

## OUTLINE

Chapter 6, III. Treatment of prisoners of war <sup>[1]</sup>

## LEGAL SOURCE

### of POWs and internees

#### **GCIII, 25** <sup>[2]</sup>

Prisoners of war shall be quartered under conditions as favourable as those for the forces of the Detaining Power who are billeted in the same area. The said conditions shall make allowance for the habits and customs of the prisoners and shall in no case be prejudicial to their health.

The foregoing provisions shall apply in particular to the dormitories of prisoners of war as regards to both total surface space, minimum cubic space, general installations, bedding and blankets.

The premises provided for the use of prisoners of war, individually or collectively, shall be entirely protected from dampness and adequately heated and lighted, in particular between dusk and lights out. All precautions must be taken against the danger of fire.

In any camps in which women and men prisoners of war are accommodated, separate dormitories shall be provided for each sex.

**GCIII, 51/1** <sup>[3]</sup>

Prisoners of war must be granted suitable working conditions, especially as regards accommodation, food, clothing and equipment. Such conditions shall not be inferior to those enjoyed by nationals of the Detaining Power employed in similar work. Account shall also be taken of climatic conditions.

**GCIV, 88** <sup>[4]</sup>

In all places of internment exposed to air raids and other hazards of war, shelters adequate in number and structure to ensure the necessary protection shall be installed. In case of alarms, the internees shall be free to enter such shelters as quickly as possible, excepting those who remain for the protection of their quarters against the aforesaid hazards. Any protective measures taken in favour of the population shall also apply to them.

All due precautions must be taken in places of internment against the danger of fire.

**of women**

**GCIII, 25/4** <sup>[2]</sup>

In any camps in which women and men prisoners of war are accommodated, separate dormitories shall be provided for each sex.

**GCIV, 85/4** <sup>[5]</sup>

Whenever it is necessary, as an exceptional and temporary measure, to accommodate women internees who are not members of a family unit in the same place of internment as men, the provision of separate sleeping quarters and sanitary conveniences for the use of such women internees shall be obligatory.

**PI, 75/5** <sup>[6]</sup>

Women whose liberty has been restricted for reasons related to the armed conflict shall be held in quarters separated from men's quarters. They shall be under the immediate supervision of women. Nevertheless, in cases where families are detained or interned, they shall, whenever possible, be held in the same place and accommodated as family units.

**PII, 5/2(a)** <sup>[7]</sup>

except when men and women of a family are accommodated together, women shall be held in quarters separated from those of men and shall be under the immediate supervision of women

## CASES

Eritrea/Ethiopia, Partial Award on POWs <sup>[8]</sup>

United States, Closure of Guantánamo Detention Facilities <sup>[9]</sup>

United States, Treatment and Interrogation in Detention <sup>[10]</sup>

Georgia/Russia, Human Rights Watch's Report on the Conflict in South Ossetia <sup>[11]</sup>

## BIBLIOGRAPHIC RESOURCES

CRAWFORD Emily, *The Treatment of Combatants and Insurgents under the Law of Armed Conflict*, Oxford, OUP, 2010, 213 pp.

CRYER Robert, "The Fine Art of Friendship: jus in bello in Afghanistan", in *Journal of Conflict and Security Law*, Vol. 7/1, 2002, pp. 37-83.

ESGAIN Albert J. & SOLF Waldemar A., "The 1949 Geneva Conventions Relating to the Treatment of Prisoners of War: Its Principles, Innovations and Deficiencies", in *North Carolina Law Review*, Vol. 41/3, 1963, pp. 537-596.

FISCHER Horst, "Protection of Prisoners of War", in FLECK Dieter (ed.), *Handbook of Humanitarian Law*, Oxford, OUP, 1995, pp. 321-367.

RODLEY Nigel S., *The Treatment of Prisoners under International Law*, Paris, UNESCO, 1987, 374 pp.

URNS David, "The Treatment of Detainees and the "Global War on Terror": Selected Legal Issues", in *IYHR*, Vol. 38, 2008, pp. 145-167)

#### **Further readings :**

RODLEY Nigel S., *The Treatment of Prisoners under International Law*, Oxford, OUP, 3rd ed., 2009, 697 pp.

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**Source URL:** <https://casebook.icrc.org/glossary/accommodation>

#### **Links**

[1] <https://casebook.icrc.org/law/combatants-and-pows#chapter4>

[2]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=05888105F467757BC12563CD00>

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[7]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=2739F5E7A6BD992CC12563CD0>

[8] <https://casebook.icrc.org/case-study/eritreaethiopia-partial-award-pows>

[9] <https://casebook.icrc.org/case-study/united-states-closure-guantanamo-detention-facilities>

[10] <https://casebook.icrc.org/case-study/united-states-treatment-and-interrogation-detention>

[11] [https://casebook.icrc.org/case-study/georgiarussia-human-rights-watches-report-conflict-south-ossetia#para\\_98](https://casebook.icrc.org/case-study/georgiarussia-human-rights-watches-report-conflict-south-ossetia#para_98)