

## **Additional Articles relating to the Condition of the Wounded in War. Geneva, 20 October 1868.**

(List of Contracting Parties)

Desiring to extend to naval forces the advantages of the Convention concluded at Geneva 22 August 1864, for the amelioration of the condition of wounded soldiers in armies in the field, and to further particularize some of the stipulations of the said Convention, have named for their Commissioners:

(Here follow the names of Plenipotentiaries)

Who, having been duly authorized to that effect, agreed, under reserve of approbation from their governments, on the following dispositions:

Article 1. The persons designated in Article 2 of the Convention shall, after the occupation by the enemy, continue to fulfil their duties, according to their wants, to the sick and wounded in the ambulance or the hospital which they serve.

When they request to withdraw, the commander of the occupying troops shall fix the time of departure, which he shall only be allowed to delay for a short time in case of military necessity.

Art. 2. Arrangements will have to be made by the belligerent powers to ensure to the neutralized person, fallen into the hands of the army of the enemy, the entire enjoyment of his salary.

Art. 3. Under the conditions provided for in Articles 1 and 4 of the Convention, the name "ambulance" applies to field hospitals and other temporary establishments, which follow the troops on the fields of battle to receive the sick and wounded.

Art. 4. In conformity with the spirit of Article 5 of the Convention, and with the reservations contained in the Protocol of 1864, it is explained that for the apportionment of the charges relative to the quartering of troops, and of the contributions of war, account shall only be taken in an equitable manner of the charitable zeal displayed by the inhabitants.

Art. 5. In addition to Article 6 of the Convention, it is stipulated that, with the reservation of officers whose detention might be important to the fate of arms and within the limits fixed by the second paragraph of that article, the wounded fallen into the hands of the enemy shall be sent back to their country after they are cured, or sooner if possible, on condition, nevertheless, of not again bearing arms during the continuance of the war.

Art. 6. The boats which, at their own risk and peril, during and after an engagement pick up the shipwrecked or wounded, or which, having picked them up, convey them on board a neutral or hospital ship, shall enjoy, until the accomplishment of their mission, the character of neutrality, so far as the circumstances of the engagement and the position of the ships engaged will permit.

The appreciation of these circumstances is entrusted to the humanity of all the combatants.

The wrecked and wounded thus picked up and saved must not serve again during the continuance of the war.

Art. 7. The religious, medical, and hospital staff of any captured vessel are declared neutral, and, on leaving the ship, may remove the articles and surgical instruments which are their

private property.

Art. 8. The staff designated in the preceding article must continue to fulfil their functions in the captured ship, assisting in the removal of the wounded made by the victorious party; they will then be at liberty to return to their country, in conformity with the second paragraph of the first Additional Article.

The stipulations of the second additional article are applicable to the pay and allowance of the staff.

Art. 9. The military hospital ships remain under Martial Law in all that concerns their stores; they become the property of the captor, but the latter must not divert them from their special appropriation during the continuance of the war.

The vessels not equipped for fighting which, during peace, the government shall have officially declared to be intended to serve as floating hospital ships, shall, however, enjoy during the war complete neutrality, both as regards stores, and also as regards their staff, provided their equipment is exclusively appropriated to the special service on which they are employed.

Art. 10. Any merchantman, to whatever nation she may belong, charged exclusively with removal of sick and wounded, is protected by neutrality, but the mere fact, noted on the ship's books, of the vessel having been visited by an enemy's cruiser, renders the sick and wounded incapable of serving during the continuance of the war. The cruiser shall even have the right of putting on board an officer in order to accompany the convoy, and thus verify the good faith of the operation.

If the merchant-ship also carries a cargo, her neutrality will still protect it, provided that such cargo is not of a nature to be confiscated by the belligerent.

The belligerents retain the right to interdict neutralized vessels from all communication, and from any course which they may deem prejudicial to the secrecy of their operations.

In urgent cases special conventions may be entered into between the commanders-in-chief, in order to neutralize temporarily and in a special manner the vessels intended for the removal of the sick and wounded.

Art. 11. Wounded or sick sailors and soldiers, when embarked, to whatever nation they may belong, shall be protected and taken care of by their captors.

Their return to their own country is subject to the provisions of Article 6 of the Convention and the Additional Article 5.

Art. 12. The distinctive flag to be used with the national flag, in order to indicate any vessel or boat which may claim the benefits of neutrality, in virtue of the principles of this Convention, is a white flag with a red cross.

The belligerents may exercise in this respect any mode of verification which they may deem necessary.

Military hospital ships shall be distinguished by being painted white outside, with green strake.

Art. 13. The hospital ships which are equipped at the expense of the aid societies, recognized by the governments signing this Convention, and which are furnished with a commission emanating from the Sovereign, who shall have given express authority for their being fitted out, and with a certificate from the proper naval authority that they have been placed under his control during their fitting out and on their final departure and that they were then appropriated solely to the purpose of their mission, shall be considered neutral as well as the whole of their staff.

They shall be recognized and protected by the belligerents.

They shall make themselves known by hoisting, together with their national flag, the white flag with a red cross. The distinctive mark of their staff, while performing their duties, shall be an armet of the same colours.

The outer painting of these hospital ships shall be white, with red strake.

These ships shall bear aid and assistance to the wounded and wrecked belligerents, without distinction of nationality.

They must take care not to interfere in any way with the movements of the combatants.

During and after the battle they must do their duty at their own risk and peril.

The belligerents shall have the right of controlling and visiting them; they will be at liberty to refuse their assistance, to order them to depart, and to detain them if the exigencies of the case require such a step.

The wounded and wrecked picked up by these ships cannot be reclaimed by either of the combatants, and they will be required not to serve during the continuance of the war.

Art. 14. In naval wars any strong presumption that either belligerent takes advantage of the benefits of neutrality, with any other view than the interest of the sick and wounded, gives to the other belligerent, until proof to the contrary, the right of suspending the Convention as regards such belligerent.

Should this presumption become a certainty, notice may be given to such belligerent that the Convention is suspended with regard to him during the whole continuance of the war.

Art. 15. The present Act shall be drawn up in a single original copy, which shall be deposited in the archives of the Swiss Confederation.

An authentic copy of this Act shall be delivered, with an invitation to adhere to it, to each of the Signatory Powers of the Convention of 22 August 1864, as well as to those that have acceded to it.

In faith whereof the undersigned Commissioners have drawn up the present project of Additional Articles, and have affixed thereto the seal of their Arms.

Done at Geneva, the twentieth day of the month of October, of the year one thousand eight hundred and sixty-eight.

(Here follow signatures)