

TC 27-10-2

PRISONERS OF WAR

SEPTEMBER 1991

DISTRIBUTION RESTRICTION: Approved for public release, distribution is unlimited.

PRISONERS OF WAR

TABLE OF CONTENTS

	Page
PREFACE	ii
CHAPTER 1. LAWS THAT APPLY TO PRISONERS OF WAR	1
International Law	1
US Laws and Guidelines	3
CHAPTER 2. RIGHTS OF PRISONERS OF WAR	5
Protection	6
Proper Transport	6
Separation	6
Camp Inspection	7
Favorable Work Conditions	7
Personal Effects	7
Mail	7
Military Pay	7
Quarters	7
Clothing	8
Food	8
Health and Medical Care	8
Religious, Recreational, and Intellectual Activities	8
Fair Trial	8
Suitable Disciplinary Punishment	9
Organization	9
CHAPTER 3. GUIDELINES FOR INTERROGATION, COMMUNICATION, AND RESISTANCE ...	11
Interrogation	12
Communication	12
Resistance	13
REFERENCES	References-14

DISTRIBUTION RESTRICTION: Approved for public release, distribution is unlimited.

*This publication supersedes TC 27-10-2, 1 September 1980.

1

PREFACE

The purpose of this circular is to help you as officers and noncommissioned officers to continuously train and educate yourselves and your soldiers in the laws concerning prisoners of war (PWs). This publication covers the following topics:

- Laws governing treatment of PWs, including standards of conduct for captured United States (US) PWs.
- Interrogation, communication, and resistance tactics for PWs.
- Rights and duties of PWs.

You should know about laws that apply to PWs for two practical reasons. First, they govern US behavior toward captured enemy personnel. Soldiers in combat must be ready to handle captured enemy troops before their removal to permanent PW installations. Second, and more personal, they protect captured members of US forces. If you become a PW, knowledge of the rights guaranteed and duties expected could mean your survival.

Every captured US individual continues to be of special concern to the US. The US government expresses this concern by—

