The thoughts and opinions expressed are those of the authors and not necessarily of the U.S.
Government, the U.S. Department of the Navy or the Naval War College.

NOTE. This Convention will replace, as between the parties to it, Hague Convention X of 18 October 1907, which adapted to maritime warfare the principles of the Geneva Convention of 6 July 1906. The original Geneva Convention of 22 August 1864 did not apply to maritime warfare; a Geneva convention of 20 October 1868, which would have thus extended it, failed to enter into force.

This 1949 Convention entered into force between Switzerland and Yugoslavia on 21 October 1950. On 1 January 1951, ratifications had been deposited also by Chile, Czechoslovakia (with reservations), India, Liechtenstein and Monaco.

[Publication of the International Committee of the Red Cross.]

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 Xth Hague Convention of October 18, 1907, for the Adaptation to Maritime Warfare of the Principals of the Geneva Convention of 1906, have agreed as follows:

Chapter I. General Provisions.

Articles 1–3.1 [Identical with Articles 1–3 in Convention I of 1949, except for the substitution of the words “wounded, sick and shipwrecked” for “wounded and sick.”]

Article 4. In case of hostilities between land and naval forces of Parties to the conflict, the provisions of the present Convention shall apply only to forces on board ship.

Forces put ashore shall immediately become subject to the provisions of the Geneva Convention of August 12, 1949, for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field.

Articles 5–11.2 [Substantially identical with Articles 4 and 6–11 in Convention I of 1949, except for the substitution of the words “wounded, sick and shipwrecked” for “wounded and sick.”]
CHAPTER II. WOUNDED, SICK AND SHIPWRECKED.

ARTICLE 12. The members of the armed forces and other persons mentioned in the following Article who are at sea and who are wounded, sick or shipwrecked shall be respected and protected in all circumstances, it being understood that the term "shipwreck" means shipwreck from any cause and includes forced landings at sea by or from aircraft.

Such persons shall be treated humanely and cared for by the Parties to the conflict in whose power they may be, without any adverse distinction founded on sex, race, nationality, religion, political opinions, or any other similar criteria. Any attempts upon their lives, or violence to their persons, shall be strictly prohibited; in particular, they shall not be murdered or exterminated, subjected to torture or to biological experiments; they shall not wilfully be left without medical assistance and care, nor shall conditions exposing them to contagion or infection be created.

Only urgent medical reasons will authorize priority in the order of treatment to be administered.

Women shall be treated with all consideration due to their sex.

ARTICLE 13. [Identical with Article 13 of Convention I of 1949, except for the substitution of the words "wounded, sick and shipwrecked" for "wounded and sick."]

ARTICLE 14. All warships of a belligerent Party shall have the right to demand that the wounded, sick or shipwrecked on board military hospital ships, and hospital ships belonging to relief societies or to private individuals, as well as merchant vessels, yachts, and other craft shall be surrendered, whatever their nationality, provided that the wounded and sick are in a fit state to be moved and that the warship can provide adequate facilities for necessary medical treatment.

ARTICLE 15. If wounded, sick or shipwrecked persons are taken on board a neutral warship or a neutral military aircraft, it shall be ensured, where so required by international law, that they can take no further part in operations of war.

ARTICLE 16. Subject to the provisions of Article 12, the wounded, sick and shipwrecked of a belligerent who fall into enemy hands shall be prisoners of war, and the provisions of international law concerning prisoners of war shall apply to them. The captor may decide, according to circumstances, whether it is expedient to hold them, or to convey them to a port in the captor's own country, to a neutral port or even to
a port in enemy territory. In the last case, prisoners of war thus returned to their home country may not serve for the duration of the war.

**ARTICLE 17.** Wounded, sick or shipwrecked persons who are landed in neutral ports with the consent of the local authorities, shall, failing arrangements to the contrary between the neutral and the belligerent Powers, be so guarded by the neutral Power, where so required by international law, that the said persons cannot again take part in operations of war.

The costs of hospital accommodation and internment shall be borne by the Power on whom the wounded, sick or shipwrecked persons depend.

