

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions Act 1957, Paragraph 4. (See end of Document for details)

SCHEDULES

[^{F2}FIFTH SCHEDULE

PROTOCOL I

Textual Amendments

F2 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F1}PART IV

CIVILIAN POPULATION

Textual Amendments

F1 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

^{F1}ARTICLE 75—

FUNDAMENTAL GUARANTEES

Textual Amendments

F1 Fifth and Sixth Schedules inserted (20.7.1998) by 1995 c. 27, s. 6, **Sch.**; S.I. 1998/1505, **art. 2**

- ^{F14} No sentence may be passed and no penalty may be executed on a person found guilty of a penal offence related to the armed conflict except pursuant to a conviction pronounced by an impartial and regularly constituted court respecting the generally recognised principles of regular judicial procedure, which include the following:
- (a) the procedure shall provide for an accused to be informed without delay of the particulars of the offence alleged against him and shall afford the accused before and during his trial all necessary rights and means of defence;
 - (b) no one shall be convicted of an offence except on the basis of individual penal responsibility;
 - (c) no one shall be accused or convicted of a criminal offence on account of any act or omission which did not constitute a criminal offence under the national or international law to which he was subject at the time when it was committed; nor shall a heavier penalty be imposed than that which was applicable at the time when the criminal offence was committed; if, after the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby;

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- (d) anyone charged with an offence is presumed innocent until proved guilty according to law;
- (e) anyone charged with an offence shall have the right to be tried in his presence;
- (f) no one shall be compelled to testify against himself or to confess guilt;
- (g) anyone charged with an offence shall have the right to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- (h) no one shall be prosecuted or punished by the same Party for an offence in respect of which a final judgement acquitting or convicting that person has been previously pronounced under the same law and judicial procedure;
- (i) anyone prosecuted for an offence shall have the right to have the judgement pronounced publicly; and
- (j) a convicted person shall be advised on conviction of his judicial and other remedies and of the time-limits within which they may be exercised.]

Textual Amendments

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