplig om, afgesien van getal of rang, krygsgevangenes wat ernstig gewond en ernstig siek is, na hul eie land terug te stuur nadat hulle ooreenkomstig die eerste paragraaf van die volgende artikel versorg is totdat hulle in staat is om die reis te onderneem.

ARTIKEL 109.

REGSTREEKSE REPATRIASIE EN HUISVESTING IN NEUTRALE LANDE.

AFDELING I.

BEÏNDIGING VAN GEVANGESKAP.

DEEL IV.

In elk geval moet krygsgevangenes wat tot 'n straf veroordeel word wat hulle van hul vryheid beroof, die voorregte van die bepaling van artikels 78 en 126 van hierdie Konvensie bly geniet. Verder het hulle die reg om korrespondensie te ontvang en te versend, om minstens een hulppakket per maand te ontvang, om gereelde oefening in die buitelug te kry, om mediese versorging wat hul gesondheidstoestand vereis en die geestelike hulp wat hulle mag verlang, te ontvang. Strauwe waaraan hulle onderwerp kan word, moet met die bepaling van artikel 87, paragraaf (3) ooreenstem.

Vroulike krygsgevangenes oor wie so 'n vonnis uitgespreek word, moet in aparte kwartiere gevangegesit word en moet onder toezig van vroue geplaas word.

Vonnisse wat nadat skuldigebevinding behoorlik van krag geword het, oor 'n krygsgevangene uitgespreek is, moet in dieselfde inrigting en in dieselfde omstandighede as in die geval van die aanhoudende moondheid se gewapende magte, uitgedien word. Die omstandighede moet in alle gevalle aan die vereistes van gesondheid en menslikheid voldoen.

ARTIKEL 108.

Die mededeling wat in bostaande subparagraawe voorgeskryf word, moet die adres wat vooraf aan die aanhoudende moondheid bekendgemaak is, aan die beskermende moondheid gestuur word.

(3) aanduiding, waar dit van toepassing is, van die inrigting waar die vonnis uitgedien sal word.

(2) 'n beknopte verslag van enige voortgaande ondersoek en van die verhoor met besondere nadruk op die grondslae van die vervoeging en die verdediging;

(1) Die juiste bewoording van die bevinding en die vonnis;

rig wat die volgende gegevens verskaf: —
aanhoudende moondheid so spoedig moontlik 'n uitvoerige mededeling tot die beskermende moondheid

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.

Throughout the duration of hostilities, Parties to the conflict shall endeavour, with the co-operation 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.

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.

ARTICLE 109.

DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES.

SECTION I.

TERMINATION OF CAPTIVITY.

PART IV.

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 spiritual assistance they may desire. Penalties to which they may be subjected shall be in accordance with the provisions of Article 87, third paragraph.

A woman prisoner of war against whom such a sentence has been pronounced shall be confined in separate quarters and shall be under the supervision of women.

Sentences pronounced against 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.

ARTICLE 108.

The communications provided for in the foregoing subparagraphs shall be sent to the Protecting Power at the address previously made known to the Detaining Power.

(3) notification, where applicable, of the establishment where the sentence will be served.

(2) a summarized report of any preliminary investigation and of the trial, emphasizing in particular the elements of the prosecution and the defence;

(1) The precise wording of the finding and sentence;

a detailed communication containing: —
first instance is a death sentence, the Detaining Power shall as soon as possible address to the Protecting Power

ARTIKEL 110.

Die volgende moet regstreeks gerepatrieer word:—

- (1) Ongeneeslike gewondes en siekes wie se geestelike of liggaamlike geskiktheid klaarblyklik ernstig agteruitgegaan het.
- (2) Gewondes en siekes wie se herstel binne 'n jaar volgens mediese mening onwaarskynlik is, wie se toestand behandeling vereis en wie se geestelike of liggaamlike geskiktheid klaarblyklik ernstig afgeneem het.
- (3) Gewondes en siekes wat herstel het maar wie se geestelike en liggaamlike geskiktheid klaarblyklik ernstig en permanent agteruitgegaan het.

Die volgende kan in neutrale lande gehuisves word:—

- (1) Gewondes wie se herstel binne 'n jaar met ingang van die datum van verwonding of die aanvang van die siekte verwag kan word, indien behandeling in die neutrale land die vooruitsigte op 'n sekerder en spoediger herstel kan verhoog.
- (2) Krygsgevangenes wie se geestelike of liggaamlike gesondheid volgens mediese beskouing ernstig deur voortdurende gevangenskap bedreig word, maar wie se huisvesting in 'n neutrale land sodanige bedreiging uit die weg kan ruim.

Die voorwaardes waaraan krygsgevangenes wat in 'n neutrale land gehuisves word, moet voldoen ten einde hul repatriasie moontlik te maak, moet net soos hul status deur 'n ooreenkoms tussen die betrokke moondhede vasgestel word. In die algemeen moet krygsgevangenes wat in 'n neutrale land gehuisves is en wat onder die volgende kategorieë ressorteer, gerepatrieer word:—

- (1) Diegene wie se gesondheidstoestand sodanig agteruitgegaan het dat dit aan die vereistes vir regstreekse repatriasie voldoen.
- (2) Diegene wie se geestelike of liggaamlike kragte selfs na behandeling nog grotendeels aangetas bly.

Indien geen spesiale ooreenkoms tussen die betrokke partye by die botsing aangegaan is om die gevalle waarin ongeskiktheid of siekte regstreekse repatriasie of huisvesting in 'n neutrale land sou regverdig, te omskryf, moet sulke gevalle afgehandel word ooreenkomstig die beginsels uiteengesit in die modelooreenkoms betreffende regstreekse repatriasie en huisvesting in neutrale lande van gewonde en siek krygsgevangenes en in die regulasies betreffende Gemengde Mediese Kommissies wat by die huidige Konvensie aangeheg is.

ARTIKEL 111.

Die aanhoudende moondheid, die moondheid waarvan die gevangenes afhanklik is en die neutrale moondheid ten opsigte waarvan dié twee moondhede ooreengekom het, moet daarna streef om ooreenkomste te sluit wat dit moontlik sal maak dat krygsgevangenes tot die staking van vyandelikhede in die genoemde neutrale moondheid geïnterneer kan word.

ARTIKEL 112.

By die uitbreek van die vyandelikhede moet Gemengde Mediese Kommissies aangestel word om die siek en gewonde krygsgevangenes te ondersoek en om tot al die toepaslike beslissings in verband met hulle te kom. Die aanstelling, pligte en werking van hierdie kommissies moet met die bepalinge van die regulasie wat by hierdie Konvensie aangeheg is, ooreenstem.

Krygsgevangenes wat egter volgens die beskouing van die mediese owerhede van die aanhoudende moondheid klaarblyklik ernstig beseer of siek is, kan gerepatrieer word sonder dat hulle deur 'n Gemengde Mediese Kommissie ondersoek hoef te word.

ARTIKEL 113.

Besalwe dié wat deur die mediese owerhede van die aanhoudende moondheid aangedui word, het gewonde of siek krygsgevangenes wat onder onderstaande kategorieë ressorteer die reg om hulself vir ondersoek deur die

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) 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 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

Gemengde Mediese Kommissie waarvoor daar in die vorige artikel voorsiening gemaak word, aan te meld:—

- (1) Gewondes en siekes wat voorgestel is deur 'n geneesheer of chirurg wat dieselfde nasionaliteit het of 'n burger is van die botsende party wat 'n bondgenoot is van die moondheid waarvan genoemde gevangenes afhanklik is, en wat sy werksaamde in die kamp uitvoer;
- (2) gewonde en siek krygsgevangenes wat deur hul verteenwoordiger voorgestel is;
- (3) gewondes en siekes wat voorgestel is deur die moondheid waarvan hulle afhanklik is of deur 'n organisasie wat behoorlik deur genoemde moondheid erken is en wat hulp aan krygsgevangenes verleen.

Krygsgevangenes wat nie onder een van bostaande drie kategorieë ressorteer nie, kan hulself nogtans vir ondersoek deur die Gemengde Mediese Kommissies aanmeld maar sal slegs na die wat wel onder genoemde kategorieë ressorteer, ondersoek word.

Die geneesheer of chirurg van dieselfde nasionaliteit as die gevangenes wat hulle vir ondersoek by die Gemengde Mediese Kommissies aanmeld, en ook die gevangenes se verteenwoordiger, word toegelaat om by die ondersoek teenwoordig te wees.

ARTIKEL 114.

Krygsgevangenes wat in ongelukke betrokke raak, geniet, tensy die besering hul eie skuld is, die voorregte van die bepaling van hierdie Konvensie betreffende repatriasie of huisvesting in 'n neutrale land.

ARTIKEL 115.

Geen krygsgevangene wat 'n dissiplinêre straf opgelê is en wat na 'n neutrale land gerepatrieer of daarin gehuisves kan word, mag onder voorwendsel dat hy nog nie sy straf ondergaan het, teruggehou word nie.

