

THE GENEVA CONVENTION

The Geneva Convention was a series of international diplomatic meetings that produced agreements and protocols for use during times of armed conflict, especially for groups who are not taking part in hostilities. One of the major protocols observed by most nations is the Humanitarian Law of Armed Conflicts, a group of international laws for the humane treatment of wounded or captured military personnel, medical personnel and non-military civilians during war.

Origins of the Convention



For much of mankind's history, the ground rules of warfare were hit or miss, if they existed at all. While some civilizations showed compassion for the injured, helpless or innocent civilians, others tortured or slaughtered anyone in sight. In 1859, Genevan businessman Henri Dunant, after witnessing the Battle of Solferino, a gory battle in the Second War of Italian Independence, proposed that all nations come together and offer humanitarian assistance to those affected by war.

In October 1863, delegates from 16 countries along with military medical personnel traveled to Geneva to discuss the terms of a wartime humanitarian agreement, including the creation of a trained, volunteer relief groups to treat battlefield wounded. This meeting and the produced treaty signed by 12 nations became known as the First Geneva Convention. For his efforts, Dunant was awarded the first Nobel Peace Prize.

In 1906, amendments added to the Convention extended protections for those wounded or captured in battle as well as volunteer agencies and medical personnel tasked with treating, transporting and removing the wounded and killed. It also made the repatriation of captured belligerents a recommendation instead of mandatory. After World War I, new updates stated all prisoners must be treated with compassion and live in humane conditions. It also laid out rules for the daily lives of prisoners and established the International Red Cross (IRC) as the main neutral organization responsible for collecting and transmitting data about prisoners of war and the wounded or killed.



Violations of the Convention during World War II



Germany signed the Convention of 1929, however, that didn't prevent them from carrying out horrific acts on and off the battlefield during World War II. The discovery of the Nazi concentration camps, the Holocaust, and the extent of the mass extermination became a source of outrage to the public. The IRC's attempts to gain access to victims of the Holocaust and prisoners of war were met with resistance and even refusal from Germany and the Axis Powers. It wasn't until the Nuremberg Trials after the end of the war revealed the true extent of the war crimes against civilians that took place in the concentration camps.

In East Asia, efforts to visit soldiers captured by the Japanese army were hampered by the Tokyo authorities' lack of cooperation. After the U.S. surrendered the Bataan Peninsula to the Japanese, approximately 75,000 Filipino and American troops were forced to march 65 miles to prison camps. The marchers made the trek in intense heat, subjected to harsh treatment by Japanese guards, and thousands perished in what became known as the Bataan Death March. Civilians were also subjected to inhumane treatment by the Japanese; over a period of six weeks in 1937, Imperial Japanese Army forces brutally murdered hundreds of thousands of people during the Nanking Massacre. Chinese soldiers were hunted down and



killed by the thousands, and left in mass graves. Entire families were massacred, and even the elderly and infants were targeted for execution, while tens of thousands of women were assaulted.

Prosecution of War Criminals

After the end of World War II, some of those responsible for crimes committed during the Holocaust and in the Japanese Prisoner of War (POW) camps were brought to trial to be held accountable for their actions. The Nuremberg trials and the Tokyo tribunals are now regarded as a milestone toward the establishment of a permanent international court, as well as the Geneva Convention on the Laws and Customs of War.



The Nuremberg Trials were held between 1945 and 1949 for the purpose of bringing Nazi war criminals to justice. The thirteen trials carried out in Nuremberg, Germany, included Nazi Party officials and high-ranking military officers who were indicted on charges such as crimes against peace and crimes against humanity. Nuremberg had been chosen because of its significance to the Third Reich; the first anti-Jewish policies, the Nuremberg Laws, were released there. Holding the trials of significant Nazi officials such as Hermann Goering, Adolf Eichmann, and the Gestapo in

Nuremberg represented the symbolic downfall of Hitler's regime.

In Tokyo, Japan, the International Military Tribunals for the Far East began hearing the case against 28 Japanese military and government officials accused of committing war crimes on November 4, 1948. The trials ended with 25 of 28 Japanese defendants being found guilty, including General Hideki Tojo, who served as Japanese premier during the war. Other major players included Iwane Matsui, who organized the Nanking Massacre, and Heitaro Kimura, who brutalized Allied prisoners of war.



Geneva Conventions of 1949

The IRC's inability to assert its right of humanitarian action on behalf of civilians or those deported to the death camps during the war led to a 1949 meeting whose purpose was to protect non-combatant civilians. According to the American Red Cross, the new articles added provisions to protect:



- medical personnel, facilities and equipment
- wounded and sick civilians accompanying military forces
- military chaplains
- civilians who take up arms to fight invading forces

Article 9 of the Convention specified the Red Cross has the right to assist the wounded and sick and provide humanitarian aid, no matter the jurisdiction. Article 12 was a direct stipulation that resulted from the Holocaust, and stated that the wounded and sick must not be murdered, tortured, exterminated or exposed to biological experiments.

The Geneva Conventions of 1949 also laid out rules for protecting wounded, sick or shipwrecked armed forces at sea or on hospital ships as well as medical workers and civilians accompanying or treating military personnel. Male and female prisoners of war received expanded protections in the Convention of 1949, including that the Red Cross has the right to visit them and examine their living conditions. Articles were also put in place to protect wounded, sick and pregnant civilians as well as mothers and children.

Over 190 states follow the Geneva Conventions because of the belief that some battlefield behaviors are so heinous and damaging, they harm the entire international community. The rules help draw a line—as much as is possible within the context of wars and armed conflicts—between the humane treatment of armed forces, medical staff and civilians and unrestrained brutality against them.