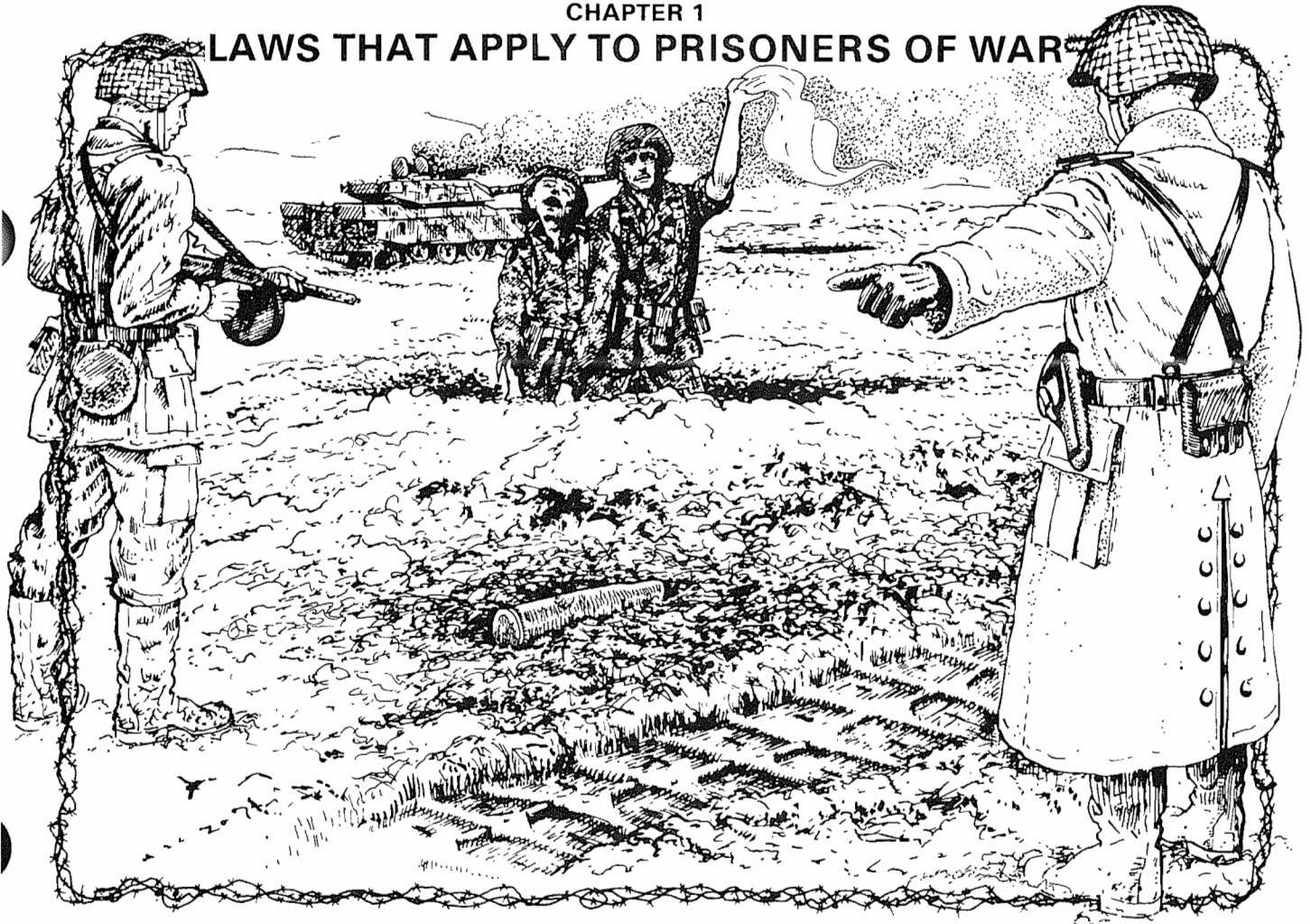
- Continuing your right to promotion, pay and allowances, and dependent care while in captivity.
- Employing every available means to establish contact with you and gain your release.
- Ensuring in every possible way that you receive the protection and rights afforded you by the *Geneva Conventions*.
- Providing your family members with all available information concerning your whereabouts and condition and providing all the support and care family members are entitled to under US law.

The proponent of this publication is The Judge Advocate General's School, US Army. Send comments and recommendations on DA Form 2028 directly to Commandant, The Judge Advocate General's School, ATTN: JAGS-ADI, Charlottesville, VA 22903-1781.

NOTE: In this publication, the terms *captor* and *detaining power* are synonymous.

Unless this publication states otherwise, masculine nouns and pronouns do not refer exclusively to men.

LAWS THAT APPLY TO PRISONERS OF WAR



As a soldier, you may rarely think about being captured. It is not a pleasant subject and assuming that it can happen only to the other guy is easy. Though this attitude is natural, you must seriously consider the possibility of being captured and you must know the laws that apply to you as a PW. Knowing these laws will help you understand your rights and duties as a PW.

INTERNATIONAL LAW

THE GENEVA CONVENTION

What You Should Know About the Convention

On 12 August 1949 at Geneva, Switzerland, representatives of 61 nations, including the US, completed work on four international agreements called *The Geneva Convention for the Protection*

of War Victims. For the purposes of the discussions in this book, they will be referred to as the *Geneva Convention* or the *Convention*. The *Convention* is part of US law as well as international law. They provide for more humane treatment for military personnel and civilians in time of war.

Three of the four *Convention* agreements are revisions of earlier international agreements dating back about 100 years. The first deals with the protection of sick and wounded soldiers on land. The second covers those at sea or shipwrecked. The third and most familiar covers the treatment of PWs. The fourth deals with the protection of civilians.