Krygsgevangenes wat in verband met geregtelike vervolging of skuldigbevinding aangehou word en vir repatriasie of huisvesting in 'n neutrale land aangewys word, kan voor die einde van die vervolging of die voltooiing van die straf die voordeel van sulke maatreëls geniet indien die aanhoudende moondheid dit goedkeur.

Botsende partye moet mekaar van die name van diegene wat tot die end van die vervolging of die voltooiing van die straf aangehou word, in kennis stel.

ARTIKEL 116.

Die koste wat aan die repatriasie van krygsgevangenes of hul vervoer na 'n neutrale land verbonde is, moet van die grens van die aanhoudende moondheid deur die moondheid waarvan genoemde gevangenes afhanklik is, gedra word.

ARTIKEL 117.

Geen gerepatrieerde persoon mag vir aktiewe militêre diens gebruik word nie.

AFDELING II.

VRYSTELLING EN REPATRIASIE VAN KRYGSGEVANGENES BY DIE BEËINDIGING VAN VYANDELIKHEDE.

ARTIKEL 118.

Krygsgevangenes moet sonder versuim na die beëindiging van aktiewe vyandelikhede vrygestel en gerepatrieer word.

By gebrek aan bepaling met bogenoemde strekking in enige ooreenkoms wat tussen twee botsende partye met die oog op die beëindiging van die vyandelikhede gesluit word, of by gebrek aan sodanige ooreenkoms, moet elk van die aanhoudende moondhede self 'n plan van repatriasie ooreenkomstig die beginsels wat in voorgaande paragraaf vervat is, opstel en dit sonder versuim ten uitvoer bring.

Die maatreëls wat getref word, moet in elk geval aan die krygsgevangenes meegedeel word.

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 organisation duly recognised 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.

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 costs 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.

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.

Die koste van die repatriasie van krygsgevangenes moet in alle gevalle gelykop tussen die aanhoudende moondheid en die moondheid waarvan die gevangenes afhanklik is, verdeel word. Hierdie verdeling moet op die volgende grondslag geskied:—

- (a) Indien die twee moondhede aan mekaar grens, moet die moondheid waarvan die gevangenes afhanklik is, die repartiasiekoste van die aanhoudende moondheid se grens af dra.
- (b) Indien die twee moondhede nie aan mekaar grens nie, moet die aanhoudende moondheid die vervoerkoste van die krygsgevangenes oor sy eie gebied tot by sy grens of sy hawe van inskeping wat die naaste aan die gebied van die moondheid waarvan die krygsgevangenes afhanklik is, dra. Die betrokke partye moet onderling ooreenkom ten opsigte van die gelyke verdeling van die oorblywende repartiasiekoste. Die sluiting van hierdie ooreenkoms regverdig in geen omstandigheid die vertraging van die repatriasie van die krygsgevangenes nie.

ARTIKEL 119.

Repatriasie moet in omstandighede soortgelyk aan dié wat in artikels 46 tot en met 48 van hierdie Konvensie vir die vervoer van krygsgevangenes voorgeskryf is en met inagneming van die bepaling van artikel 118 en dié vervat in die volgende paragrawe, geskied.

By repatriasie moet enige waardevolle artikels wat kragtens artikel 18 van krygsgevangenes afgeneem is en enige vreemde geldsoort wat nie in die geldsoort van die aanhoudende moondheid omgesit is nie, aan hulle terugbesorg word. Waardevolle goedere en vreemde geldsoorte wat om enige rede hoegenaamd nie by repatriasie aan krygsgevangenes terugbesorg word nie, moet na die Inligtingsburo wat kragtens artikel 122 ingestel is, versend word.

Krygsgevangenes moet toegelaat word om hul persoonlike besittings en enige korrespondensie en pakkies wat aan hulle gestuur is, saam met hulle te neem. Die gewig van sodanige bagasie kan, indien die omstandighede van repatriasie dit vereis, beperk word tot wat elke gevangene redelik kan dra. Elke gevangene moet in alle gevalle toegelaat word om ten minste 25 kilogram te dra.

Die ander persoonlike besittings van die gerepatrieerde gevangene moet aan die aanhoudende moondheid toevertrou word, wat dit vir hom sal aanstuur so gou hy 'n ooreenkoms in verband hiermee wat die voorwaardes van vervoer en die betaling van die koste wat daarby betrokke is met die moondheid waarvan die gevangene afhanklik is, gesluit het.

Krygsgevangenes ten opsigte van wie kriminele vervolging vir 'n strafbare daad hangende is, kan tot die einde van sodanige vervolging en, indien nodig, tot die uitdiening van die straf, aangehou word. Dit geld ook vir krygsgevangenes wat reeds van 'n strafbare oortreding skuldig bevind is.

Botsende partye moet die name van alle krygsgevangenes wat tot die einde van vervolging of die voltooiing van straf aangehou word, aan mekaar verstrek.

Volgens ooreenkoms tussen die botsende partye kan kommissies ingestel word om die verspreide krygsgevangenes op te spoor en om te verseker dat hulle so spoedig moontlik gerepatrieer word.

AFDELING III.

DIE AFSTERWE VAN KRYGSGEVANGENES.

ARTIKEL 120.

Die testamente van krygsgevangenes moet opgestel word om te voldoen aan die geldigheidsvereistes van die wetgewing van hul land van herkoms wat stappe sal doen om die aanhoudende moondheid van sy vereistes ten opsigte hiervan te verlig. Op versoek van die krygsgevangenes en in alle gevalle van dood moet die testament sonder versuim aan die beskermende moondheid besorg word; 'n gewaarmerkte afskrif moet aan die Sentrale Buro gestuur word.

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 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 authorised 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.

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 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.

Sterftesertifikate in die vorm wat by hierdie Konvensie aangeheg is of lyste wat deur 'n verantwoordelike offisier gewaarmerk is, van al die persone wat as krygsgevangenes sterf, moet so spoedig moontlik aan die Inligtingsburo vir Krygsgevangenes wat ooreenkomstig artikel 122 ingestel word, gestuur word. Die sterftesertifikate of gewaarmerkte lyste moet besonderhede ten opsigte van identiteit soos in die derde paragraaf van artikel 17 uiteengesit, verstrek en ook die sterfdatum en -plek, die oorsaak van dood, die datum en plek van begrafnis en alle besonderhede wat vir die identifikasie van die grafte nodig is.

Die begrafnis of verassing van 'n krygsgevangene moet deur 'n mediese ondersoek van die liggaam voorafgegaan word ten einde die dood te bevestig en die opstel van 'n verslag moontlik te maak en waar nodig om die gevangene uit te ken.

Die aanhoudende owerhede moet seker maak dat krygsgevangenes wat in gevangenskap sterf, eervol en, indien moontlik, volgens die gebruike van hul geloof begrawe word en dat hul grafte eerbiedig word, behoorlik in stand gehou en van die nodige aanduidings voorsien word sodat hulle te eniger tyd gevind kan word. Die oorlede krygsgevangenes wat van dieselfde moondheid afhanklik was, moet, waar moontlik, op dieselfde plek begrawe word.

Oorlede krygsgevangenes moet in individuele grafte begrawe word tensy onvermydelike omstandighede die gebruik van gesamentlike grafte vereis. Liggame mag net om gebiedende noodsaaklike gesondheidsredes, as gevolg van die oorledene se geloof of ooreenkomstig sy uitdruklike begeerte te dien effekte veras word. In geval van verassing moet die feit vermeld en die redes daarvoor in die oorledene se sterftesertifikaat aangegee word.

Alle besonderhede ten opsigte van begrafnisse en grafte moet by die Grafteregistrasiediens wat deur die aanhoudende moondheid ingestel word, opgeteken word sodat grafte altyd gevind kan word. Lyste van grafte en besonderhede van die krygsgevangenes wat in begraafplase en elders begrawe is, moet aan die moondheid waarvan sulke krygsgevangenes afhanklik was, gestuur word. Die verantwoordelikheid vir die versorging van hierdie grafte en vir die registers van enige latere verwydering van die liggaam berus by die moondheid wat die gebied beheer, indien hy 'n party by hierdie Konvensie is. Hierdie bepaling is ook van toepassing op die as wat totdat daar ooreenkomstig die begeertes van die vaderland behoorlik daaroor beskik is, deur die Grafteregistrasiediens gehou moet word.

ARTIKEL 121.

Elke geval van dood of ernstige besering van 'n krygsgevangene wat deur 'n wag, 'n ander krygsgevangene of enige ander persoon veroorsaak is of wat vermoedelik aldus veroorsaak is, en ook enige geval van dood waarvan die oorsaak onbekend is, moet onmiddellik deur 'n amp telike ondersoek deur die aanhoudende moondheid opgevolg word.

