

Republic of Nauru – 20th Parliament

Geneva Conventions Bill 2012

SECOND READING SPEECH

Hon Dr Kieren Keke MP

10 October 2012

Mr Deputy Speaker,

It gives me great pleasure to introduce to the House today a Bill for an Act that gives effect in Nauru to the 1949 Geneva Conventions and their 1977 and 2005 Protocols concerned with the treatment of members of armed forces, prisoners of war, victims and civilians caught up in war. They recognise the activities of the Red Cross and similar organisations in the protection of such persons. The Conventions are widely adopted throughout the world as a central component of what is now referred to as international humanitarian law.

Nauru ratified the Conventions and Protocol I and II on 27 June 2006 and recently ratified Protocol III.

This Bill will ensure that Nauru complies with its treaty obligations to enact legislation giving effect to the Conventions and Protocols.

Mr Deputy Speaker, the explanatory memorandum describes in detail each provision of the Bill, but I will briefly describe the three main matters dealt with by the Bill.

Penalties for breaches of the Conventions or Protocols

The Bill creates offences for breaches of the Conventions or Protocols. If the offence is, what is called under the Conventions or Protocols, a grave breach, a more significant penalty is imposed.

Imposition of requirements in relation to legal proceedings relating to protected persons

The Bill requires notice of certain prosecutions of, and the imposition of certain sentences on, protected prisoners of war and protected internees to, what is called under the Conventions and Protocols, a Protecting Power.

Restricting the use of certain well recognised emblems

The Bill makes it an offence to use or display a protected emblem or protected item without the consent of the Minister. This relates to the emblems known as the Red Cross, the Red

Crescent, the Red Lion and Sun, the Red Crystal (or third Protocol emblem), the heraldic emblem of the Swiss Confederation, the international distinctive sign of civil defence, the signals of identification for medical units and transports and the international special sign for works and installations containing dangerous forces and to identity cards, information cards and uniforms. The emblems are protected in order to ensure that they will be able to be universally recognised without confusion, especially by those who need to obtain medical services, and to enhance their protective value. The emblems are not intended to have any religious, ethnic, racial, regional or political significance.

Mr Deputy Speaker, I commend the Bill to the House.