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OUTLINE

[Chapter 6, VI. Repatriation of POWs](#) ^[4]

LEGAL SOURCE

of POWs during hostilities:

when seriously sick or wounded

GCIII, 109 ^[5]-117 ^[6], Annexes I ^[7] & II ^[8]

at the end of active hostilities

GCIII, 118 ^[9]-119 ^[10]

CIHL, 128/A ^[11]

internment in a neutral country

GCIII, 110/2-3 ^[12], 111 ^[13], Annex I ^[7]

of internees

GCIV, 132 ^[14], 134 ^[15]

grave breach if unjustifiable delay

PI, 85/4b ^[16]

of persons not otherwise protected

PI, 75/6 ^[17]

CASES

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Case Study, Armed Conflicts in the former Yugoslavia (Para. 18) ^[19]

Bangladesh/India/Pakistan, 1974 Agreement ^[20](Arts 3-11 ^[21] and ^[20] 13-15) ^[22]

Ethiopia/Somalia, Prisoners of War of the Ogaden Conflict ^[23]

Eritrea/Ethiopia, Partial Award on POWs (Part B., Paras. 143-163) ^[24]

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USA, Jawad v. Gates [30]

Eritrea/Djibouti: Repatriation of POWs [31]

UN, Working Group on Enforced or Involuntary Disappearances: Report on Mission to Serbia, including Kosovo [32]

BIBLIOGRAPHIC RESOURCES

BAXTER Richard R., "Asylum to Prisoners of War", in *BYIL*, Vol. 30, 1953, pp. 489-498

DINSTEIN Yoram, "The Release of Prisoners of War", in *Studies and Essays on International Humanitarian Law and Red Cross Principles in Honour of Jean Pictet*, Geneva/The Hague, ICRC/M. Nijhoff, 1984, pp. 37-45.

REICHEL Daniel, "L'internement et le rapatriement des militaires soviétiques réfugiés en Suisse pendant le Seconde Guerre Mondiale", in *Actes du symposium 1982*, Lausanne, Éditions du Centre d'Histoire, 1982, pp. 77-90

SASSÒLI Marco, “The Status, Treatment and Repatriation of Deserters under International Humanitarian Law”, in *Yearbook of the International Institute of Humanitarian Law*, 1985, pp. 9-36.

SCHAPIRO L. B., “Repatriation of Deserters”, in *BYIL*, Vol. 29, 1952, pp. 310-324.

SHIELDS DELESSERT Christiane, *Release and Repatriation of Prisoners of War at the End of Active Hostilities: A Study of Article 118, paragraph 1, of the Third Geneva Convention Relative to the Treatment of Prisoners of War*, Zurich, Schulthess, *Études suisses de Droit international*, Vol. 5, 1977, 225 pp.

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[11] https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule128

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[18] <https://casebook.icrc.org/case-study/cuba-status-captured-guerrillas>

[19] https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia#para_18

[20] <https://casebook.icrc.org/case-study/bangladeshindiapakistan-1974-agreement>

[21] https://casebook.icrc.org/case-study/bangladeshindiapakistan-1974-agreement#art_3

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[23] <https://casebook.icrc.org/case-study/ethiopiasomalia-prisoners-war-ogaden-conflict>

[24] https://casebook.icrc.org/case-study/eritreaethiopia-partial-award-pows#part_b_para_143

[25] <https://casebook.icrc.org/case-study/iraniraq-70000-prisoners-war-repatriated#chapter2>

[26] https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia#para_8

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