'n Mededeling ten opsigte hiervan moet onmiddellik aan die beskermende moondheid gestuur word. Daar moet verklarings van getuies, veral van dié wat krygsgevangenes is, verkry word en 'n verslag wat sulke verklarings bevat, moet aan die beskermende moondheid gestuur word.

Indien die ondersoek die skuld van een of meer persone aandui, moet die aanhoudende moondheid alle maatreëls vir die vervolging van die verantwoordelike persoon of persone tref.

DEEL V.

INLIGTINGSBURO'S EN VERENIGINGS VIR DIE VERSAGTING VAN DIE OMSTANDIGHEDE VAN KRYGSGEVANGENES.

ARTIKEL 122.

By die uitbreek van 'n botsing en in alle gevalle van besetting moet elk van die partye by die botsing 'n amp telike Inligtingsburo vir krygsgevangenes wat in sy mag is, instel. Neutrale- of nie-oorlogvoerende moondhede wat persone wat ressorteer onder een van die kategorieë wat in artikel 4 genoem word binne hul gebied ontvang het, moet insgelyks teenoor sulke persone optree. Die betrokke

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 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.

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

moondheid moet seker maak dat die Inligtingsburo vir Krygsgevangenes van die nodige huisvesting, uitrusting en personeel voorsien word om die doeltreffende werking daarvan te verseker. Dit staan hom vry om krygsgevangenes kragtens die bepalings wat in die Afdeling van hierdie Konvensie betreffende die werk van krygsgevangenes voorgeskryf word, in sodanige buro te gebruik.

Binne die korste moontlike tydperk moet elk van die botsende partye die inligting aan sy Buro verstrek, waarna in paragrawe 4, 5 en 6 van hierdie artikel verwys word betreffende enige vyandelike persoon wat onder een van die kategorieë genoem in artikel 4, ressorteer en wat hom in sy mag bevind. Neutrale of nie-oorlogvoerende moondhede moet insgelyks ten opsigte van persone wat onder sulke kategorieë ressorteer en wat hulle in hul gebied ontvang het, optree.

Die Buro moet sodanige inligting onmiddellik langs die spoedigste moontlike weg deur bemiddeling van die beskermende moondhede aan die betrokke moondhede en ook aan die Sentrale Buro waarvoor in artikel 123 voorsiening gemaak word, stuur.

Dié inligting sal dit moontlik maak om die betrokke nabestaandes spoedig in kennis te stel. Behoudens die bepalings van artikel 17 moet die inligting, vir sover dit vir die Inligtingsburo beskikbaar is, die volgende gegewens ten opsigte van elke krygsgevangene verstrek: sy van, voorname, rang, leër-, regiments-, persoonlike en volgnommer, volledige geboortedatum en -plek, aanduiding van die moondheid waarvan hy afhanklik is, voornaam van die vader en nooiensvan van die moeder, naam en adres van die persoon wat in kennis gestel moet word en die adres waarheen korrespondensie vir die gevangene gestuur kan word.

Die Inligtingsburo moet van die verskillende betrokke departemente inligting betreffende oorplasinge, vrystellings, repatriasies, ontsnappings, toelatings tot die hospitaal en sterfgevälle ontvang en moet sodanige inligting op die wyse wat in die derde paragraaf hierbo omskryf word aanstuur.

Insgelyks moet inligting betreffende die gesondheidstoestand van krygsgevangenes wat ernstig siek of ernstig gewond is, gereeld en indien moontlik elke week verstrek word.

Die Inligtingsburo is ook verantwoordelik vir die beantwoording van alle navrae wat in verband met krygsgevangenes, wat inbegrip van dié wat gedurende gevangenskap oorlede is, aan hom gerig word; hy moet alle nodige navraag doen ten einde die inligting waarom gevra word, te verkry indien hy nie daarvoor beskik nie.

Alle skriftelike mededelings wat van die Buro uitgaan, moet met 'n handtekening of seël bekragtig word.

Die Inligtingsburo is ook belas met die versameling van alle waardevolle persoonlike besittings met inbegrip van geldsomme in geldsoorte van ander moondhede behalwe die aanhoudende moondheid en dokumente van belang aan die nabestaandes wat deur krygsgevangenes wat gerepatrieer of vrygestel is of wat ontsnap het of oorlede is, agtergelaat is en hy moet genoemde waardevolle artikels aan die betrokke moondhede stuur.

Sulke artikels moet vergesel van opgawes met duidelike en volledige besonderhede van die identifikasie van die persoon aan wie die artikels behoort, en ook van 'n volledige lys van die inhoud van die pakkie, deur die Buro in verseelde pakkies versend word. Ander persoonlike besittings van sulke krygsgevangenes moet kragtens reëlins waaroor die betrokke botsende partye ooreengekom het, oorgebring word.

ARTIKEL 123.

Daar moet 'n Sentrale Inligtingsburo vir krygsgevangenes in 'n neutrale land ingestel word. Die Internasionale Komitee van die Rooikruis moet, indien hy dit nodig ag, die organisasie van so 'n Buro aan die betrokke moondhede voorstel.

Die werk van die Buro is om alle inligting wat hy langs amptelike of private weg in verband met krygsgevangenes kan verkry, in te win en om dit so spoedig moontlik na die land van herkoms van die krygsgevangenes of na die moondheid waarvan hulle afhanklik is, te stuur. Die botsende partye moet hom alle geleentheid vir die bekendmaking van dié gegewens bied.

persons. The Power concerned shall ensure that the Prisoners of War Information Bureau is provided with the necessary accommodation, equipment and staff 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.

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 inquiries 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 organisation of such an Agency.

The function of the Agency shall be to collect all 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 It shall receive from the Parties to the conflict all facilities prisoners of war or to the Power on which they depend for effecting such transmissions.

Die hoë kontrakterende partye en veral dié wie se burgers die voordeel van die dienste van die Sentrale Buro geniet, word versoek om genoemde Buro die geldelike steun te verleen wat hy mag nodig hê.

Bostaande bepalings moet geensins as 'n inkorting van die humane werksaamhede van die Internasionale Komitee van die Rooikruis of van die hulporganisasies waarvoor daar in artikel 125 voorsiening gemaak word, vertolk word nie.

ARTIKEL 124.

Die nasionale Inligtingsburo's en die Sentrale Inligtingsburo geniet vrystelling van posgeld en ook al die vrystelling waarvoor daar in artikel 74 voorsiening gemaak word en verder sover moontlik, vrystelling van telegraafkoste of ten minste grootliks verminderde tariewe.

ARTIKEL 125.

Behoudens die maatreëls wat die aanhoudende moondhede vir die versekering van hul veiligheid of vir voorsiening in enige ander behoeftes nodig mag ag, moet aan die verteenwoordigers van godsdienstige, hulpverenigings of enige ander organisasies wat hulp aan krygsgevangenes verleen, vir hulself en hul behoorlik gevolmagtigde verteenwoordigers alle nodige geleentheid deur genoemde moondhede verleen word om gevangenes te besoek, hulpvoorrade en stowwe uit enige bron wat vir godsdienstige, opvoedkundige of ontspanningsdoeleindes en as hulp by die organisasie van hul vrytyd binne die kampe bestem is, te versprei. Sulke verenigings of organisasies kan in die aanhoudende moondheid se gebied of in enige ander land ingestel word of van 'n internasionale aard wees.

Die aanhoudende moondheid kan die getal verenigings en organisasies wie se verteenwoordigers toegelaat word om hul werksaamhede in sy gebied en onder sy toesig uit te voer, beperk op die voorwaarde, egter, dat sodanige beperking nie die doeltreffende toepassing van voldoende versagtingsmaatreëls vir alle krygsgevangenes belemmer nie.

Die besondere posisie van die Internasionale Komitee van die Rooikruis in dié gebied moet te alle tye erken en eerbiedig word.

Sodra hulpvoorrade of stowwe wat vir bogenoemde doeleindes bestem is, aan krygsgevangenes oorhandig word, of baie kort daarna, moet ontvangsbewyse wat deur die gevangenes se verteenwoordiger onderteken is vir elke besending aan die hulpvereniging of -organisasie wat vir die versending daarvan verantwoordelik is, uitgereik word. Terselfdertyd moet kwitansies vir hierdie besendings deur die administratiewe owerhede wat vir die bewaking van die gevangenes verantwoordelik is, verstrekk word.

DEEL VI.

DIE TOEPASSING VAN DIE KONVENSIË.

AFDELING I.

ALGEMENE BEPALINGS.

ARTIKEL 126.

Verteenwoordigers of afgevaardigdes van die beskermende moondhede is bevoeg om alle plekke waar krygsgevangenes mag wees, veral plekke van internering, gevangesetting en arbeid, te besoek en het toegang tot alle persele waar krygsgevangenes gehuisves word; hulle mag ook die plekke van vertrek, reisroetes en bestemmings van gevangenes wat oorgeplaas word, besoek. Hulle kan sonder getuies, hetsy persoonlik of deur bemiddeling van 'n tolk met die gevangenes en veral die gevangenes se verteenwoordigers onderhoude voer.

