

CHAPTER 1

INTRODUCTION

Section I. GENERAL

1-1. Purpose and Scope

a. This manual pertains to the Enemy PW/Detainee Program and provides guidance regarding enemy prisoners of war (PW), civilian internees (CI), and other persons captured or detained by United States armed forces. It is intended for use in conjunction with AR 633-50 and AR 633-51, and it serves to implement, in part, DOD Directive 5100.69, *DOD Enemy PW/Detainee Program*. It provides guidance for the treatment of detainees from point of capture or other apprehension through evacuation to internment and/or subsequent termination of captivity. This manual is applicable to war or any other conflict, however characterized.

b. Further, it serves as a guide for the organization, training, and employment of military police units engaged in these operations. Specific Tables of Organization and Equipment (TOE) mentioned in this text are listed without alphabetical suffix; therefore, users are advised to consult the latest edition of these TOE when detailed information concerning them is required.

c. Users of this manual are encouraged to submit recommended changes or comments to improve the manual. Comments should be keyed to the specific page, paragraph, and line of the text in which the change is recommended. Reasons should be provided for each comment to insure understanding and complete evaluation. **Comments should be prepared using DA Form 2028 (Recommended Changes to Publications and Blank Forms) and forwarded direct to the Commandant, United States Army Military Police School, ATTN: ATSJ-CTD-DT, Fort McClellan, Alabama 36201.**

1-2. Definitions

a. Prisoner of War (PW).

(1) Persons as defined in the Geneva Convention Relative to the Treatment of Prisoners of War, 12 August 1949 (GPW) as follows:

(a) Members of the enemy armed forces

as well as members of militias or volunteer corps forming part of such armed forces.

(b) Members of other militias and members of other volunteer corps, including those of organized resistance movements, belonging to an enemy power and operating in or outside their own territory, even if this territory is occupied, provided that such militias or volunteer corps, including such organized resistance movements, fulfill the following conditions:

1. That of being commanded by a person responsible for his subordinates.

2. That of having a fixed distinctive sign recognizable at a distance.

3. That of carrying arms openly.

4. That of conducting their operations in accordance with the laws and customs of war.

(c) Members of enemy regular armed forces who profess allegiance to a government or an authority not recognized by the detaining power (The United States).

(d) Persons who accompany the armed forces of the enemy without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labor units, or of services responsible for the welfare of the enemy armed forces, provided that they have received authorization from the armed forces which they are accompanying, and, further, that they are in possession of an identity card from the military authority of the Army they are accompanying.

(e) Members of crews, including masters, pilots, and apprentices, of the merchant marine and the crews of civil aircraft of the enemy power, who do not benefit by more favorable treatment under any other provisions of international law.

(f) Inhabitants of nonoccupied territory who, on the approach of the US Armed Forces, spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war (Article 4B, GPW).

(g) Persons belonging to, or having belonged

to the armed forces of a country occupied by the United States, if the theater commander considers it necessary by reason of such allegiance to intern them, even though they may have been originally liberated from PW status by the United States while hostilities were going on outside the occupied territory. Particular application is made herein to those persons who have made an unsuccessful attempt to join the armed forces to which they belong and which are engaged in combat, or where they have failed to comply with a summons made to them with a view to internment.

(2) Personnel who would qualify for PW status under (1) above, if the United States were a party to the conflict, but who fall into the hands of the United States as a neutral or non-belligerent power, will also be accorded the status of and receive treatment as a PW (Article 4B (1), (2) and 4C, GPW).

(3) Captured enemy personnel may be presumed to be PW immediately upon capture if the circumstances are unmistakable (armed, uniformed enemy). Should any question arise as to whether enemy personnel captured by the US armed forces belong to any of the categories enumerated under (1) and (2) above, such personnel will receive the same treatment to which PW are entitled until such time as their status has been determined by competent military authority.

b. Other terms and abbreviations used in this manual are in consonance with those contained in JCS Pub 1, AR 310-25, and AR 310-50.

1-3. Objectives

The objectives of the Enemy PW/Detainee Program are to provide for:

- a.* The implementation of the Geneva Conventions.
- b.* Humane and efficient care, and full accountability for all persons captured or detained by

the Armed Forces of the United States as a result of foreign military or related operations.

c. Appropriate support of the military objectives of the United States.