The *Convention* applies not only to a formally declared war but to all forms of armed conflict. All four *Convention* agreements state that “the present convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more parties, even if the state of war is not recognized by one of them.” US policy requires you adhere to the *Convention* whenever you are engaged in conflict.

The *Geneva Convention* set up an inspection system that works through *protecting powers*. Any willing and able neutral country or impartial organization, agreed upon by the parties in a conflict, may act as a protecting power.

Basically, the duty of a protecting power is to safeguard interests of the parties in conflict. Thus, a protecting power checks on proper application of the *Convention* rules. It also suggests corrective measures where necessary. For instance, a protecting power must periodically inspect PW camps. The detaining power must do nothing to discourage or hinder the inspections. Prisoners must be permitted to appeal to the inspectors for help in correcting any violations of the *Convention*.

When no other arrangements exist, an organization such as the International Committee of the Red Cross assumes the humanitarian functions of a protecting power.

Why You Should Adhere to the Convention

The US and its allies adhere to the *Convention* because they express humanitarian principles in harmony with national beliefs and traditions. Our compliance will possibly influence the willingness of all governments to do so.

In addition, you have a duty to defend the Constitution and uphold the laws of the US. Under the Constitution, treaties between the US and other nations are US law. One of those treaties is the *Geneva Convention*. You must be familiar with the requirements of the *Convention* and adhere to them. In your hands is the reputation of the US as a law-abiding member of the community of nations.

The *Convention* can be effective only if governments and citizens abide by their provisions. In the past, certain parties to a conflict sometimes refused to acknowledge that the *Geneva Convention* applied to the conflict. Despite isolated incidents and atrocities that have occurred, an awareness that prisoners' treatment should be humane seems to be growing.

Who Is Covered by the Convention

The *Geneva Convention* establishes those who qualify as PWs and are entitled to PW treatment. Those entitled to PW status include—

- Members of regular armed forces, including militias and volunteer corps that are part of the armed forces.
- Members of other militia, volunteer corps, and organized resistance movements, provided they meet the following criteria:
 - Have a commander responsible for subordinates.
 - Have a fixed, distinctive emblem recognizable at a distance.
 - Carry arms openly.
 - Conduct operations according to the laws and customs of war.
- Members of regular armed forces of governments not recognized by the detaining power (the party holding the prisoner). Even if the country capturing a person does not recognize the prisoner's government, the person still gets PW treatment.
- Certain civilians accompanying the armed forces, including civilian members of military aircraft crews, war correspondents, supply contractors, and United Service Organization personnel.

- Members of the merchant marines and crews of civil aircraft.
- Inhabitants of an unoccupied territory who spontaneously resist invading forces without time to form into regular armed units. Persons belonging (or having belonged) to the armed forces of an occupied country, if the occupying forces consider it necessary to intern them.
- Military personnel interned in neutral countries.

In past wars, deciding who was a PW was fairly easy, because most captives wore uniforms that plainly identified them. While this is still generally true in conventional warfare, it may not be true in guerrilla or counterinsurgency warfare. In Vietnam, for example, a captive might have been dressed as a local civilian rather than in military uniform. Also, women and children were not generally regarded as PWs, but placing them in their proper category proved to be a problem.

In combat, classifying captives as PWs is difficult or impossible. Therefore, treat *all captives* as PWs until you verify their status.

CUSTOMARY LAWS OF WAR

Centuries of warfare have developed unwritten laws governing the conduct of war. Known as the *customary laws of war*, they stem from the lessons of history. They attempt to limit human suffering and destruction of non-military targets. They also provide for humane treatment of all individuals under military control.

The *Geneva Convention* adds to the customary laws of war but do not replace them. Where the *Convention* is not specific, the customary laws of war govern actions.