Dit staan verteenwoordigers en afgevaardigdes van die beskermende moondheid ten volle vry om te kies watter plekke hulle wil besoek. Die duur en herhaling van hierdie besoeke mag nie ingekort word nie. Besoeke mag nie verbied word nie behalwe vir gebiedend noodsaaklike militêre redes en dan slegs as 'n buitengewone en tydelike maatreël.

The High Contracting Parties, and in particular those whose national 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 organisations, relief societies, or any other organisation assisting prisoners of war, shall receive from the said Powers, for themselves and their duly accredited agents, all necessary facilities for visiting the prisoners, distributing relief supplies and material, from any source, intended for religious, educational or recreative purposes, and for assisting them in organising their leisure time within the camps. Such societies or organisations 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 organisations 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 recognised 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 organisation making the shipment. At the same time, receipts for these consignments shall be supplied by the administrative authorities responsible for guarding the prisoners.

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.

Die aanhoudende moondheid en die moondheid waarvan genoemde krygsgevangenes afhanklik is, kan, indien nodig, instem dat landgenote van die krygsgevangenes toegelaat word om die besoeke mee te maak.

Die afgevaardigdes van die Internasionale Komitee van die Rooikruis geniet dieselfde voorregte. Die aanstelling van sulke afgevaardigdes is onderworpe aan die goedkeuring van die moondheid wat die krygsgevangenes wat besoek word, aanhou.

ARTIKEL 127.

Die hoë kontrakterende partye onderneem om in vredes- sowel as oorlogstyd die teks van hierdie Konvensie so wyd moontlik in hul onderskeie lande te versprei en in die besonder om die bestudering daarvan in hul programme van militêre en, indien moontlik, burgerlike opleiding, in te sluit sodat die beginsels daarvan aan al hul gewapende magte en aan die hele bevolking bekendgemaak kan word.

Enige militêre of ander owerheid wat gedurende oorlogstyd verantwoordelikhede ten opsigte van krygsgevangenes dra, moet die teks van hierdie Konvensie in hul besit hê en spesiaal ten opsigte van die bepalinge daarvan ingelig word.

ARTIKEL 128.

Die hoë kontrakterende partye moet mekaar deur bemiddeling van die Switserse Federale Raad en gedurende vyandelikhede deur bemiddeling van die beskermerende moondhede in kennis stel van die amptelike vertalings van hierdie Konvensie en ook van die wette en regulasies wat hulle vir die versekering van die toepassing daarvan mag aanwend.

ARTIKEL 129.

Die hoë kontrakterende partye onderneem om enige wette aan te neem wat nodig is om doeltreffende strafsanksies te voorsien vir persone wat enige van die ernstige oortredings van hierdie Konvensie wat in die volgende artikel omskryf word, begaan of beveel.

Elke hoë kontrakterende party is verplig om te soek na persone wat na beweer word sulke ernstige oortredings begaan of beveel het en moet sulke persone, afgesien van hul nasionaliteit, in sy eie howe vervolg. Hy kan ook, indien hy dit verkies, sulke persone ooreenkomstig die bepalinge van sy eie wette aan 'n ander betrokke hoë kontrakterende party vir vervolging oorhandig mits sodanige hoë kontrakterende party *prima facie* 'n goeie saak het.

Elke hoë kontrakterende party moet die nodige maatregels tref ten einde alle handeling, behalwe die ernstige oortredings wat in die volgende artikel omskryf word, wat met die bepalinge van hierdie Konvensie strydig is, te onderdruk.

In alle omstandighede geniet die beskuldigde persone die waarborg van behoorlike verhoor en verdediging wat nie minder gunstig is nie as dié wat by artikel 105 en onderstaande bepalinge van hierdie Konvensie voorgeskryf word.

ARTIKEL 130.

Ernstige oortredings waarmee bostaande artikel in verband staan, is dié wat met enige van die volgende handeling gepaard gaan indien dit teen persone of eiendom wat onder beskerming van die Konvensie staan, begaan word: Die moedswillige doodmaak van persone, marteling of onmenslike behandeling met inbegrip van biologiese proefnemings, moedswillige veroorsaking van groot lyding of ernstige besering van liggaam of belemmering van die gesondheid, die verplig van 'n krygsgevangene om in die vyandelike moondheid se stryd magte diens te doen of moedswillige ontneming van 'n krygsgevangene se aanspraak op die regverdige en behoorlike verhoor wat in hierdie Konvensie voorgeskryf word.

ARTIKEL 131.

Geen hoë kontrakterende party word toegelaat om homself of enige ander hoë kontrakterende party van enige verpligting vrystelling te verleen, wat hy homself of wat 'n ander hoë kontrakterende party hom ten opsigte van oortredings waarna in bostaande artikel verwys word, opgelê het nie.

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.

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.

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.

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 of 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.

ARTIKEL 132.

Op versoek van 'n botsende party moet 'n ondersoek ingestel word na enige beweerde skending van die Konvensie op 'n wyse ten opsigte waarvan die belanghebbende party onderling moet ooreenkom.

Indien daar nie ten opsigte van die prosedure vir die ondersoek ooreengekom is nie, moet die partye ooreenkom oor die keuse van 'n skeidsregter wat sal beslis watter prosedure gevolg moet word.

Sodra die oortreding vasgestel is, moet die botsende partye dit met so min versuim moontlik stopsit en onderdruk.

AFDELING II.

SLOTBEPALINGS.

ARTIKEL 133.

Hierdie Konvensie in in Engels en in Frans opgestel. Albei tekste is ewe regsgeldig.

Die Switserse Federale Raad moet reëlings tref vir die amptelike vertaling van die Konvensie in Russies en in Spaans.

ARTIKEL 134.

Hierdie Konvensie vervang die Konvensie van 27 Julie 1929 in betrekkinge tussen die hoë kontrakterende partye.

ARTIKEL 135.

In die betrekkinge tussen die moondhede wat deur die Haagse Konvensie betreffende die Wette en Gebruike van Landoorlog gebind is, afgesien daarvan of dit die verdrag van 27 Julie 1899 of dié van 18 Oktober 1907 is, en wat partye by hierdie Konvensie is, vul laasgenoemde Konvensie Hoofstuk II van die regulasies wat by bogenoemde Haagse Verdrag aangeheg is, aan.

ARTIKEL 136.

Hierdie Konvensie wat die datum van hierdie dag dra, kan tot 12 Februarie 1950 namens die moondhede wat verteenwoordig was by die konferensie wat op 21 April 1949 te Genève geopen is, onderteken word, en ook deur die moondhede wat nie by dié konferensie verteenwoordig was nie, maar wat partye by die Konvensie van 27 Julie 1929 is.

ARTIKEL 137.

Hierdie Konvensie moet so gou moontlik bekragtig word en die bekragtighings moet te Bern gedeponeer word.

Daar moet 'n register van die deponering van elke akte van bekragtiging opgestel word en gewaarmerkte afskrifte van hierdie register moet deur die Switserse Federale Raad aan alle moondhede namens wie die Konvensie onderteken is of wie se toetredede bekendgemaak is, gestuur word.

ARTIKEL 138.

Hierdie Konvensie tree in werking ses maande nadat minstens twee aktes van bekragtiging gedeponeer is.

Daarna tree dit vir elk van die hoë kontrakterende partye ses maande na die deponering van sy akte van bekragtiging in werking.

ARTIKEL 139.

Hierdie Konvensie lê met ingang van die datum van sy inwerkingtreding vir enige moondheid namens wie hierdie Konvensie nog nie onderteken is nie, vir toetredede oop.

ARTIKEL 140.

Die Switserse Federale Raad moet skriftelik van toetredings in kennis gestel word wat ses maande na die dag waarop hulle die Federaale Raad bereik het, van krag word.

Die Switserse Federale Raad moet alle moondhede namens wie die Konvensie onderteken is of wie se toetredede bekendgemaak is, van die toetredings in kennis stel.

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 within the briefest possible delay.

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 relative to 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, 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.

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.

ARTIKEL 141.

Die omstandighede waarvoor in artikels 2 en 3 voorsiening gemaak word, stel die gedeponeerde bekrachtigings van toetredings wat die botsende partye voor of na die aanvang van vyandelikhede of besetting bekendgemaak het, onmiddellik in werking. Die Switserse Federale Raad moet alle bekrachtigings of toetredings wat van die botsende partye ontvang is, langs die snelste weg bekendmaak.

ARTIKEL 142.

Elk van die hoë kontrakterende partye het die reg om hierdie Konvensie op te sê.

Die opsegging moet skriftelik aan die Switserse Federale Raad bekendgemaak word en laasgenoemde moet die regerings van al die hoë kontrakterende partye van hierdie mededeling in kennis stel. Die opsegging tree een jaar nadat dit aan die Switserse Federale Raad meegedeel is, in werking. Opsegging wat bekendgemaak word terwyl die opseggende moondheid by die botsing betrokke is, tree egter nie in werking voordat vrede gesluit word en voordat werksaamhede in verband met die vrystelling en repatriasie van die persone wat onder die beskerming van hierdie Konvensie staan, beëindig is nie.