1-4. Principles

The principles employed in achieving these objectives are in accordance with the Geneva Conventions, Hague Convention of 1907, and current Standard Agreements (STANAG) and include:

- a.* Humane treatment.
- b.* Prompt evacuation from the combat zone.
- c.* Provisions of opportunity for PW interrogation.
- d.* Instruction of troops in the provisions of international agreements and regulations relating to PW.
- e.* The integration of procedures for evacuation, control, and administration of PW with other combat support and combat service support operations.

1-5. STANAG Agreement

STANAG No. 2044, CENTO STANAG No. 2044, SEASTAG No. 2044 (SOLOG No. 22), "Standard Procedures for Dealing With Prisoners of War" (app B), which prescribes the following concepts and procedures for the control and administration of PW while US Armed Forces are under the operational control of NATO—an international organization—and are operating in Europe under the coordination with one or more of the NATO allies, and is supported by the doctrine contained in this manual:

- a.* Standardized terms and definitions pertaining to PW.
- b.* A PW personnel record form and the procedures for its use.
- c.* Procedures for the handling of PW personal property and money.

Section II. RESPONSIBILITIES

1-6. Department of the Army

a. Under the provisions of the Geneva Conventions, a capturing power is responsible, from the moment of capture or other apprehension, for proper and humane treatment of detainees. The Secretary of the Army is the Executive Agent for the Department of Defense in the administration of the DOD Enemy PW/Detainee Program and is responsible for the planning, policy develop-

ment, and necessary coordination for the operation of a program for personnel captured or detained by US Armed Forces. Detainees, captured by the US Navy or Air Force units, are turned over to the US Army at designated receiving points as soon as possible after initial classification and administrative processing.

b. The Deputy Chief of Staff for Personnel (DCSPER), Department of the Army, has the

primary staff responsibility for the Enemy PW/Detainee Program. Specific responsibilities include development and coordination of policies and programs pertaining to detainees and providing necessary reports, coordination, technical advice and appropriate staff assistance to the Office of the Secretary of Defense, Organization of the Joint Chiefs and Staff, the Military Department, as well as other Federal agencies. Appropriate reports and coordination are also provided through the Department of State to the International Committee of the Red Cross (ICRC) and the Protecting Powers.

1-7. Theater Army (TA)

In a theater of operations, the theater commander normally assigns responsibility for PW matters to the TA commander. The TA commander in turn, normally further assigns this responsibility to the Theater Army Support Command (TASCOM). The TA normally will publish required policy directives to provide guidance and direction relative to the administration, treatment, employment, and control of PW in the theater of operations.

1-8. Communications Zone (COMMZ)

In the COMMZ, the Military Police Prisoner of War Brigade (TOE 19-282), a subordinate command of the Personnel Command, is charged with responsibility for all PW matters. As the capabilities of the PW brigade are exceeded, it is reorganized as a Military Police Prisoner of War Command (TOE 19-252). The PW Command is then established as a separate and major subordinate command of TASCOCOM.

1-9. TASCOCOM

The mission of TASCOCOM includes the theater responsibility for the evacuation and processing of detainees and the subsequent internment, control, administration, release and employment of PW/CI in accordance with the Geneva Conventions and Department of the Army and theater directives.

1-10. Command and Staff

a. Commanders of units at any echelon are responsible for the proper treatment and protection of detainees in their custody.

b. The Assistant Chief of Staff (ACofS), G1, Personnel has primary coordinating staff supervision of command activities pertaining to the Enemy PW/Detainee Program. The G1 insures

that the interests of other staff officers are considered in the development and execution of plans pertaining to detainees. The G1 also has primary general staff supervision for medical support furnished for detainees.

c. The G4 in tactical commands and the ACofS personnel in combat service support commands are responsible for the establishment of priorities for and the allocation of PW/CI labor.

d. The Assistant Chief of Staff, G2, Intelligence, or ACofS, Security, Plans and Operations (SPO), is responsible for the interrogation of PW for intelligence purposes, the supervision of appropriate censorship activities, and the projection of PW capture estimates.

e. The provost marshal at each echelon of command is responsible for the development of plans, policies, and procedures pertaining to detainees.

