

MEMORANDUM FOR THE CABINET  
BY THE HON. PRIME MINISTER

Geneva Conventions Act, 1957. Appeals from  
convictions of prisoners of war and  
civilian internees

The Geneva Conventions Act, 1957, was passed by the U.K. Parliament to give effect to four International Red Cross Conventions agreed at Geneva in 1949, relating to (a) the Relief of the Wounded and Sick in Armies in the Field, (b) the adaptation to Maritime Warfare of the principles of the Geneva Convention of 1906, (c) the Treatment of Prisoners of War and (d) the Protection of Civilian Persons in time of war.

2. In January, 1958, the U.K. Government were informed that there was no objection to the extension to Malta of the Geneva Conventions Act, 1957, provided reference were made to the appropriate local nomenclature. The provisions of the Act, with the exception of the section relating to appeals from convictions of prisoners of war and civilian internees, were extended to Malta by Order in Council on the 1st September, 1959.

3. The provision relating to appeals from convictions of prisoners of war and civilian internees could not be readily modified in general terms that would be apt for all territories, and the Secretary of State requested Governments to enact legislation in their territory to ensure that the time for appealing does not begin to run until notice of the conviction and sentence has been given to the protecting power.

4. Draft legislation for this purpose was prepared in 1959, but no steps were taken to give it priority and it was never enacted.

5. The Secretary of State has now been asked whether all territories are now in a position to ensure that the time for appealing ~~until~~ notice of the conviction and sentence has been given to the protecting power, and he would therefore like to have confirmation from this Government by the 31st October, 1962, that the necessary legislation to this effect has been introduced. *It does not begin to run*

6. The reply, as things stand, is that legislation is necessary, but that so far it has not been introduced.

7. Since from the diplomatic point of view, it would not be desirable to return such a reply, Hon. Ministers are asked whether they agree that the necessary legislation be introduced in the Legislative Assembly with a view to enactment before the 31st October, 1962.

L-Arkivji Nazzjonali ta' Malta