

Hague Convention X for the Adaptation to Maritime War of the Principles of the Geneva Convention (Hague X); October 18, 1907

His Majesty the German Emperor, King of Prussia, &c.

Animated alike by the desire to diminish, as far as depends on them, the inevitable evils of war; and wishing with this object to adapt to maritime warfare the principles of the Geneva Convention of the 6th July, 1906;

Have resolved to conclude a Convention for the purpose of revising the Convention of the 29th July, 1899, relative to this question, and have appointed the following as their Plenipotentiaries:

[List of Plenipotentiaries]

Who, after having deposited their full powers, found to be in good and due form, have agreed to the following provisions:

ARTICLE 1

Military hospital-ships, that is to say, ships constructed or fitted out by States specially and solely with a view to assisting the wounded, sick, and shipwrecked, the names of which shall have been communicated to the belligerent Powers at the commencement or during the course of hostilities, and in any case before they are employed, shall be respected, and cannot be captured while hostilities last.

These ships, moreover, are not on the same footing as ships of war as regards their stay in a neutral port.

ARTICLE 2

Hospital-ships, equipped wholly or in part at the expense of private individuals or officially recognized relief societies, shall likewise be respected and exempt from capture, if the belligerent Power to whom they belong has given them an official commission and has notified their names to the adverse Power at the commencement of or during hostilities, and in any case before they are employed.

These ships must be provided with a certificate from the competent authorities declaring that the ships have been under their control while fitting out and on final departure.

ARTICLE 3

Hospital-ships, equipped wholly or in part at the expense of private individuals or officially recognized societies of neutral countries, shall be respected and exempt from capture, on condition that they are placed under the control of one of the belligerents, with the previous consent of their own Government and with the authorization of the belligerent himself, and that the latter has notified their name to his adversary at the commencement of or during hostilities, and in any case, before they are employed.

ARTICLE 4

The ships mentioned in [Articles 1, 2, and 3](#) shall afford relief and assistance to the wounded, sick, and shipwrecked of the belligerents without distinction of nationality.

The Governments undertake not to use these ships for any military purpose.

These ships must not in any way hamper the movements of the combatants.

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

The belligerents shall have the right to control and search them; they can refuse their assistance, order them off, make them take a certain course, and put a commissioner on board; they can even detain them, if the gravity of the circumstances requires it.

As far as possible, the belligerents shall enter in the log of the hospital-ships the orders which they give them.

ARTICLE 5

Military hospital-ships shall be distinguished by being painted white outside with a horizontal band of green about a metre and a half in breadth

The ships mentioned in [Articles 2 and 3](#) shall be distinguished by being painted white outside with a horizontal band of red about a metre and a half in breadth.

The boats of the ships above mentioned, as also small craft which may be used for hospital work, shall be distinguished by similar painting.

All hospital-ships shall make themselves known by hoisting, with their national flag, the white flag with a red cross provided by the Geneva Convention, and further, if they belong to a neutral State, by flying at the mainmast the national flag of the belligerent under whose control they are placed.

Hospital-ships which, under the terms of [Article 4](#), are detained by the enemy, must haul down the national flag of the belligerent to whom they belong.

The ships and boats above mentioned which wish to ensure by night the freedom from interference to which they are entitled, must, subject to the assent of the belligerent they are accompanying, take the necessary measures to render their special painting sufficiently plain.

ARTICLE 6

The distinguishing signs referred to in [Article 5](#) can be used, whether in time of peace or in time of war, only for protecting or indicating the ships therein mentioned.

ARTICLE 7

In the case of a light on board a vessel of war, the sick-wards shall be respected and spared as far as possible.

The said sick-wards and the materiel belonging to them remain subject to the laws of war, but cannot be used for any purpose other than that for which they were originally intended, so long as they are required for the sick and wounded.

The commander, however, into whose power they have fallen may apply them to other purposes, in case of urgent military necessity, after seeing that the sick and wounded on board are properly provided for.

ARTICLE 8

Hospital-ships and sick-wards of vessels are no longer entitled to protection if they are employed for the purpose of injuring the enemy.

Neither the fact of the personnel of the said ships and sickwards being armed for maintaining order and for defending the sick and wounded, nor the presence of wireless telegraph apparatus on board, is a sufficient reason for withdrawing protection.

ARTICLE 9

Belligerents may appeal to the charity of the commanders of neutral merchant-ships, yachts, or boats to take on board and care for the sick and wounded.

Vessels responding to this appeal, and also vessels which have of their own accord rescued sick, wounded, or shipwrecked men, shall enjoy special protection and certain immunities. In no case can they be captured for having such persons on board, but, apart from special undertakings that may have been made to them, they remain liable to capture for any violations of neutrality they may have committed.

ARTICLE 10

The religious, medical, and hospital staff of any captured ship is inviolable, and its members cannot be made prisoners of war. On leaving the ship they take away with them the objects and surgical instruments which are their own private property.

This staff shall continue to discharge its duties while necessary, and can afterwards leave, when the commander-in-chief considers it possible.

The belligerents must guarantee to the said staff, when it has fallen into their hands, the same allowances and pay as are given to the staff of corresponding rank in their own navy.

ARTICLE 11

Sailors and soldiers on board, when sick or wounded, as well as other persons officially attached to fleets or armies, to whatever nation they belong, shall be respected and cared for by the captors.

ARTICLE 12

Any vessel of war belonging to a belligerent may demand the delivery of sick, wounded, or shipwrecked men on board military hospital-ships, hospital-ships belonging to relief societies or to private individuals, merchant-ships, yachts, or boats; whatever the nationality of these vessels.

