# Типовое соглашение по вопросу о непосредственной репатриации и госпитализации в нейтральной стране раненых и больных военнопленных (англ.)

Annex I (Geneva, 12.VIII.1949)

### MODEL AGREEMENT CONCERNING DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES OF WOUNDED AND SICK PRISONERS OF WAR

### (see Article 110)

### I. PRINCIPLES FOR DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES

A. Direct repatriation

The following shall be repatriated direct:

1. All prisoners of war suffering from the following disabilities as the result of trauma: loss of a limb, paralysis, articular or other disabilities, when this disability is at least the loss of a hand or a foot, or the equivalent of the loss of a hand or a foot.

Without prejudice to a more generous interpretation, the following shall be considered as equivalent to the loss of a hand or a foot:

 (a) Loss of a hand or of all the fingers, or of the thumb

and forefinger of one hand; loss of a foot, or of all the toes

and metatarsals of one foot.

(b) Ankylosis, loss of osseous tissue, cicatricial

contracture preventing the functioning of one of the large

articulations or of all the digital joints of one hand.

(c) Pseudarthrosis of the long bones.

(d) Deformities due to fracture or other injury which

seriously interfere with function and weight-bearing power.

2. All wounded prisoners of war whose condition has become chronic, to the extent that prognosis appears to exclude recovery - in spite of treatment - within one year from the date of the injury, as, for example, in case of:

 (a) Projectile in the heart, even if the Mixed Medical

Commission should fail, at the time of their examination, to

detect any serious disorders.

(b) Metallic splinter in the brain or the lungs, even if

the Mixed Medical Commission cannot, at the time of

examination, detect any local or general reaction.

(c) Osteomyelitis, when recovery cannot be foreseen in the

course of the year following the injury, and which seems

likely to result in ankylosis of a joint, or other impairments

equivalent to the loss of a hand or a foot.

(d) Perforating and suppurating injury to the large

joints.

(e) Injury to the skull, with loss or shifting of bony

tissue.

(f) Injury or burning of the face with loss of tissue and

functional lesions.

(g) Injury to the spinal cord.

(h) Lesion of the peripheral nerves, the sequelae of which

are equivalent to the loss of a hand or foot, and the cure of

which requires more than a year from the date of injury, for

example: injury to the brachial or lumbosacral plexus median

or sciatic nerves, likewise combined injury to the radial and

cubital nerves or to the lateral popliteal nerve (N. peroneus

communis) and medial popliteal nerve (N. tibialis); etc. The

separate injury of the radial (musculo-spiral), cubital,

lateral or medial popliteal nerves shall not, however, warrant

repatriation except in case of contractures or of serious

neurotrophic disturbance.

(i) Injury to the urinary system, with incapacitating

results.

3. All sick prisoners of war whose condition has become chronic to the extent that prognosis seems to exclude recovery - in, spite of treatment - within one year from the inception of the disease, as, for example, in case of:

 (a) Progressive tuberculosis of any organ which, according

to medical prognosis, cannot be cured or at least considerably

improved by treatment in a neutral country.

(b) Exudate pleurisy.

(c) Serious diseases of the respiratory organs of

non-tubercular etiology, presumed incurable, for example:

serious pulmonary emphysema, with or without bronchitis;

chronic asthma 1 ; chronic bronchitis 1 lasting more than

one year in captivity; bronchiectasis 1 ; etc.

(d) Serious chronic affections of the circulatory system,

for example: valvular lesions and myocarditis 1 , which have

shown signs of circulatory failure during captivity, even

though the Mixed Medical Commission cannot detect any such

signs at the time of examination; affections of the

pericardium and the vessels (Buerger's disease, aneurism of

the large vessels); etc.

(e) Serious chronic affections of the digestive organs,

for example: gastric or duodenal ulcer; sequelae of gastric

operations performed in captivity; chronic gastritis,

enteritis or colitis, having lasted more than one year and

seriously affecting the general condition; cirrhosis of the

liver; chronic cholecystopathy 1 ; etc.

(f) Serious chronic affections of the genito-urinary

organs, for example: chronic diseases of the kidney with

consequent disorders; nephrectomy because of a tubercular

kidney; chronic pyelitis or chronic cystitis; hydronephrosis

or pyonephrosis; chronic grave gynaecological conditions;

normal pregnancy and obstetrical disorder, where it is

impossible to accommodate in a neutral country; etc.

(g) Serious chronic diseases of the central and peripheral

nervous system, for example: all obvious psychoses and

psychoneuroses, such as serious hysteria, serious captivity

psychoneurosis, etc., duly verified by a specialist 1 ; any

epilepsy duly verified by the camp physician 1 ; cerebral

arteriosclerosis; chronic neuritis lasting more than one year;

etc.