US LAWS AND GUIDELINES

THE UNIFORM CODE OF MILITARY JUSTICE

The *Uniform Code of Military Justice (UCMJ)*, which sets minimum standards of conduct for all US military personnel, continues

to apply to you if you are captured. The *UCMJ* provides legal authority to enforce a captured commander's or senior-ranking person's orders.

Article 105 of the *UCMJ* prohibits a PW from improving his condition at the expense of fellow prisoners. Examples include revealing escape plans or disclosing secret caches of food, equipment, or arms of other PWs. A PW who is in a position of authority and mistreats other PWs is also chargeable under Article 105. The mistreatment can range from striking a PW to depriving him of benefits without justifiable cause.

Also, Article 104 of the *UCMJ* prohibits aiding the enemy by giving him intelligence or engaging in unauthorized communication. The offense occurs the moment the service member relays the communication, whether it reaches its destination or not. The means of communication, whether direct or indirect, has no bearing on the issue of guilt.

THE US CODE OF CONDUCT

The *US Code of Conduct* provides a form of mental defense if you are captured during conflict. It is a guide for you to use to resist illegal PW practices. It supports the intent of the *Geneva Convention* by preventing use of PWs to further the enemy war effort.

The *Code* applies to all members of the active forces or reserve components. It dates back to the Revolutionary War; however, the current, revised *Code* stems from the experiences of American prisoners during the Korean and Vietnam Wars. Two influences prompted the revision: isolated incidents of improper actions by US prisoners and the new aspect of PW treatment—exploitation by the enemy.

The *US Code of Conduct* consists of six articles and accompanying explanations. You should be familiar with the *Code* and not take it lightly. The *Code* holds that an American fighting soldier should be ready to give his life for his country. As a US PW, you must follow these guidelines:

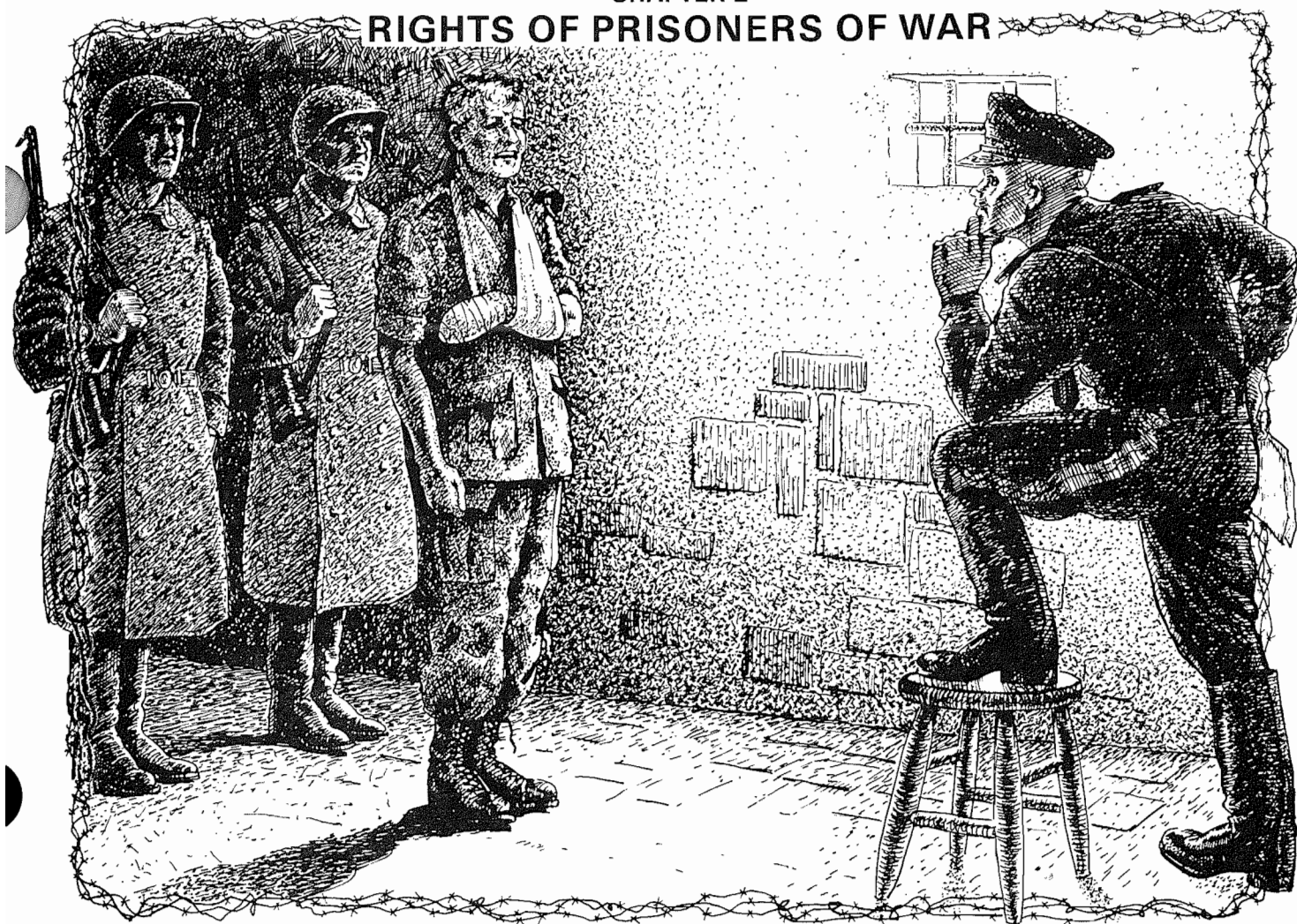
- Never surrender of your own free will.
- If captured, make every effort to escape.