**ARTICLE 18.** After each engagement, Parties to the conflict shall without delay take all possible measures to search for and collect the shipwrecked, wounded and sick, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead and prevent their being despoiled.

Whenever circumstances permit, the Parties to the conflict shall conclude local arrangements for the removal of the wounded and sick by sea from a besieged or encircled area and for the passage of medical and religious personnel and equipment on their way to that area.

**ARTICLE 19.** [Identical with Article 16 of Convention I of 1949, except for the substitution of the words “wounded, sick and shipwrecked” for “wounded and sick.”]

**ARTICLE 20.** Parties to the conflict shall ensure that burial at sea of the dead, carried out individually as far as circumstances permit, is preceded by a careful examination, if possible by a medical examination, of the bodies, with a view to confirming death, establishing identity and enabling a report to be made. Where a double identity disc is used, one half of the disc should remain on the body.

If dead persons are landed, the provisions of the Geneva Convention of August 12, 1949, for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field shall be applicable.

**ARTICLE 21.** The Parties to the conflict may appeal to the charity of commanders of neutral merchant vessels, yachts or other craft to take on board and care for wounded, sick or shipwrecked persons, and to collect the dead.

Vessels of any kind responding to this appeal, and those having of their own accord collected wounded, sick or ship-
wrecked persons, shall enjoy special protection and facilities to carry out such assistance.

They may, in no case, be captured on account of any such transport; but, in the absence of any promise to the contrary, they shall remain liable to capture for any violations of neutrality they may have committed.

Chapter III. Hospital Ships.

Article 22. Military hospital ships, that is to say, ships built or equipped by the Powers specially and solely with a view to assisting the wounded, sick and shipwrecked, to treating them and to transporting them, may in no circumstances be attacked or captured, but shall at all times be respected and protected, on condition that their names and descriptions have been notified to the Parties to the conflict ten days before those ships are employed.

The characteristics which must appear in the notification shall include registered gross tonnage, the length from stem to stern and the number of masts and funnels.

Article 23. Establishments ashore entitled to the protection 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, shall be protected from bombardment or attack from the sea.

Article 24. Hospital ships utilized by National Red Cross Societies, by officially recognized relief societies or by private persons shall have the same protection as military hospital ships and shall be exempt from capture, if the Party to the conflict on which they depend has given them an official commission and in so far as the provisions of Article 22 concerning notification have been complied with.

These ships must be provided with certificates of the responsible authorities, stating that the vessels have been under their control while fitting out and on departure.

Article 25. Hospital ships utilized by National Red Cross Societies, officially recognized relief societies, or private persons of neutral countries shall have the same protection as military hospital ships and shall be exempt from capture, on condition that they have placed themselves under the control of one of the Parties to the conflict, with the previous consent of their own governments and with the authorization of the Party to
the conflict concerned, in so far as the provisions of Article 22 concerning notification have been complied with.

ARTICLE 26. The protection mentioned in Articles 22, 24 and 25 shall apply to hospital ships of any tonnage and to their lifeboats, wherever they are operating. Nevertheless, to ensure the maximum comfort and security, the Parties to the conflict shall endeavour to utilize, for the transport of wounded, sick and shipwrecked over long distances and on the high seas, only hospital ships of over 2,000 tons gross.

ARTICLE 27. Under the same conditions as those provided for in Articles 22 and 24 small craft, employed by the State or by the officially recognized lifeboat institutions for coastal rescue operations, shall also be respected and protected, so far as operational requirements permit.

The same shall apply so far as possible to fixed coastal installations used exclusively by these craft for their humanitarian missions.

ARTICLE 28. Should fighting occur on board a warship, the sick-bays shall be respected and spared as far as possible. Sick-bays and their equipment shall remain subject to the laws of warfare, but may not be diverted from their purpose, so long as they are required for the wounded and sick. Nevertheless, the commander into whose power they have fallen may, after ensuring the proper care of the wounded and sick who are accommodated therein, apply them to other purposes in case of urgent military necessity.

ARTICLE 29. Any hospital ship in a port which falls into the hands of the enemy shall be authorized to leave the said port.