Die opsegging is slegs ten opsigte van die opseggende moondheid van krag. Dit raak geensins die verpligtings wat die botsende partye kragtens die beginsels van die volkereg moet nakom nie, aangesien dit spruit uit die vaststaande gebruike van beskaafde volke en die mensereg en die inspraak van die openbare gewete.

ARTIKEL 143.

Die Switserse Federale Raad moet hierdie Konvensie by die Sekretariaat van die Verenigde Nasies laat registreer. Die Switserse Federale Raad moet die Sekretariaat van die Verenigde Nasies ook van alle bekrachtigings, toetredings en opseggings wat hy ten opsigte van hierdie Konvensie ontvang, verwittig.

TEN GETUIE WAARVAN die ondergetekendes, na indiening van hul onderskeie volmakte, hierdie Konvensie onderteken het.

ALDUS gedoen te Genève op hede die twaalfde dag van Augustus 1949, in die Engelse en die Franse taal. Die oorspronklike moet in die argief van die Switserse Konfederasie gedeponeer word. Die Switserse Federale Raad moet gewaarmerkte afskrifte daarvan stuur aan elke staat wat toetree en die Konvensie onderteken.

(Hier volg die handtekeninge, sommige met voorbehoud.)

AANHANGSEL I.

MODELOOREENKOMS BETREFFENDE REGSTREEKSE REPATRIASIE EN HUISVESTING IN NEUTRALE LANDE VAN GEWONDE EN SIEK KRYGSGEVANGENES.

(Vergelyk artikel 110.)

1.—BEGINSELS VIR REGSTREEKSE REPATRIASIE EN HUISVESTING IN NEUTRALE LANDE.

A. REGSTREEKSE REPATRIASIE.

Die volgende persone moet regstreeks gerepatrieer word:—

- (1) Alle krygsgevangenes wat as gevolg van besering die volgende afwykings vertoon: verlies van 'n lidmaat, verlamming, gewrigs- en ander afwykings vir sover die gemis ten minste die verlies van 'n hand of 'n voet is of met die verlies van 'n hand of 'n voet gelykstaan.

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 ratification 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 of the law of nations, as they result from the usages established among civilised 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.

(Here follow the signatures, some with reservations.)

ANNEX I.

MODEL AGREEMENT CONCERNING DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES OF WOUNDED AND SICK PRISONERS OF WAR.

(See Article 110.)

1. 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.

Sonder om aan 'n gunstiger vertolking afbreuk te doen, word die volgende as gelykstaande met die verlies van 'n hand of 'n voet beskou:—

- (a) Verlies van 'n hand, of van al die vingers of van die duim en voorvinger van 'n hand; verlies van 'n voet, of van al die tone en middelvoetbene van 'n voet;
 - (b) gewrigsvergroeiing, verlies van beenweefsels, littekenverkorting wat die werking van een van die groot gewigte of van al die vingergewigte van een hand verhoed;
 - (c) pseudoartrose van die pypbene;
 - (d) mismaaktheid as gevolg van breuke of ander beserings wat die werking en gewigdraende krag ernstig belemmer.
- (2) Alle gewonde krygsgevangenes wie se toestand so kronies geword het dat die prognose—ten spyte van behandeling—blykbaar herstel binne een jaar van die datum van besering uitsluit, soos byvoorbeeld in geval van—
- (a) 'n voorwerp in die hart, selfs al sou die Gemengde Mediese Kommissie ten tyde van die ondersoek geen ernstige steurings vind nie.
 - (b) Metaalagtige splinter in die brein of longe, selfs al kan die Gemengde Mediese Kommissie nie ten tyde van die ondersoek enige plaaslike of algemene reaksie ontdek nie;
 - (c) beenmurgontsteking, waar herstel nie binne 'n jaar na die besering verwag kan word nie en wat lyk asof dit waarskynlik in gewrigsvergroeiing of ander vorms van belemmering wat met die verlies van 'n hand of 'n voet gelykstaan, kan oorgaan;
 - (d) deurborende en etterende besering van die groot gewigte;
 - (e) besering van die skedel met verlies van of verskuiwing van beenweefsel;
 - (f) besering of verbranding van die gesig met verlies van weefsel en werkingsletsels;
 - (g) besering van die rugstring;
 - (h) letsels van die periferaalsenuwees waarvan die gevolg met die verlies van 'n hand of 'n voet gelykstaan en waarvan die genesing meer as 'n jaar na die datum van besering vereis, byvoorbeeld: besering van die arm- of lumbosakrale vleg, middel- of heupsenuwees en ook saamgestelde besering van die speekbeen- en onderarmsenuwees of van die laterale kniekuilsenuwees (N. peroneus communis) en binnewaartse kniekuilsenuwee (N. tibialis), ens. Die afsonderlike besering van die speekbeen- (muscolospiraal), onderarm-, laterale of binnewaartse kniekuilsenuwees regverdig egter nie repatriasie nie behalwe in geval van verkortings of van ernstige neurotrofiese steuring;
 - (i) besering van die uriënstelsel wat ongeskiktheid veroorsaak.
- (3) Alle siek krygsgevangenes wie se toestand so kronies geword het dat die prognose blykbaar—ten spyte van behandeling—herstel binne een jaar met ingang van die aanvang van die siekte uitsluit, soos byvoorbeeld in geval van—
- (a) toenemende tuberkulose van enige orgaan wat volgens mediese prognose ongeneeslik is of wat ten minste deur behandeling in 'n neutrale land aansienlik verbeter kan word.
 - (b) borsvliesontsteking met uitvloeielsel;
 - (c) ernstige siektes van die asemhalingsorgane van nie-teringagtige etiologie, wat as ongeneeslik beskou word, byvoorbeeld: ernstige longemfiëem, met of sonder bronchitis; kroniese asma; kroniese bronchitis* wat meer as 'n jaar in gevangenskap duur; verwydering van lugpyp-takke,* ens.;

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 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) 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*; chronic bronchitis* lasting more than one year in captivity; bronchiectasis;* etc.;

- (d) ernstige kroniese aandoenings van die bloedsomloopstelsel, byvoorbeeld: klepvliesgebreke en hartvliesontsteking* wat gedurende gevangenskap tekens van bloedsomloopgebreke getoon het, alhoewel die Gemengde Mediese Kommissie geensins ten tyde van die ondersoek sulke tekens ontdek nie; aandoenings van die hartsak en die vate (Buerger se Siekte, verwyding van die groot vate); ens.;
- (e) ernstige kroniese aandoenings van die spysverteringsorgane, byvoorbeeld: maag- of duodenaalseer; die gevolge van maagoperasies wat gedurende gevangenskap uitgevoer word; kroniese maagontsteking, dermontsteking of dikdermontsteking wat reeds langer as 'n jaar duur en wat die algemene toestand ernstig aantast; sirrotiese lewer, kroniese cholecystopathy,* ens.;
- (f) ernstige kroniese aandoenings van die urien- en geslagsorgane, byvoorbeeld: kroniese nier-siektes met afwykings wat daaruit voortspruit; nefrektomie as gevolg van 'n toringagtige nier; kroniese nierbekkenontsteking of kroniese blaasontsteking, waternier of nierrettersak; kroniese ernstige ginekologiese toestande; normale swangerskap en verloskundige steuring waar huisvesting in 'n neutrale land onmoontlik is; ens.;
- (g) ernstige kroniese siektes van die sentrale en periferaalsenuweestelsel, byvoorbeeld: alle duidelike psigoses en psigoneuroses soos ernstige histerie, ernstige gevangenskapspigoneurose, ens., wat behoorlik deur 'n spesialis* geverifieer is; enige epilepsie wat behoorlik deur 'n kampgeneesheer* geverifieer is; harsingslagaarverharding; kroniese senuweeontsteking wat langer as 'n jaar duur; ens.;
- (h) ernstige kroniese siektes van die neurovegetatiewe stelsel, met aansienlike afname in verstandelike of liggaamlike geskiktheid, merkbare verlies van gewig en algemene astenie;
- (i) blindheid van beide oë, of van een oog waar die gesigsvermoë van die ander een ondanks die gebruik van 'n verbeterende bril minder as 1 is; vermindering van gesigskerphed in gevalle waar dit onmoontlik is om dit deur verbetering tot 'n skerphed van $\frac{1}{2}$ in ten minste een oog te herstel*; ander ernstige oogaandoenings, byvoorbeeld: glaukoom, reenboogvliesontsteking, valvliesontsteking; trachoom, ens.;
- (k) gehoorsteurings, soos totale eensydige doofheid, indien die ander oor nie gewone spraak op 'n afstand van 1 meter kan verstaan nie, ens.;
- (l) ernstige aandoenings van die metabolisme, byvoorbeeld: suikersiekte wat insulienbehandeling vereis; ens.;
- (m) ernstige aandoenings van die buislose kliere, byvoorbeeld: skildkliervergiftiging; skildkliergebrek; Addison se Siekte; Simmond se uittering; rukkramp; ens.;
- (n) ernstige kroniese siektes van die bloedvormende organe;
- (o) ernstige gevalle van kroniese vergiftiging, byvoorbeeld: loodvergiftiging, kwikvergiftiging, morfinisme, kokaiënverslaaftheid, alkoholisme; gas- of straalvergiftiging;
- (p) kroniese aandoenings van die beweging met duidelike werkingsteurings, byvoorbeeld: verminkende gewrigsontsteking; primêre en sekondêre toenemende kroniese uitgebreide gewrigsontsteking, rumatiek met ernstige kliniese verskynsels; ens.;
- (q) ernstige kroniese velsiektes wat nie vir behandeling in aanmerking kom nie;
- (r) enige kwaadaardige gewasse;
- (d) serious chronic affections of the circulatory system, for example: valvular lesions and myocarditis,* 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*; etc.;
- (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,* any epilepsy duly verified by the camp physician,* 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 1 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 $\frac{1}{2}$ in at least one eye;* other grave ocular affections, for example: glaucoma, iritis, chorioiditis; 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;* etc.;
- (l) serious affections of metabolism, for example: Diabetes mellitus requiring insulin treatment; etc.;
- (m) serious disorders of the endocrine glands, for example: Thyrotoxicosis; hypothyroidism; Addison's disease; Simmond's 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, cocaineism, 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) ernstige kroniese aansteeklike siektes wat langer as 'n jaar na die aanvang aanhou, byvoorbeeld: malaria met definitiewe organiese belemmering, amebe- of basillêre disenterie met ernstige steurings; tersiêre ingewand-sifilis wat weerstand bied teen behandeling; melaatsheid; ens.;
- (t) ernstige vitamiengebrek of ernstige uitputting.