- Make no agreements to obtain parole or accept special favors.
- Keep faith with fellow prisoners.
- If you are the senior-ranking prisoner eligible for command, whether officer or enlisted, assume command (secretly, if necessary) within a PW camp or within a group of PWs, regardless of service.

- Obey the lawful orders of your superiors, regardless of service.

Following these guidelines requires that you give only your name, rank, social security number, and date of birth. You must resist, avoid, or evade, to the best of your ability, all enemy efforts to obtain statements or actions which further the enemy's cause.

RIGHTS OF PRISONERS OF WAR



Experience shows that if you are aware of your rights and duties, you get better treatment than other prisoners. Increased awareness also helps end illegal PW practices. Article 13 of the *Geneva Convention Relative to the Treatment of PWs*, for example, provides that PWs “must at all times be protected, particularly against acts of violence or intimidation, and against insults and public curiosity.”

The detaining power may not ask or force you to give up any rights under the *Convention*. Further, a party to the *Convention* can make no agreements or arrangements that deprive its own personnel, or the personnel of any other party to the *Convention*, of their rights and privileges.

PROTECTION

The *Convention* prohibits the detaining power from holding you in areas exposed to fire in the combat zone. The detaining power must evacuate you from the battle area as swiftly, safely, and humanely as possible. It may not use your presence to protect areas from military operations. For example, a detaining power cannot keep you in a place as a means of preventing the enemy from bombing it. It must tell the enemy the location of PW camps. When military considerations permit, the detaining power must mark the camps with letters large enough to be seen clearly from the air.

PROPER TRANSPORT

The detaining power must ensure that you have food, safe drinking water, clothing, and medical attention during a transfer. The transit or screening camps through which you pass must meet the same general requirements as permanent camps.

Within a week after you reach a PW camp, the detaining power must send a message on the standard capture card (see below). The detaining power should also forward a copy of this card to the Central Prisoner of War Information Agency. This is a clearing house operated by the International Committee of the Red Cross in Geneva. The detaining power must also notify this agency whenever a prisoner transfers to another camp or hospital.

