



FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

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**Communication**  
**to the Governments of the States Parties**  
**to the Geneva Conventions of 12 August 1949**  
**for the Protection of War Victims**

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The Federal Department of Foreign Affairs has the honour to communicate to the Governments of the States Parties to the Geneva Conventions the following:

On 20 November 1990 the twentieth State declared, pursuant to article 90 of the Additional Protocol I of the Geneva Conventions, that it recognizes ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of an international fact-finding Commission to enquire into allegations by such other party. Article 90 confers to this Commission the competence to enquire into any facts alleged to constitute a grave breach as defined in the Geneva Conventions and the Protocol or other serious violations of said Conventions or the Protocol as well as to facilitate, through its good offices, the restoration of an attitude of respect for the Conventions and the Protocol.

The prerequisite for the establishment of the Commission has thus been met. It is now Switzerland's duty as the depositary of the Geneva Conventions to convene, for the secret election of the 15 members of the Commission, a meeting of the representatives of the States having made the declaration according to article 90. The members of the Commission shall serve in their personal capacity and hold office until the election of new members at the next meeting of the States having accepted the obligation pursuant to article 90. It is incumbent upon the depositary State to convene these election meetings at intervals of five years.

Berne, 16 January 1991

Enclosure: list of the States having made the declaration according to article 90 of Protocol I