1-11. Staff Coordination

Matters of mutual concern to the provost marshal and other staff officers are set forth below. Comparable staff officers at tactical headquarters and at combat service support commands generally have responsibility for the same functional areas of command interest. However, the emphasis on different aspects as well as the scope and magnitude of PW/CI/Detainee activities varies in echelons of command and between tactical headquarters and combat service support commands.

a. ACofS (G2 or SPO).

- (1) Interrogation activities.
- (2) Censorship.
- (3) PW capture estimates.

b. ACofS (G3 or SPO).

- (1) Organization and employment of military police units for PW operations.
- (2) Training of military police units.

c. ACofS G4 (or AC of S, Supply).

- (1) Supply requirements.
- (2) Collection and disposition of captured enemy supplies in coordination with the AC of S, G2, or SPO.
- (3) Acquisition of real estate and construction of PW facilities.
- (4) Food service program for internment camps.
- (5) Determination of requirements for the utilization of PW for logistical support operations.

(6) See appendix D for a discussion of equipment and supply requirements for PW operations.

d. ACofS (G5/Civil-Military Operations).

(1) Coordination of activities relating to relationships between PW/CI camp operating personnel and local civilian populace and Psychological Operations (PSYOP) support of PW/CI operations.

(2) Providing technical advice and assistance relating to PW/CI labor policy as it pertains to supporting local indigenous requirements.

(3) Technical advice and assistance in the education of PW/CI.

e. Chaplain. Coordination of religious activities, to include religious ministrations for PW/CI.

f. Chemical Officer. Chemical support of military police operations, particularly the employment of riot control agents and CBR monitoring.

g. Engineer.

(1) Construction support for PW cages and camps.

(2) Construction, maintenance, repair, and operation of utilities including water supply systems and portable or fixed electric power plants.

(3) Fire protection measures for PW camps.

(4) Insect and rodent control and fumigation of buildings in PW camps.

h. Finance and Accounting Officer.

(1) Pay and allowances for PW.

(2) Processing of deposits to appropriated, trust, or other special accounts, as appropriate, and for payments therefrom.

(3) Disposition of contraband currency and negotiable instruments found upon PW and impounded.

i. Information Officer. Command information, public information, and command relations with the public in matters pertaining to detained persons.

j. Psychological Operation Officers.

(1) Technical advice and assistance in the PW education program.

(2) Assist in PW intelligence interrogations to obtain intelligence for PSYOP.

k. Communications—Electronics Officers.

(1) Signal communications support.

(2) Still and motion picture photographic services pertaining to PW/CI operations.

l. Staff Judge Advocate. Legal advice and support on all aspects of the Enemy PW/Detainee Program, particularly the interpretation of the Geneva Conventions, to include the application of force in the quelling of riots and other disturbances, in any necessary investigation which is required following the death or injury, in the labor of and disciplinary punishment, or otherwise during the internment of detainees, in the establishment and operation of tribunals to determine the status of persons who have committed hostile acts but whose status is doubtful, and out of complaints or inquiries received from the Protecting Powers (para 1-16), or International Committee of the Red Cross.

m. Surgeon. Medical support for detainees to include sanitation, first aid, sanitary aspects of food service, preventive medicine, professional medical services, and medical supply. The surgeon also reviews, recommends, and coordinates the use and assignment of captured medically trained personnel when needed to perform the medical support mission.

n. Transportation Officer. Transportation requirements for the evacuation or other movement of detainees.

o. Inspector General. Receipt of allegations of alleged war crimes, whether such allegations are made by detainees or reported by a US soldier. Responsibility for the investigation of alleged war crimes rests with SJA and CID. See FM 19-20, Investigations.

Section III. GENERAL PROTECTION OF PRISONERS OF WAR

1-12. Geneva Conventions

a. The Geneva Conventions for the Protection of War Victims of 12 August 1949 (6 UST 3114; TIAS 3362; 75 UNTS 31), collectively referred to in this manual as the Geneva Conventions, were ratified by the United States and came into force for this country on 2 February 1956. The Geneva Conventions, comprised of four treaties, form

part of the supreme law of the land and provide the internationally recognized humanitarian standards for the treatment of victims of war. The US Government ratified the Geneva Conventions and recognizes the spirit and intent of these treaties in its treatment of Prisoners of War, Civilian Internees, and Detained Persons. The Four Geneva Conventions are:

(1) *Geneva Convention Relative to the Treatment of Prisoners of War, August 12, 1949*, hereinafter referred to as the GPW. The governing motive of this convention is to provide for the humane treatment of PW by the parties to a conflict. It regulates, in detail, the treatment of PW, including care, food, clothing, and housing; discipline and punishment; labor and pay; external relations; representation; international exchange of information; and termination of captivity. For further details of the Convention, see FM 27-10 and DA Pam 27-1. The text of the Convention is found in DA Pam 27-1.