ARTICLE 30. The vessels described in Articles 22, 24, 25 and 27 shall afford relief and assistance to the wounded, sick and shipwrecked without distinction of nationality.

The High Contracting Parties undertake not to use these vessels for any military purpose.

Such vessels shall in no wise hamper the movements of the combatants.

During and after an engagement, they will act at their own risk.

ARTICLE 31. The Parties to the conflict shall have the right to control and search the vessels mentioned in Articles 22, 24, 25 and 27. They can refuse assistance from these vessels, order them off, make them take a certain course, control the use of their wireless and other means of communication, and
even detain them for a period not exceeding seven days from
the time of interception, if the gravity of the circumstances so
requires.

They may put a commissioner temporarily on board whose
sole task shall be to see that orders given in virtue of the pro-
visions of the preceding paragraph are carried out.

As far as possible, the Parties to the conflict shall enter in
the log of the hospital ship, in a language he can understand,
the orders they have given the captain of the vessel.

Parties to the conflict may, either unilaterally or by particular
agreements, put on board their ships neutral observers who
shall verify the strict observation of the provisions contained
in the present Convention.

**Article 32.** Vessels described in Articles 22, 24, 25 and 27
are not classed as warships as regards their stay in a neutral
port.

**Article 33.** Merchant vessels which have been transformed
into hospital ships cannot be put to any other use throughout
the duration of hostilities.

**Article 34.** The protection to which hospital ships and sick-
bays are entitled shall not cease unless they are used to commit,
outside their humanitarian duties, acts harmful to the enemy.
Protection may, however, cease only after due warning has
been given, naming in all appropriate cases a reasonable time
limit, and after such warning has remained unheeded.

In particular, hospital ships may not possess or use a secret
code for their wireless or other means of communication.

**Article 35.** The following conditions shall not be considered
as depriving hospital ships or sick-bays of vessels of the pro-
tection due to them:

1. The fact that the crews of ships or sick-bays are armed
   for the maintenance of order, for their own defence or
   that of the sick and wounded.

2. The presence on board of apparatus exclusively intended
to facilitate navigation or communication.

3. The discovery on board hospital ships or in sick-bays of
portable arms and ammunition taken from the wounded,
sick and shipwrecked, and which have not yet been
handed to the proper service.

4. The fact that the humanitarian activities of hospital
ships and sick-bays of vessels or of the crews extend to
the care of wounded, sick or shipwrecked civilians.
(5) The transport of equipment and of personnel intended exclusively for medical duties, over and above the normal requirements.

Chapter IV. Personnel.

Article 36. The religious, medical and hospital personnel of hospital ships and their crews shall be respected and protected; they may not be captured during the time they are in the service of the hospital ship, whether or not there are wounded and sick on board.

Article 37. The religious, medical and hospital personnel assigned to the medical or spiritual care of the persons designated in Articles 12 and 13 shall, if they fall into the hands of the enemy, be respected and protected; they may continue to carry out their duties as long as this is necessary for the care of wounded and sick. They shall afterwards be sent back as soon as the Commander-in-Chief, under whose authority they are, considers it practicable. They may take with them, on leaving the ship, their personal property.

If, however, it prove necessary to retain some of this personnel owing to the medical or spiritual needs of prisoners of war, everything possible shall be done for their earliest possible landing.

Retained personnel shall be subject, on landing, to the provisions 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.

Chapter V. Medical Transports.

Article 38. Ships chartered for that purpose shall be authorized to transport equipment exclusively intended for the treatment of wounded and sick members of armed forces or for the prevention of disease, provided that the particulars regarding their voyage have been notified to the adverse Power and approved by the latter. The adverse Power shall preserve the right to board the carrier ships, but not to capture them nor to seize the equipment carried.

By agreement amongst the Parties to the conflict, neutral observers may be placed on board such ships to verify the equipment carried. For this purpose, free access to the equipment shall be given.
ARTICLES 39–40. [Substantially identical with Articles 36–37 in Convention I of 1949.]