(h) Serious chronic diseases of the neuro-vegetative

system, with considerable diminution of mental or physical

fitness, noticeable loss of weight and general asthenia.

(i) Blindness of both eyes, or of one eye when the vision

of the other is less than 1 in spite of the use of corrective

glasses; diminution of visual acuity in cases where it is

impossible to restore it by correction to an acuity of 1/2 in

at least one eye 1 ; other grave ocular affections, for

example: glaucoma, iritis, choroiditis; trachoma; etc.

(k) Auditive disorders, such as total unilateral deafness,

if the other ear does not discern the ordinary spoken word at

a distance of one metre 1 ; etc.

(l) Serious affections of metabolism, for example:

diabetes mellitus requiring insulin treatment; etc.

(m) Serious disorders of the endocrine glands, for

example: thyrotoxicosis; hypothyrosis; Addison's disease;

Simmonds' cachexia; tetany; etc.

(n) Grave and chronic disorders of the blood-forming

organs.

(o) Serious cases of chronic intoxication, for example:

lead poisoning, mercury poisoning, morphinism, cocainism,

alcoholism; gas or radiation poisoning; etc.

(p) Chronic affections of locomotion, with obvious

functional disorders, for example: arthritis deformans;

primary and secondary progressive chronic polyarthritis;

rheumatism with serious clinical symptoms; etc.

(q) Serious chronic skin diseases, not amenable to

treatment.

(r) Any malignant growth.

(s) Serious chronic infectious diseases, persisting for

one year after their inception, for example: malaria with

decided organic impairment, amoebic or bacillary dysentery

with grave disorders; tertiary visceral syphilis resistant to

treatment; leprosy; etc.

(t) Serious avitaminosis or serious inanition.

1 The decision of the Mixed Medical Commission shall be based to a great extent on the records kept by camp physicians and surgeons of the same nationality as the prisoners of war, or on an examination by medical specialists of the Detaining Power.

B. Accommodation in neutral countries

The following shall be eligible for accommodation in a neutral country:

1. All wounded prisoners of war who are not likely to recover in captivity, but who might be cured or whose condition might be considerably improved by accommodation in a neutral country.

2. Prisoners of war suffering from any form of tuberculosis, of whatever organ, and whose treatment in a neutral country would be likely to lead to recovery or at least to considerable improvement, with the exception of primary tuberculosis cured before captivity.

3. Prisoners of war suffering from affections requiring treatment of the respiratory, circulatory, digestive, nervous, sensory, genito-urinary, cutaneous, locomotive organs, etc., if such treatment would clearly have better results in a neutral country than in captivity.

4. Prisoners of war who have undergone a nephrectomy in captivity for a nontubercular renal affection; cases of osteomyelitis, on the way to recovery or latent; diabetes mellitus not requiring insulin treatment; etc.

5. Prisoners of war suffering from war or captivity neuroses. Cases of captivity neurosis which are not cured after three months of accommodation in a neutral country, or which after that length of time are not clearly on the way to complete cure, shall be repatriated.

6. All prisoners of war suffering from chronic intoxication (gases, metals, alkaloids, etc.), for whom the prospects of cure in a neutral country are especially favourable.

7. All women prisoners of war who are pregnant or mothers with infants and small children.

The following cases shall not be eligible for accommodation in a neutral country:

1. All duly verified chronic psychoses.

2. All organic or functional nervous affections considered to be incurable.

3. All contagious diseases during the period in which they are transmissible, with the exception of tuberculosis.

### II. GENERAL OBSERVATIONS

1. The conditions given shall, in a general way, be interpreted and applied in as broad a spirit as possible.

Neuropathic and psychopathic conditions caused by war or captivity, as well as cases of tuberculosis in all stages, shall above all benefit by such liberal interpretation. Prisoners of war who have sustained several wounds, none of which, considered by itself, justifies repatriation, shall be examined in the same spirit, with due regard for the psychic traumatism due to the number of their wounds.

2. All unquestionable cases giving the right to direct repatriation (amputation, total blindness or deafness, open pulmonary tuberculosis, mental disorder, malignant growth, etc.) shall be examined and repatriated as soon as possible by the camp physicians or by military medical commissions appointed by the Detaining Power.

3. Injuries and diseases which existed before the war and which have not become worse, as well as war injuries which have not prevented subsequent military service, shall not entitle to direct repatriation.

4. The provisions of this Annex shall be interpreted and applied in a similar manner in all countries party to the conflict. The Powers and authorities concerned shall grant to Mixed Medical Commissions all the facilities necessary for the accomplishment of their task.

5. The examples quoted under (1) above represent only typical cases. Cases which do not correspond exactly to these provisions shall be judged in the spirit of the provisions of Article 110 of the present Convention, and of the principles embodied in the present Agreement.

Источник - Женевская конвенция от 12.08.1949

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