SEPARATION

The detaining power must separate you along with other PWs in camps or compounds according to your nationality, language, and customs. PWs from the same armed forces must remain together unless they agree to the separation. Every camp must have copies of the *Conventions*, in each PW's language, posted in places where prisoners can read them. All camp notices, regulations, and orders must be in a language the PWs understand.

CAPTURE CARD	
<p style="text-align: center;">PRISONER OF WAR MAIL POSTAGE FREE</p> <p style="text-align: center;">CAPTURE CARD FOR PRISONER OF WAR</p> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; padding: 5px;"> <p style="text-align: center;">IMPORTANT</p> <p>This card must be completed by each prisoner immediately after being taken prisoner and each time his address is changed (by reason of transfer to a hospital or to another camp).</p> <p>This card is distinct from the special card which each prisoner is allowed to send to his relatives.</p> </div> <div style="width: 50%; padding: 5px; text-align: center;"> <p>CENTRAL PRISONERS OF WAR AGENCY</p> <p>INTERNATIONAL COMMITTEE OF THE RED CROSS</p> <p>GENEVA</p> <p>SWITZERLAND</p> </div> </div>	<p>Write legibly and in block letters 1. Power on which the prisoner depends _____</p> <p>2. Name _____ 3. First names (in full) _____ 4. First name of father _____</p> <p>5. Date of birth _____ 6. Place of birth _____</p> <p>7. Rank _____</p> <p>8. Service number _____</p> <p>9. Address of next of kin _____</p> <p>*10. Taken prisoner on: (or) Coming from (Camp No., hospital, etc.) _____</p> <p>*11. (a) Good health—(b) Not wounded—(c) Recovered— (d) Convalescent—(e) Sick—(f) Slightly wounded— (g) Seriously wounded.</p> <p>12. My Present address is: Prisoner No. _____ Name of camp _____</p> <p>13. Date _____ 14. Signature _____</p> <p><small>*Strike out what is not applicable—Do not add any remarks—See explanations overleaf.</small></p>
Front	Reverse side

CAMP INSPECTION

According to the *Geneva Convention Relative to the Treatment of PWs*, a protecting power must periodically inspect PW camps. The detaining power must do nothing to discourage or hinder the inspections. They must let you appeal to the inspectors for help in correcting violations of this *Convention*.

FAVORABLE WORK CONDITIONS

The working conditions for you as an employed PW must be at least as favorable as those of the detaining power's forces under similar circumstances. The detaining power's laws for the safety and protection of workers apply to you.

If you are an officer, you may request work; camp officials may not force you to work. If you are a noncommissioned officer (NCO), you shall only be required to supervise, but you may request other kinds of work.

As a working prisoner, you get paid for your services. Your work cannot harm your health, and it may not have any military character or purpose. You may not perform any humiliating or hazardous work such as removing mines or booby traps. You may rest for one hour during a full work day and may work no more than six days per week. Camp officials should not force you to work when ill or in poor physical condition.

If you are an enlisted prisoner, you may be compelled to perform certain kinds of work as described in the *Convention* in areas such as—

- Administration, maintenance, and construction of the camp.
- Agriculture.
- Industries connected with raw materials and manufacturing (but not metallurgical, chemical, or machinery industries).
- Public works and construction that have no military character or purpose.
- Transport and handling of stores that are not military in character or purpose.
- Public utility services having no military character or purpose.

- Commercial business and arts and crafts.
- Domestic service.

PERSONAL EFFECTS

As a PW, you keep all your personal effects, including your clothing and mess gear, insignia of rank or nationality, decorations, identification cards, and articles of sentimental value, even during transit from one camp to another. Medical personnel can retain aid bags. Only officers may order you to give up your money or valuables. In all such cases, captors must give you receipts. You must keep your protective masks, metal helmets, and other items issued for personal protection. Of course, this does not include arms, military equipment, or military documents.