B. HUISVESTING IN NEUTRALE LANDE.

Die volgende persone kan in neutrale lande gehuisves word:—

- (1) Alle gewonde krygsgevangenes wat waarskynlik nie in gevangenskap sal herstel nie maar wat moontlik genees kan word of wie se toestand moontlik aansienlik deur huisvesting in 'n neutrale land verbeter sal word;
- (2) krygsgevangenes wat aan enige vorm van tuberkulose van watter orgaan ookal ly wie se behandeling in 'n neutrale land waarskynlik tot hul herstel of ten minste tot aansienlike verbetering sal lei, met uitsondering van primêre tuberkulose wat voor gevangenskap genees is;
- (3) krygsgevangenes wat aan aandoenings ly wat behandeling van die asemhalings-, bloedsomloop-, spysverterings-, senuwee-, gevoels-, urien- en geslags-, huid-, bewegingsorgane, ens., vereis indien sodanige behandeling ongetwyfeld met beter gevolg in 'n neutrale land as in gevangenskap toegepas sal kan word;
- (4) krygsgevangenes wat in gevangenskap nefrektomie vir 'n nie-teringagtige nieraandoening ondergaan het; gevalle van beenmurg-ontsteking wat besig is om te herstel of latent is; suikersiekte wat nie insulienbehandeling vereis nie; ens.;
- (5) krygsgevangenes wat aan oorlogs- of gevangenskapsneurose ly.
Gevalle van gevangenskapsneurose wat nie na drie maande huisvesting in 'n neutrale land genees het nie of wat na genoemde tydperk ongetwyfeld nog nie besig is om heeltemal te genees nie, moet gerepatriceer word;
- (6) alle krygsgevangenes wat aan kroniese vergiftiging (gasse, metale, alkaloïede, ens.) ly en vir wie die vooruitsigte op herstel in 'n neutrale land besonder gunstig is;
- (7) alle vroulike krygsgevangenes wat swanger is of moeders met babetjies en klein kindertjies.

Die volgende gevalle kom nie vir huisvesting in neutrale lande in aanmerking nie:—

- (1) Alle behoorlik vasgestelde kroniese psigoses;
- (2) alle organiese of funksionele senuwee-aandoenings wat as ongeneeslik beskou word;
- (3) alle aansteeklike siektes gedurende die tydperk wanneer dit oordraaglik is, met uitsondering van tuberkulose.

II. ALGEMENE OPMERKINGS.

(1) Die vasgestelde voorwaardes moet in die algemeen so ruim moontlik vertolk en toegepas word.

Neuropatiese en psigopatiese toestande wat deur oorlog of gevangenskap veroorsaak is en ook gevalle van tuberkulose in alle stadiums moet in die besonder by sodanige vrye vertolking baat vind. Krygsgevangenes wat verskeie wonde opgedoen het waarvan nie een op sigself beskou repatriasie regverdig nie, moet in dieselfde gees ondersoek word en die psigiese belemmering as gevolg van die aantal wonde wat hulle het, moet behoorlik in aanmerking geneem word.

(2) Alle onbetwisbare gevalle wat regstreekse repatriasie regverdig (amputasie, algehele blindheid of doofheid, oop longtering, geestelike steuring, kwaadaardige gewasse, ens.) moet so spoedig moontlik deur die kampgeneeshere of deur militêre mediese kommissies wat deur die aanhoudende moondheid aangestel is, ondersoek en gerepatriceer word.

- (s) serious chronic infectious diseases, persisting for one year after their inception, for example: Malaria with decided organic impairment, amœbic 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 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, cataneous, 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.—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) Beserings en siektes wat voor die oorlog bestaan het en wat nog nie erger geword het nie, en ook oorlogs-beserings wat nie later militêre diens verhinder het nie, regverdig nie regstreekse repatriasie nie.

(4) Die bepalings van hierdie aanhangsel moet in alle lande wat partye by die botsing is op dieselfde wyse vertolk en toegepas word. Die betrokke moondhede en owerhede moet die Gemengde Mediese Kommissies al die nodige geleentheid vir die uitvoering van hul taak verleen.

(5) Die voorbeelde wat onder (1) hierbo genoem is, verteenwoordig net tipiese gevalle. Gevalle wat nie presies met hierdie bepalings ooreenstem nie, moet in die gees van die bepalings van artikel 110 van hierdie Konvensie en van die beginsels wat in hierdie ooreenkoms beliggaam is, beoordeel word.

AANHANGSEL II.

REGULASIES BETREFFENDE GEMENGDE MEDIËSE KOMMISSIES.

(Vergelyk artikel 112.)

ARTIKEL 1.

Die Gemengde Mediese Kommissies waarvoor daar in artikel 112 van die Konvensie voorsiening gemaak word, moet uit drie lede saargestel word, waarvan twee tot 'n neutrale land behoort en die derde deur die aanhoudende moondheid aangestel word. Een van die neutrale lede moet as Voorsitter optree.

ARTIKEL 2.

Die twee neutrale lede moet deur die Internasionale Komitee van die Rooikruis wat volgens ooreenkoms met die beskermende moondheid optree, op versoek van die aanhoudende moondheid aangestel word. Hulle kan of in hul land van herkoms, in enige ander neutrale land, of in die gebied van die aanhoudende moondheid woonagtig wees.

ARTIKEL 3.

Die neutrale lede moet deur die betrokke botsende partye goedgekeur word, wat hul goedkeuring aan die Internasionale Komitee van die Rooikruis en aan die beskermende moondheid moet bekendmaak. By sodanige mededeling word die neutrale lede as behoorlik aangestel beskou.

ARTIKEL 4.

Daar moet ook 'n voldoende getal plaasvervangende lede aangestel word om die gewone lede, indien nodig, te vervang. Hulle moet terselfdertyd as die gereelde lede aangestel word, of tenminste so gou moontlik.

ARTIKEL 5.

Indien die Internasionale Komitee van die Rooikruis om die een of ander rede nie die aanstelling van die neutrale lede kan reël nie, moet die moondheid wat die belange van die krygsgevangenes wat ondersoek moet word, beskerm, die taak op hom neem.

ARTIKEL 6.

Sover moontlik moet een van die twee neutrale lede 'n chirurg en die ander 'n geneesheer wees.

ARTIKEL 7.

Die neutrale lande moet heeltemal onafhanklik van die botsende partye wees en laasgenoemde moet hulle alle geleentheid vir die nakoming van hul pligte bied.

ARTIKEL 8.

Die Internasionale Komitee van die Rooikruis moet volgens ooreenkoms met die aanhoudende moondheid wanneer hy die aanstellings doen waarvoor in artikels 2 en 4 van hierdie regulasies voorsiening gemaak word, die dienstyl van die benoemde kandidate vasstel.

(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.

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 effectivley appointed.

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.

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 nominee.

ARTIKEL 9.

Die Gemengde Mediese Kommissie moet so spoedig moontlik na die goedkeuring van die neutrale lede en in elk geval binne 'n tydperk van drie maande met ingang van die datum van sodanige goedkeuring, met hul werk begin.

