



**THE REPUBLIC OF KENYA**

LAWS OF KENYA

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**THE GENEVA CONVENTIONS ACT**

CHAPTER 198

1968

Published by the National Council for Law Reporting  
with the Authority of the Attorney-General

[www.kenyalaw.org](http://www.kenyalaw.org)



**CHAPTER 198**

**GENEVA CONVENTIONS ACT**

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## CHAPTER 198

## GENEVA CONVENTIONS ACT

[Date of assent: 19th November, 1968.]

[Date of commencement: 22nd November, 1968.]

**An Act of Parliament to enable effect to be given to certain International Conventions done at Geneva on the 12th August, 1949, and for purposes incidental thereto**

[Act No. 5 of 1968.]

**1. Short title**

This Act may be cited as the Geneva Conventions Act.

**2. Interpretation**

In this Act—

**"the Conventions"** means the Conventions set out in the Schedules to this Act;

**"court"** does not include a court-martial;

**"prisoner's representative"** means, in relation to a protected prisoner of war at a particular time, the person by whom the functions of prisoners representative within the meaning of Article 79 of the Convention set out in the Third Schedule to this Act were exercisable in relation to that prisoner at the camp or place at which the prisoner was, at or last before that time, detained as a protected prisoner of war;

**"protected internee"** means a person protected by the Convention set out in the Fourth Schedule to this Act and interned in Kenya;

**"protected prisoner of war"** means a person protected by the Convention set out in the Third Schedule to this Act;

**"protecting power"** means, in relation to a protected prisoner of war or a protected internee, the power or Organization which is carrying out, in the interests of the power of which he is a national, or of whose forces he is or was at any material time, a member, the duties assigned to the protecting power under the Convention set out in the Third Schedule or, as the case may be, the Fourth Schedule to this Act.

**3. Grave breach of Convention**

(1) Any person, whatever his nationality, who, whether within or outside Kenya commits, or aids, abets or procures the commission by any other person of any grave breach of any of the Conventions such as is referred to in the following articles respectively of those Conventions—

- (a) article 50 of the Convention set out in the First Schedule to this Act;
- (b) article 51 of the Convention set out in the Second Schedule to this Act;
- (c) article 130 of the Convention set out in the Third Schedule to this Act;
- (d) article 147 of the Convention set out in the Fourth Schedule to this Act, is guilty of an offence and—