ARTICLE 13

If sick, wounded, or shipwrecked persons are taken on board a neutral vessel of war, every possible precaution must be taken that they can not again take part in the operations of the war.

ARTICLE 14

The shipwrecked, wounded, or sick of one of the belligerents who fall into the power of the other are prisoners of war. The captor must decide, according to circumstances, whether to keep them, or to send them to a port of his own country, to a neutral port, or even to an enemy port. In this last case, prisoners thus repatriated cannot serve again while the war lasts.

ARTICLE 15

The shipwrecked, sick, or wounded, who are landed at a neutral sort with the consent of the local authorities, must, unless an arrangement is made to the contrary between the neutral State and the belligerent States, be guarded by the neutral State so that they can not again take part in the operations of the war.

The expenses of caring for them in hospital, and interning them shall be borne by the State to which the shipwrecked, sick, or wounded persons belong.

ARTICLE 16

After every engagement, the two belligerents, so far as military interests permit, shall take steps to look for the shipwrecked, sick, and wounded, and to protect them, as well as the dead, against pillage and ill treatment.

They shall see that the burial, whether by land or sea, or cremation of the dead shall be preceded by a careful examination of the corpse.

ARTICLE 17

Each belligerent shall send, as early as possible, to the authorities of their country, navy, or army the military marks or documents of identity found on the dead and a list of the names of the sick and wounded gathered up by him.

The belligerents shall keep each other informed as to internments and transfers as well as to the admissions into hospital and deaths which have occurred among the sick and wounded in their hands. They shall collect all the objects of personal use, valuables, letters, &c., which are found in the captured ships, or which have been left by the sick or wounded who died in hospital, in order to have them forwarded to the persons concerned by the authorities of their own country.

ARTICLE 18

The provisions of the present Convention do not apply except between Contracting Powers, and only if all the belligerents are parties to the Convention.

ARTICLE 19

The commanders in chief of the belligerent fleets must arrange for the details of carrying out the preceding articles, as well as for cases not covered thereby, in accordance with the

instructions of their respective Governments and in conformity with the general principles of the present Convention.

ARTICLE 20

The Signatory Powers shall take the necessary measures to instruct their naval forces, and especially the protected personnel, in the provisions of the present Convention, and to bring them to the knowledge of the population.

ARTICLE 21

The Signatory Powers likewise undertake to enact or to propose to their legislatures, if their criminal laws are inadequate, the measures necessary for checking in time of war individual acts of pillage and ill-treatment of the sick and wounded of the Navy as well as for punishing, as an unjustifiable adoption of naval or military marks, the unauthorized use of the distinctive marks mentioned in Article 5 by vessels not protected by the present Convention.

They will communicate to each other, through the Netherlands Government, the enactments for preventing such acts at the latest within five years of the ratification of the present Convention.

ARTICLE 22

In the case of operations of war between the land and the sea forces of belligerents, the provisions of the present Convention do not apply except to the forces actually embarked.

ARTICLE 23

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a proces-verbal signed by the Representatives of the Powers taking part therein and by the Netherlands Minister for Foreign Affairs.

Subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherlands Government and accompanied by the instrument of ratification.

A certified copy of the proces-verbal relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherlands Government through the diplomatic channel to the Powers invited to the Second Peace Conference, as well as to the other Powers which shall have adhered to the Convention. In the cases contemplated in the preceding paragraph the said Government shall inform them at the same time of the (date on which it received the notification.

ARTICLE 24

Non-signatory Powers which have accepted the Geneva Convention of the 6th July, 1906, may adhere to the present Convention.

A Power which desires to adhere notifies its intention to the Netherlands Government in writing, forwarding to it the act of adherence, which shall be deposited in the archives of the said Government.

The said Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adherence mentioning the date on which it received the notification.

ARTICLE 25

The present Convention, duly ratified, shall replace as between Contracting Powers, the Convention of the 29th July, 1899, for the adaptation to maritime warfare of the principles of the Geneva Convention.

The Convention of 1899 remains in force as between the Powers which signed it but which do not also ratify the present Convention.

ARTICLE 26

The present Convention shall take effect in the case of the Powers which were parties to the first deposit of ratifications, sixty days after the date of the proces-verbal of this deposit, and, in the case of the Powers which ratify subsequently or which adhere sixty days after the notification of their ratification or of their adherence has been received by the Netherlands Government.

ARTICLE 27

In the event of one of the Contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherlands Government, which shall at once communicate a duly certified copy of the notification to all the other Powers, informing them at the same time of the date on which it was received.

The denunciation shall have effect only in regard to the notifying Power, and one year after the notification has reached the Netherlands Government.

ARTICLE 28

A register kept by the Netherlands Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of [Article 23](#), paragraphs 3 and 4, as well as the date on which the notifications of adherence ([Article 24](#), paragraph 2) or of denunciation ([Article 27](#), paragraph 1) have been received.

Each Contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the Plenipotentiaries have appended their signatures to the present Convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherlands Government, and duly certified copies of which shall be sent,

through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference.

And whereas the said Convention has been duly ratified by the Government of the United States of America, by and with the advice and consent of the Senate thereof, and by the Governments of Germany, Austria-Hungary, China, Denmark, Mexico, the Netherlands, Russia, Bolivia, and Salvador, and the ratifications of the said Governments were, under the provisions of Article 23 of the said Convention, deposited by their respective plenipotentiaries with the Netherlands Government on November 27, 1909.