

One Hundred Ninth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the third day of January, two thousand and six*

An Act

To amend title 18, United States Code, to prevent and repress the misuse of the Red Crescent distinctive emblem and the Third Protocol (Red Crystal) distinctive emblem.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Geneva Distinctive Emblems Protection Act of 2006”.

SEC. 2. GENEVA DISTINCTIVE EMBLEMS.

(a) IN GENERAL.—Chapter 33 of title 18, United States Code, is amended by inserting after section 706 the following:

“§ 706a. Geneva distinctive emblems

“(a) Whoever wears or displays the sign of the Red Crescent or the Third Protocol Emblem (the Red Crystal), or any insignia colored in imitation thereof for the fraudulent purpose of inducing the belief that he is a member of or an agent for an authorized national society using the Red Crescent or the Third Protocol Emblem, the International Committee of the Red Cross, or the International Federation of Red Cross and Red Crescent Societies shall be fined under this title or imprisoned not more than 6 months, or both.

“(b) Except as set forth in section (c) and (d), whoever, whether a corporation, association, or person, uses the emblem of the Red Crescent or the Third Protocol Emblem on a white ground or any sign or insignia made or colored in imitation thereof or the designations ‘Red Crescent’ or ‘Third Protocol Emblem’ shall be fined under this title or imprisoned not more than 6 months, or both.

“(c) The following may use such emblems and designations consistent with the Geneva Conventions of August 12, 1949, and, if applicable, the Additional Protocols:

“(1) Authorized national societies that are members of the International Federation of Red Cross and Red Crescent Societies and their duly authorized employees and agents.

“(2) The International Committee of the Red Cross and its duly authorized employees and agents.

“(3) The International Federation of Red Cross and Red Crescent Societies and its duly authorized employees and agents.

H. R. 6338—2

“(4) The sanitary and hospital authorities of the armed forces of State Parties to the Geneva Conventions of August 12, 1949.

“(d) This section does not make unlawful the use of any such emblem, sign, insignia, or words which was lawful on or before December 8, 2005, if such use would not appear in time of armed conflict to confer the protections of the Geneva Conventions of August 12, 1949, and, if applicable, the Additional Protocols.

“(e) A violation of this section or section 706 may be enjoined at the civil suit of the Attorney General.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of title 18, United States Code, is amended by inserting after the item relating to section 706 the following new item:

“706a. Geneva distinctive emblems.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*