

**Annex 1: Grave breaches specified in the four Geneva Conventions of 1949  
and in Additional Protocol of 1977**

<b>Grave breaches specified in the four 1949 Geneva Conventions (Art. 50, 51, 130, 147 respectively)</b>	<b>Grave breaches specified in the third 1949 Geneva Convention (Art. 130)</b>	<b>Grave breaches specified in the fourth 1949 Geneva Convention (Art. 147)</b>
<ul style="list-style-type: none"> <li>• wilful killing of a protected person;</li> <li>• torture or inhuman treatment, including biological experiments;</li> <li>• wilfully causing great suffering or serious injury to body or health of a protected person;</li> <li>• extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly (this provision is not included in Art. 130 third 1949 Geneva Convention).</li> </ul>	<ul style="list-style-type: none"> <li>• compelling a prisoner of war to serve in the forces of the hostile Power;</li> <li>• wilfully depriving a prisoner of war of the rights of fair and regular trial prescribed in the Convention</li> </ul>	<ul style="list-style-type: none"> <li>• compelling a protected person to serve in the forces of the hostile Power;</li> <li>• wilfully depriving a protected person of the rights of fair and regular trial prescribed in the Convention;</li> <li>• unlawful deportation or transfer or unlawful confinement of a protected person;</li> <li>• taking of hostages.</li> </ul>

## Annex 1: Grave breaches specified in the four Geneva Conventions of 1949 and in Additional Protocol of 1977

### Grave breaches specified in Additional Protocol I of 1977 (Art. 11 and Art. 85)

#### Article 11 (4):

Any wilful act or omission which seriously endangers the physical or mental health or integrity of any person who is in the power of a Party other than the one on which he depends and which either violates any of the prohibitions in paragraphs 1 and 2 or fails to comply with the requirements of paragraph 3 shall be a grave breach of this Protocol.

#### Article 85 (2):

Acts described as grave breaches in the Conventions are grave breaches of this Protocol if committed against persons in the power of an adverse Party protected by Articles 44, 45 and 73 of this Protocol, or against the wounded, sick and shipwrecked of the adverse Party who are protected by this Protocol, or against those medical or religious personnel, medical units or medical transports which are under the control of the adverse Party and are protected by this Protocol.

#### Article 85 (3):

In addition to the grave breaches defined in Article 11, the following acts shall be regarded as grave breaches of this Protocol when committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health:

- making the civilian population or individual civilians the object of attack;
- launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects;
- launching an attack against works or installations containing dangerous forces in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects;
- making non-defended localities and demilitarized zones the object of attack;
- making a person the object of an attack in the knowledge that he is *hors de combat*,
- the perfidious use of the distinctive emblem of the red cross, red crescent or other protective signs.

#### Article 85 (4):

In addition to the grave breaches defined in the preceding paragraphs and the Conventions, the following shall be regarded as grave breaches when committed wilfully and in violation of the Conventions or the Protocol:

- the transfer by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory;
- unjustifiable delay in the repatriation of prisoners of war or civilians;
- practices of apartheid and other inhuman and degrading practices involving outrages upon personal dignity, based on racial discrimination;
- making the clearly recognized historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples and to which special protection has been given by special arrangement, for example, within the framework of a competent international organization, the object of attack, causing as a result extensive destruction thereof, and when such

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	<p>historic monuments, works of art and places of worship are not located in the immediate proximity of military objectives or used by the adverse party in support of its military effort;</p> <ul style="list-style-type: none"><li>• depriving a person protected by the Conventions or referred to in paragraph 2 of this Article of the rights of fair and regular trial.</li></ul>