ARTIKEL 10.

Die Gemengde Mediese Kommissie moet al die gevangenes wat in artikel 113 van die Konvensie aangedui word, ondersoek. Hulle moet repatriasie, afkeuring of verwysing in 'n latere ondersoek voorstel. Hul beslissings moet deur 'n meerderheid van stemme bepaal word.

ARTIKEL 11.

Die beslissings van die Gemengde Mediese Kommissie moet in elke spesifieke geval gedurende die maand na hul besoek aan die aanhoudende moondheid, die beskermende moondheid en die Internasionale Komitee van die Rooikruis meegedeel word. Die Gemengde Mediese Kommissie moet ook elke krygsgevangene wat ondersoek word, van die beslissing verwittig en moet aan dié wie se repatriasie aanbeveel word sertifikate soortgelyk aan die voorbeeld wat by hierdie Konvensie aangeheg is, uitreik.

ARTIKEL 12.

Die aanhoudende moondheid is verplig om binne drie maande na die tyd wanneer hy behoorlik van sulke besluite verwittig is uitvoering te gee aan die besluite van die Gemengde Mediese Kommissies.

ARTIKEL 13.

Indien daar geen neutrale geneesheer in 'n land waar die diens van die Gemengde Mediese Kommissie nodig blyk, is nie en indien dit om die een of ander rede onmoontlik is om neutrale dokters wat in 'n ander land woon, aan te stel, moet die aanhoudende moondheid, volgens ooreenkoms met die beskermende moondheid, 'n Mediese Kommissie instel wat behoudens die bepalinge van artikels 1, 2, 3, 4, 5 en 8 van hierdie regulasies dieselfde pligte as dié van 'n Gemengde Mediese Kommissie moet onderneem.

ARTIKEL 14.

Gemengde Mediese Kommissies werk permanent en moet elke kamp met tussenpose van hoogstens ses maande besoek.

AANHANGSEL III.

REGULASIES BETREFFENDE GESAMENTLIKE HULPVERLENING.

(Vergelyk artikel 73.)

ARTIKEL 1.

Krygsgevangenes se verteenwoordigers word toegelaat om gesamentlike hulpbesendings waarvoor hulle verantwoordelik is, onder alle krygsgevangenes te versprei wat deur hul kamp beheer word, met inbegrip van dié wat in hospitale of in gevangenis van ander strafinrigtings is.

ARTIKEL 2.

Die verspreiding van gesamentlike hulpbesendings moet ooreenkomstig die voorskrif van die skenkers en 'n plan wat deur die gevangenes se verteenwoordigers opgestel is, geskied. Die uitreiking van mediese voorrade moet egter by voorkeur volgens ooreenkoms met die senior offisier-geneskundiges geskied en laasgenoemdes kan indien die behoeftes van hul pasiënte dit vereis, in hospitale en siekehuse van genoemde bevel afwyk. Dié verspreiding moet altyd binne die perke wat aldus omskryf is, onpartydig versprei word.

ARTICLE 9.

The Mixed Medical Commission 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 Commission 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 Commission 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 Commission 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.

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 service of a Mixed Medical Commission seems 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.

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.

ARTIKEL 3.

Genoemde verteenwoordigers van krygsgevangenes of hul assistente word toegelaat om na die plekke van ontvangs van hulpvoorraad naby hul kampe te gaan ten einde die verteenwoordigers of hul assistente in staat te stel om die gehalte en ook die hoeveelheid van die goedere wat ontvang word, te verifieer en om uitvoerige verslae daarvoor vir die skenkers op te stel.

ARTIKEL 4.

Gevangenes se verteenwoordigers moet die geleenthede kry om te verifieer of die verspreiding van gesamentlike hulpvoorraad in al die onderafdelings en bygeboue van hul kampe ooreenkomstig hul voorskrif uitgevoer is.

ARTIKEL 5.

Gevangenes se verteenwoordigers word toegelaat om vorms of vraelyste vir die skenkers betreffende gesamentlike hulpbesendings (verspreiding, benodigdhede, hoeveelhede, ens.) in te vul en deur die verteenwoordigers van arbeiderafdelings of deur senior offisier-geneeskundiges van siekehuse en hospitale te laat invul. Sulke vorms en vraelyste moet sonder versuim behoorlik ingevul aan die skenkers gestuur word.

ARTIKEL 6.

Ten einde die gereelde uitreiking van gesamentlike hulpvoorraad aan krygsgevangenes in hul kamp te verseker en in die behoeftes te voorsien wat as gevolg van die aankoms van nuwe groepe krygsgevangenes kan ontstaan, word gevangenes se verteenwoordigers toegelaat om voldoende gesamentlike reserwepulpvoorraad op te bou en in stand te hou. Met dié doel moet hulle oor geskikte pakhuse beskik; elke pakhuis moet van twee slotte voorsien wees, terwyl die gevangenes se verteenwoordiger die sleutels van een van die slotte en die kampkommandant die sleutels van die ander moet bewaar.

ARTIKEL 7.

Wanneer gesamentlike besendings klere beskikbaar word, moet elke krygsgevangene minstens een volledige stel klere in sy besit hou. Indien 'n gevangene meer as een stel klere het, kan die gevangenes se verteenwoordiger van dié met die grootste aantal stelle oortollige klere of bepaalde artikels bo en behalwe een stel wegneem indien dit vir gevangenes wat oor minder beskik, nodig is. Hy mag egter nie tweede stelle onderklere, sokkies of skoene afneem nie, tensy dit die enigste wyse is waarop daar vir krygsgevangenes wat glad niks het nie voorsiening gemaak kan word.

ARTIKEL 8.

Die hoë kontrakterende partye, en die aanhoudende moondheid in die besonder, moet sover moontlik, behoudens die regulasies wat die voorraad vir die bevolking beheer, alle aankope van goedere vir die verspreiding van gesamentlike hulpvoorraad onder krygsgevangenes in hul gebiede magtig. Insgelyks moet hulle die oorpasing van fondse en ander geldelike maatreëls van 'n tegniese of administratiewe aard wat vir sodanige aankope getref word, vergemaklik.

ARTIKEL 9.

Bostaande bepalings raak nie die reg van krygsgevangenes om voor hul aankoms in 'n kamp of gedurende oorpasing gesamentlike hulpvoorraad te ontvang nie, en ook nie die moontlikheid van die verspreiding daarvan aan die geadresseerde op enige ander wyse wat die verteenwoordigers van die beskermende moondheid, die Internasionale Komitee van die Rooikruis of enige ander liggaam wat hulp aan krygsgevangenes verleen, wat vir die stuur van sulke voorraad verantwoordelik mag wees, nuttig mag ag nie.

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.

ARTICLE 4.

Prisoners' representatives shall be given the facilities necessary for verifying whether the distribution of collective relief in all sub-divisions 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.

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 authorise, 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.

AANHANGSEL IV

A. IDENTIFIKASIEKAART

(Kyk artikel 4)

OPMERKING Hierdie identifikasiekaart word uitgereik aan persone wat die Gewapende Magte van 'n deel daarvan uitmaak nie. Die kaart moet te alle tye deur die persoon aan wie dit uitgereik word, gedra word. Indien die draer gevange geneem word, moet hy die kaart onmiddellik aan die Aanhoudende Owerheid oorhandig om met sy identifikasie te help.		Vingerafdrukke (nie verpligtend nie) Linkervoorvinger Regtervooringer		Enige ander identifikasietekens	
		Afdruk van amptelike seël Bloedtipe Geloof			
Lengte	Gewig	Oë	Hare		
(Naam van die land en militêre owerheid wat hierdie kaart uitreik) IDENTIFIKASIEKAART VIR 'N PERSOON WAT DIE GEWAPENDE MAGTE VERGESEL Naam _____ Voorname _____ Geboortedatum en -plek _____ Vergesel die Gewapende Magte as _____ Datum van uitreiking _____ Handtekening van draer _____					

Opmerkings.—Hierdie kaart moet by voorkeur in twee of drie tale uitgegee word waarvan een internasionaal gebruik word. Werklike grootte van die kaart: 13 by 10 sentimeter. Dit moet op die stippellyn gevou word.

ANNEX IV
A. IDENTITY CARD
(see Article 4)

NOTICE 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.		Finger-prints (optional) (Left forefinger) _____ (Right forefinger) _____		Any other mark of identification _____	
Official seal imprint	Blood type _____				
Hair _____	Eyes _____	Weight _____	Height _____		
(Name of the country and military authority issuing this card) IDENTITY CARD FOR A PERSON WHO ACCOMPANIES THE ARMED FORCES					
Name _____ First names _____ Date and place of birth _____ Accompanies the Armed Forces as _____					
Date of issue _____			Signature of bearer _____		

Remarks.—This card should be made out by preference in two or three languages, one which is in international use. Actual size of the card: 13 by 10 centimetres. It should be folded along the dotted line.

