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Documents on Prisoners of War

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**IMPERIAL DECREE OF 4 AUGUST 1811 CONCERNING PRISONERS
OF WAR AND HOSTAGES (FRANCE)**

SOURCES

Bulletin des lois, decret n° 7130, année 1811,
fascicule 382, p. 95

Bulletin Officiel du Ministre de la Guerre N° 110-0.
Le droit des gens et les conventions inter-
nationales 263 (1955)

NOTE

Although Napoleon has been charged with the responsibility for the disappearance of the system of parole (and exchange) of prisoners of war, as well as a number of other retrogressive steps in the law of war, this decree indicates that he was giving it at least lip service as late as 1811.

TEXT

Article 1. Prisoners of war having the rank of officers, as well as hostages, shall have the right to repair, without restraint and without escort, to the place to which they have been assigned and to reside there without being confined, after, however, they have given their parole not to deviate from the route that has been designated for them nor to leave their place of residence.

Article 2. Any prisoner of war having the rank of officer, and any hostage, who, after having given his parole, violates it, shall, if he is recaptured, be considered and treated as a common soldier on the pay and rations reports and shall be confined in a citadel, fort, or castle.

Article 3. Prisoners of war having the rank of officer, and hostages, who do not enjoy the privilege accorded by Article 1 hereof shall be detained in depots and shall not travel except with a military guard. If they escape while en route, or from the depot, and they are recaptured, they shall be confined in a citadel, fort, or castle.

Article 4. Prisoners of war other than officers who escape either while en route to or from a depot, from a battalion, or from the private home in which they have been billeted, shall, in the event of their recapture, be confined in a citadel, fort, or castle.