(2) *Geneva Convention Relative to the Protection of Civilian Persons in Time of War, August 12, 1949*, hereinafter referred to as the GC. This Convention deals with the general protection of populations against the consequences of war, the status and treatment of protected persons, and the treatment of civilian internees. See FM 27-10 and DA Pam 27-1. The text of this Convention is also contained in DA Pam 27-1.

(3) *Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 12 August 1949*, hereinafter referred to as the GWS. The GWS provides for the protection of members of armed forces and other persons who are wounded and sick on the battlefield. It provides for members of the conflict to take all possible measures to search for and collect the wounded and sick; to protect them against pillage and ill treatment; to insure their adequate care and to search for the dead and prevent their being despoiled. For further details of the Convention see FM 27-10 and DA Pam 27-1.

(4) *Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 12 August 1949*, hereinafter referred to as GWS (SEA). This Convention deals with the humane treatment and protection by the parties to a conflict of all members of the armed forces, and other persons, who are at sea and who are wounded, sick, or shipwrecked, as well as the protection of hospital ships and burial at sea. For further details of the Convention see FM 27-10 and DA Pam 27-1.

b. The detailed contents of the Geneva Conventions and the implementing Department of the Army rules and regulations are contained in DA Pam 27-1, FM 27-10, AR 37-36, AR 633-50, and AR 633-51.

1-13. General Protection

a. The provisions of the Geneva Conventions

are applicable to PW from the time of their capture until release or repatriation. Implementing regulations for these treaties are provided in AR 633-50 and AR 633-51. When a person is taken captive during the heat of battle, he must be given the protection to which he is entitled as a PW.

b. Under all circumstances, PW are to receive humane treatment without distinction founded on race, nationality, religious belief, political opinions, or other similar criteria. The PW may not be murdered, mutilated, tortured, or degraded, nor may they be punished for alleged criminal acts without a previous judgment pronounced by a legally constituted court which has accorded them those judicial guarantees which are recognized as indispensable to a fair trial. It should be remembered that individuals, as well as capturing nations, are responsible for acts which are committed against PW in violation of the Geneva Conventions.

c. All PW are entitled to respect for their persons and their honor as human beings. They are to be protected against all acts of violence, insults, public curiosity, and reprisals of any kind. They are not to be subjected to physical mutilation or to medical or scientific experimentation which is not required incident to normal medical, dental, or hospital treatment for the proper care of PW.

d. No form of coercion may be inflicted on PW to obtain from them information of any kind. Those who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind.

e. Female PW are to receive treatment at least as favorable as that accorded to male PW and, moreover, are to be treated with all regard due to their sex.

1-14. United States Policy

Basic United States policy underlying the treatment accorded PW and all other enemy personnel captured, interned or otherwise held in United States Army custody during the course of a conflict requires and directs that all such personnel be accorded humanitarian care and treatment from the moment of custody until final release or repatriation. The observance of this policy is fully and equally binding upon United States personnel whether capturing troops, custodial personnel, or in whatever other capacity they may be serving. This policy is equally applicable for the protection of all detained or interned personnel

whether their status is that of prisoner of war, civilian internee, or any other category. It is applicable whether they are known to have or are suspected of having, committed serious offenses which could be characterized as a war crime. The punishment of such persons is administered by due process of law and under legally constituted authority. The administration of inhumane treatment, even if committed under stress of combat and with deep provocation, is a serious and punishable violation under national law, international law, and the Uniform Code of Military Justice.

1-15. PW Treatment Card

The handling and treatment of PW by capturing and detaining troops in accordance with the above stated policy is of utmost concern to the United States and to the US Army. Because of the importance attached to this policy and to assure full awareness on the part of all capturing and detaining troops, reproduction and issue, by commanders concerned, of the PW Treatment Card shown at figure 1-1 and 1-1 continued is recommended and encouraged.

