



FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

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Notification
to the Governments of the States parties
to the Geneva Conventions of 12 August 1949
for the Protection of War Victims

CONVENTIONS

I. Accession by the Republic of the Marshall Islands

On 1 June 2004, the Republic of the Marshall Islands deposited with the Swiss Federal Council its instrument of accession to the four Geneva Conventions of 12 August 1949 for the protection of War Victims.

According to their final provisions, the Conventions will enter into force for the Republic of the Marshall Islands six months after the deposit of the instrument of accession, i.e. on 1 December 2004.

II. Withdrawal of reservations by the Republic of Poland

On 22 September 2004, the Republic of Poland withdrew the reservations to the Geneva Conventions of 12 August 1949, that it made upon signature and confirmed on 26 November 1954 upon ratification.

These reservations referred to:

- Article 10 of the Geneva Convention of 12 August 1949 for the amelioration of the condition of wounded and sick in armed forces in the field;
- Article 10 of the Geneva Convention of 12 August 1949 for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea;
- Articles 10, 12 and 85 of the Geneva Convention of 12 August 1949 relative to the treatment of prisoners of war;
- Articles 11 and 45 of the Geneva Convention of 12 August 1949 relative to the protection of civilians in time of war.

ADDITIONAL PROTOCOLS I AND II

III. Accession by Japan

On 31 August 2004, Japan deposited with the Swiss Federal Council its instruments of accession to the Additional Protocols I and II.

The instrument of accession to the Additional Protocol I contained the following declaration (English translation of the original in Japanese language):

"... the Government of Japan recognizes ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the International Fact-Finding Commission to enquire into allegations by such other Party, as authorized by Article 90 of the said Protocol."

On the occasion of the deposit of this instrument, Japan also formulated the following declarations (original in English language):

"The Government of Japan declares that it is its understanding that the situation described in the second sentence of paragraph 3 of Article 44 can exist only in occupied territory or in armed conflicts covered by paragraph 4 of Article 1. The Government of Japan also declares that the term "deployment" in paragraph 3 (b) of Article 44 is interpreted as meaning any movement towards a place from which an attack is to be launched.

The Government of Japan understands that the competence of the International Fact-Finding Commission which it recognizes ipso facto and without special agreement by the attached declaration is effective only with regard to facts subsequent to the date of the said declaration."

According to their final provisions, the Protocols will enter into force for Japan six months after the deposit of the instruments, i.e. on 28 February 2005.

The Swiss Federal Council makes the present notification in its capacity as depositary of the Geneva Conventions.

Berne, 5 October 2004