AANHANGSEL IV

B. GEVANGENEMINGSKAART

(Kyk artikel 70)

1. Agter-
kant

Skryf leesbaar en in blokletters		1. Moondheid waarvan die gevangene afhanklik is	
2. Van	3. Voorname (voluit)	4. Voornaam van vader	
5. Geboortedatum		6. Geboorteplek	
7. Rang			
8. Diensnommer			
9. Adres van nabestaande			
*10. Gevangene geneem op: (of) Afkomsig van (Kampno., hospitaal, ens.)			
11. (a) Goeie gesondheid — (b) Nie gewond nie — (c) Herstel — (d) Her- stellend — (e) Siek — (f) Lig gewond — (g) Ernstig gewond			
12. My huidige adres: Gevangene no.			
Naam van kamp			
13. Datum		14. Handtekening	
* Skrap wat nie van toepassing is nie — Moenie opmerkings byvoeg nie — Kyk na verduidelikings agterop.			

2. Voor-
kant

KRYGSGEVANGENEPOS		Posvry
GEVANGENEMINGSKAART VIR KRYGSGEVANGENE		
BELANGRIK Hierdie kaart moet onmid- dellik by gevangeneeming deur elke gevangene ingevul word en ook elke keer wanneer sy adres (as gevolg van oor- plasing na 'n hospitaal of ander kamp) verander word. Hierdie kaart verskil van die besondere kaart wat elke gevangene toegelaat word om aan sy familie te stuur.		SENTRALE BURO VIR KRYGSGEVANGENES INTERNASIONALE KOMITEE VAN DIE ROOIKRUIS. GENÈVE SWITSERLAND

Opmerkings.—Hierdie vorm moet in twee of drie tale, veral in die gevangene se eie taal en in dié van die aanhoudende moondheid, uitgereik word. Werklike grootte: 15 by 10·5 sentimeter.

ANNEX IV
B. CAPTURE CARD

(see Article 70)

1. Reverse

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: Prisoner No._____	
Name of camp_____	
13. Date_____	14. Signature_____
* Strike out what is not applicable — Do not add any remarks — See explanations overleaf.	

2. Obverse

PRISONER OF WAR MAIL	Postage free
CAPTURE CARD FOR PRISONER OF WAR	
IMPORTANT This card must be filled out by each prisoner immediately on being taken and each time his address is altered (by reason of transfer into a hospital or another camp). This card is distinct from the particular card which each prisoner is allowed to send to his relatives.	CENTRAL PRISONERS OF WAR AGENCY INTERNATIONAL COMMITTEE OF THE RED CROSS GENEVA SWITZERLAND

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 centimetres.

AANHANGSEL IV
C. KORRESPONDENSIEKAART EN -BRIEF.
(Kyk artikel 71)
I. KAART

1. Voor- kant	KRYGSGEVANGENEPOS Posvry POSKAART Aan _____ <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: 1px solid black; padding: 5px; vertical-align: top;"> Afsender Van en voorname Geboorteplek en -datum Nommer van Krygsgevangene Naam van kamp Land waar gepos </td> <td style="width: 50%; padding: 5px; vertical-align: top;"> Plek van bestemming Straat Land Provinsie of Departement </td> </tr> </table>	Afsender Van en voorname Geboorteplek en -datum Nommer van Krygsgevangene Naam van kamp Land waar gepos	Plek van bestemming Straat Land Provinsie of Departement
Afsender Van en voorname Geboorteplek en -datum Nommer van Krygsgevangene Naam van kamp Land waar gepos	Plek van bestemming Straat Land Provinsie of Departement		
2. Agter- kant	NAAM VAN KAMP Datum		

Skryf net op die spikkellyne en so duidelik moontlik.

Opmerkings.—Hierdie vorm moet in twee of drie tale, veral in die gevangene se eie taal en in die van die aanhoudende moondheid, uitgereik word. Werklike grootte: 15 by 10 sentimeter.

C. CORRESPONDENCE CARD AND LETTER

I. CARD

1. Obverse

2. Reverse

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 form: 15 by 10 centimetres.

AANHANGSEL IV

C. KORRESPONDENSIEKAART EN -BRIEF

(Kyk artikel 71)

2. BRIEF

KRYGSGEVANGENEPOS	
Posvry	
Aan _____	

Plek	_____
Straat	_____
Land	_____
Departement of Provinsie _____	

Land waar gepos	_____
Naam van Kamp	_____
Nummer van Krygsgevangene	_____
Geboortedatum en -plek	_____
Van en voornam	_____
Alsender	_____

Onmerkinge.—Hierdie vorm moet in twee of drie tale, veral in die gevangene se eie taal en in dié van die aanhoudende moondheid, uitgereik word. Dit sal op die stippellyn gevou word terwyl die klappie in die gleuf (wat deur 'n ry sterretjies aangedui word) gestee word; dit lyk dan soos 'n koevert. Aan die ander kant het dit lyne soos bostaande poskaart (aanhangsel IV C I); hierdie ruimte kan omtrent 250 woorde bevat en dit staan die gevangene vry om dit vol te skryf. Werklike grootte van die gevoude vorm: 29 by 15 sentimeter.

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 would 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 C 1*); this space can contain about 250 words which the prisoner is free to write. Actual size of the folded form: 29 by 15 centimeters.

AANHANGSEL IV
D. STERFTEKENNISGEWING
(Kyk artikel 120)

(Titel van verantwoordelike owerheid)	STERFTEKENNISGEWING
	Moondheid waarvan die gevangene afhanklik was _____
Van en voorname _____	
Voornaam van vader _____	
Geboorteplek en -datum _____	
Sterfplek en -datum _____	
Rang en diensnommer (soos op identifikasiekaart aangegee is) _____	
Adres van nabestaandes _____	
Waar en wanneer gevangeneming plaasgevind het _____	
Oorsaak en omstandighede van dood _____	
Begraafplek _____	
Is die graf gemerk en kan dit later deur familiebetrekkings gevind word? _____	
Is die persoonlike besittings in besit van die aanhoudende moondheid of word dit met hierdie kennisgewing saamgestuur? _____	
Indien dit aangestuur word, deur watter organisasie? _____	
Kan die persoon wat gedurende siekte of sy laaste oomblikke vir die oorledene gesorg het (geneesheer, verpleegster, predikant, medekrygsgevangene) hier of in byvoegsel besonderhede van die omstandighede van die dood en begrafnis gee? _____	
(Datum, seël en handtekening van bevoegde owerheid.) _____	Handtekening en adres van twee getuies. _____

Opmerkings. — Hierdie vorm moet in twee of drie tale, veral in die krygsgevangene se eie taal, en in dié van die aanhoudende moondheid uitgereik word. Werklike grootte van die vorm: 21 by 30 sentimeter.

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 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 at his last moments (doctor, nurse, minister of religion, fellow prisoner) give here or in annex details of the circumstances of the decease and burial? _____	_____
(Date, seal and signature of competent authority.) _____	Signature and address of 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

AANHANGSEL IV.

E. REPATRIASIESERTIFIKAAT.

(Kyk Aanhangsel II, artikel 11.)

REPATRIASIESERTIFIKAAT.

Datum:
Kamp:
Hospitaal:
Van:
Voornamen:
Geboortedatum:
Rang:
Leërnommer:
Krygsgevangenenommer:
Besering—siekte:
Besluit van die Kommissie:

Voorsitter van die Gemengde
Mediese Kommissie.

A = regstreekse repatriasie.
B = huisvesting in 'n neutrale land.
NC = herondersoek deur volgende Kommissie.

AANHANGSEL V.

MODELREGULASIES BETREFFENDE BETALINGS
WAT GEVANGENES NA HUL EIE LAND STUUR.

(Vergelyk artikel 63.)

- (1) Die mededeling waarna in die derde paragraaf van artikel 63 verwys word, moet die volgende verstrek:—
 - (a) Nommer soos bepaal in artikel 17, rang, van en voornamen van die krygsgevangene wat die betaler is;
 - (b) naam en adres van die persoon in die land van herkoms wat betaal word;
 - (c) die bedrag wat aldus in die geldsoort van die land waarin hy aangehou word, betaal moet word.
- (2) Die mededeling moet deur die krygsgevangene onderteken word, of, indien hy nie kan skryf nie, moet sy merk daarop gemaak as getuigenis en dit moet deur die gevangenes se verteenwoordiger mede-onderteken word.
- (3) Die Kampkommandant moet 'n sertifikaat by hierdie mededeling voeg om aan te toon dat die betrokke krygsgevangene oor 'n kreditsaldo van nie minder nie as die bedrag wat as betaalbaar geregistreer is, beskik.
- (4) Die mededelings kan in die vorm van lyste opgestel word waarvan elke bladsy deur die gevangenes se verteenwoordiger as getuie onderteken moet word en wat deur die Kampkommandant gesertifiseer word.

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.

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.