CHAPTER VI. THE DISTINCTIVE EMBLEM.³

ARTICLE 41. Under the direction of the competent military authority, the emblem of the red cross on a white ground shall be displayed on the flags, armlets and on all equipment employed in the Medical Service.

Nevertheless, in the case of countries which already use as emblem, in place of the red cross, the red crescent or the red lion and sun on a white ground, these emblems are also recognized by the terms of the present Convention.

ARTICLE 42. [Substantially identical with Article 40 in Convention I of 1949.]

ARTICLE 43. The ships designated in Articles 22, 24, 25 and 27 shall be distinctively marked as follows:

(a) All exterior surfaces shall be white.

(b) One or more dark red crosses, as large as possible, shall be painted and displayed on each side of the hull and on the horizontal surfaces, so placed as to afford the greatest possible visibility from the sea and from the air.

All hospital ships shall make themselves known by hoisting their national flag and further, if they belong to a neutral state, the flag of the Party to the conflict whose direction they have accepted. A white flag with a red cross shall be flown at the mainmast as high as possible.

Lifeboats of hospital ships, coastal lifeboats and all small craft used by the Medical Service shall be painted white with dark red crosses prominently displayed and shall, in general, comply with the identification system prescribed above for hospital ships.

The above-mentioned ships and craft which may wish to ensure by night and in times of reduced visibility the protection to which they are entitled must, subject to the assent of the Party to the conflict under whose power they are, take the necessary measures to render their painting and distinctive emblems sufficiently apparent.

Hospital ships which, in accordance with Article 31 are provisionally detained by the enemy, must haul down the flag

³ For the reservation of Israel concerning the distinctive emblem, see footnote to Chapter VII in Convention I of 1949.
of the Party to the conflict in whose service they are or whose direction they have accepted.

Coastal lifeboats, if they continue to operate with the consent of the Occupying Power from a base which is occupied, may be allowed to continue to fly their own national colours along with a flag carrying a red cross on a white ground, when away from their base, subject to prior notification to all the Parties to the conflict concerned.

All the provisions in this Article relating to the red cross shall apply equally to the other emblems mentioned in Article 41.

Parties to the conflict shall at all times endeavour to conclude mutual agreements in order to use the most modern methods available to facilitate the identification of hospital ships.

ARTICLE 44. The distinguishing signs referred to in Article 43 can only be used, whether in time of peace or war, for indicating or protecting the ships therein mentioned, except as may be provided in any other international Convention or by agreement between all the Parties to the conflict concerned.

ARTICLE 45. The High Contracting Parties shall, if their legislation is not already adequate, take measures necessary for the prevention and repression, at all times, of any abuse of the distinctive signs provided for under Article 43.

Chapter VII. Execution of the Convention.

ARTICLE 46. [Identical with Article 45 in Convention I of 1949.]

ARTICLE 47. Reprisals against the wounded, sick and shipwrecked persons, the personnel, the vessels or the equipment protected by the Convention are prohibited.

ARTICLES 48–49. [Identical with Articles 48–49 in Convention I of 1949.]

Chapter VIII. Repression of Abuses and Infractions.

ARTICLES 50–53. [Identical with Articles 49–52 in Convention I of 1949.]

Final Provisions.

ARTICLE 54. [Identical with Article 55 in Convention I of 1949.]

ARTICLE 55. 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 Xth Hague Convention of October 18, 1907, for the adaptation to Maritime Warfare of the principles of the Geneva Convention of 1906, or to the Geneva Conventions of 1864, 1906 or 1929 for the Relief of the Wounded and Sick in Armies in the Field.

ARTICLES 56–57. [Identical with Articles 57–58 in Convention I of 1949.]

ARTICLE 58. The present Convention replaces the Xth Hague Convention of October 18, 1907, for the adaptation to Maritime Warfare of the principles of the Geneva Convention of 1906, in relations between the High Contracting Parties.

ARTICLES 59–63. [Identical with Articles 60–64 in Convention I of 1949.]

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.

[Annex, containing form of Identity Card for members of Medical and Religious Personnel Attached to the Armed Forces at Sea, is omitted.]