1-16. Protecting Power

Among other things, in order to monitor whether PW are receiving humane treatment as required, a neutral state or a humane organization, such as the International Committee of the Red Cross, is designated as a protecting power. Representatives or delegates of a protecting power are authorized to visit PW wherever they are interned or confined and to interview them regarding the conditions of their internment, their welfare, and their rights. Such visits may not be prohibited except for reasons of imperative military necessity.

1-17. Central Prisoner of War Information Agency

This is an agency established in a neutral country to collect information relative to protected persons, in particular PW, and to transmit such information to the countries of origin or of residence of the persons concerned.

1-18. United States Prisoner of War/Civilian Internee Information Center (USPW/CIIC)

The USPW/CIIC is the national center of information for enemy and for United States prisoners of war and civilian internees and other detained persons and information regarding American nationals who are captured, missing, or otherwise

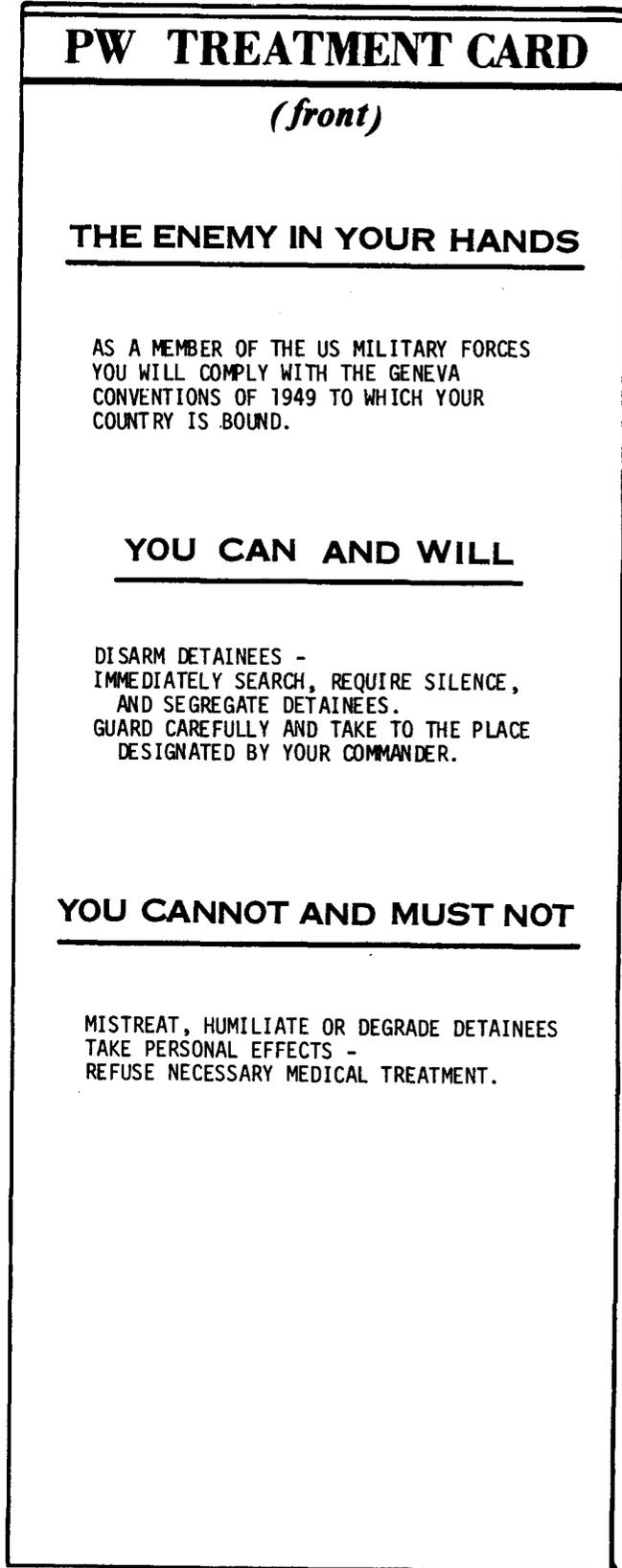


Figure 1-1. Instructions for handling prisoners of war.

detained. It consists of a center headquarters and two bureaus with functions as described below.

PW TREATMENT CARD

(back)

THE ENEMY IN YOUR HANDS

1. HANDLE HIM FIRMLY, PROMPTLY BUT HUMANELY.

The captive in your hands must be disarmed, searched, secured, and watched. But he must also be treated at all times as a human being. He must not be tortured, killed, mutilated, or degraded, even if he refuses to talk. If the captive is a woman, treat her with all the respect due her sex.

2 TAKE THE CAPTIVE QUICKLY TO SECURITY.

As soon as possible evacuate the captive to a place of safety and interrogation designated by your commander. Military documents and material taken from the captive are also sent to the interrogators, but the captive may keep his personal equipment.

3. MISTREATMENT OF ANY CAPTIVE IS A CRIMINAL OFFENSE. EVERY SOLDIER IS RESPONSIBLE FOR THE ENEMY IN HIS HANDS.

It is both dishonorable and foolish to mistreat a captive. It is also a punishable offense. Not even a beaten enemy will surrender if he knows his captors will torture or kill him. He will resist and make his capture more costly. Fair treatment of captives encourages the enemy to surrender.

4 TREAT THE SICK AND WOUNDED CAPTIVE AS BEST YOU CAN.

The captive saved may be an intelligence source. In any case, he is a human being and must be treated like one. The soldier who ignores the sick and wounded degrades his uniform.

5. ALL PERSONS IN YOUR HANDS, WHETHER SUSPECTS, CIVILIANS, OR COMBAT CAPTIVES, MUST BE PROTECTED AGAINST VIOLENCE, INSULTS, CURIOSITY, AND REPRISALS OF ANY KIND.

Leave punishment to the courts and judges. The soldier shows his strength by his fairness, firmness, and humanity to the persons in his hands.

Figure 1-1—Continued.

a. *Center Headquarters.* The center headquarters is responsible for the command, supervision, and administration of all activities of the USPW/CIIC.

b. *Enemy Prisoner of War/Civilian Internee Information Bureau (EPW/CIIB).* The EPW/CIIB is the national bureau for enemy PW/CI information and is responsible for discharging the following functions:

(1) The collecting, processing, and maintaining of PW/CI personnel data from PW camps in CONUS and from Branch United States Prisoner of War/Civilian Internee Information Center(s) in theater(s) of operations.

(2) The furnishing of timely administrative information, reports, statistics, and records as required by Headquarters, Department of the Army and theater command regulations and directives.

(3) The maintenance of a central PW/CI fingerprint identification file.

(4) The custody and disposition of personal property of repatriated, released, or deceased PW/CI.

(5) The processing and preparation of replies to inquiries concerning PW/CI.

c. *American Prisoner of War/Civilian Internee Information Bureau (APW/CIIB).* The APW/CIIB is the national bureau for the receipt of information pertaining to United States military and civilian personnel in enemy custody and is responsible for discharging the following functions:

(1) The collection, processing, and transmittal to authorized military and other governmental agencies information received concerning United States military and civilian personnel in enemy custody as prisoners of war or civilian internees.

(2) The receipt of, and forwarding to, authorized military and other governmental agencies property of repatriated, released or deceased United States prisoners of war and civilian internees.

1-19. Branch United States Prisoner of War/Civilian Internee Information Center (USPW/CIIC (BR)).

a. The organization, composition and operations of the USPW/CIIC(BR) (TOE 19-503) are basically the same as described for the USPW/CIIC of which it is a branch. A USPW/CIIC (BR) is established in each theater of operations. Information to be submitted to a protecting power or to a central prisoner of war information agency by the USPW/CIIC (BR) is forwarded to the USPW/CIIC for transmittal unless otherwise directed by Headquarters, Department of the Army.

b. This unit provides within the theater of operations, for the centralized receipt, preparation, and dissemination of PW/CI statistical accounting and reporting data; the individual identification of all interned PW/CI; PW/CI postal directory and locator service; and for the receipt

and disposition of personal valuables and documents of deceased, repatriated, released, or escaped PW/CI. Information and data not required by Headquarters, Department of the Army but desired by the theater commander, are prescribed by theater regulations.