MAIL

Camp officials must allow you, as soon as possible after your capture, to inform your family of your whereabouts and health. You have the right to send letters as frequently as the captor's censorship and postal facilities allow. You may also receive letters and relief packages forwarded through neutral agencies.

MILITARY PAY

You continue to accrue your military pay during captivity. Normally, the US government holds it for you until your release. The detaining power must provide you a *monthly advance of pay*, a stated sum that varies according to rank.

QUARTERS

The *Geneva Conventions* declare that "prisoners of war shall be quartered under conditions as favorable as those for the forces of the detaining power who are billeted in the same area." These are the minimum standards of treatment. Camp conditions may never endanger your health.

CLOTHING

The detaining power must provide clothing, underwear, footwear, and work clothing, and must mend or replace these items regularly. If possible, the detaining power should supply clothing from stocks of uniforms captured from your own forces.

FOOD

To the extent possible, every camp should establish a canteen where you can buy foodstuffs, soap, tobacco, and ordinary articles in daily use. Prices can be no higher than those charged civilians in the area. Any profits are for the benefit of the prisoners.

The 1929 Prisoner of War Convention provided that prisoners get the same rations as troops of the detaining power. During World War II, however, this proved unrealistic. For example, American and British prisoners in the Far East could not easily digest the fish head and rice part of the diet that their Japanese captors provided.

In 1949 the Prisoner of War Convention was revised to state that food must be "sufficient in quantity, quality and variety" to keep the prisoners in good health without loss of weight. Further, the detaining power must consider the dietary habits of all prisoners. It must provide mess halls and kitchens where prisoners can assist in preparing their own food. Restricting food as a form of mass punishment is forbidden.

The captor must also furnish sufficient safe drinking water and must allow prisoners to use tobacco if they wish.

HEALTH AND MEDICAL CARE

The *Geneva Convention* include detailed provisions for meeting your health and medical needs. They ensure at least a minimum standard of health. For example, camps must include adequate latrines, showers, and laundry facilities. According to the *Geneva Convention Relative to the Treatment of PWs*, the captor "shall be bound to take all sanitary measures necessary to ensure the cleanliness and healthfulness of camps and to prevent epidemics."

Every camp shall have an adequate infirmary. In the infirmary, you should receive treatment from medical personnel from your own captured forces, if possible. Sick call must occur regularly. Camp officials must conduct medical inspections of PWs at least monthly. Such inspections will include periodic X-ray examinations for tuberculosis and tests for other infections and contagious diseases.

Captors should let captured medical personnel visit prisoners inside and outside enclosures. They fit into the special category of retained persons and must perform only the duties of their profession for the benefit of prisoners.

RELIGIOUS, RECREATIONAL, AND INTELLECTUAL ACTIVITIES

Camp officials must allow you to attend services of your faith and otherwise practice your religion. They must allow chaplains, who are considered retained persons, to perform only the duties of their profession for the benefit of prisoners. Chaplains should have maximum freedom to minister to the religious needs of prisoners.

Camp officials must also allow you the right to exercise, including playing sports and games, and to participate in intellectual and educational activities.

Article 80 of the *Geneva Conventions* provides for the establishment of PW organizations for welfare and morale purposes. All PWs should organize for activity such as studies, sports, and other recreation.

FAIR TRIAL

You must be tried in the same court and according to the same procedures as members of the armed forces of the detaining power. Regardless of the charge, you may not get a sentence more severe than a member of the detaining power's forces could receive for the same offense. If you are charged with an offense requiring a trial, a military court hears

the case. The only exception is if a member of the detaining power's forces commits an offense and would be tried in civil court, you could also be tried in civil court for a similar offense. You have a right to appeal as provided under laws that apply to the detaining power's armed forces. You may not be punished more than once for the same act or on the same charges.

Additional safeguards include your right to counsel, advance knowledge of the charges, the services of a competent interpreter, and ample time for preparation of the defense. The detaining power must provide advance notice of a trial to a representative of your protecting power as he is entitled to attend the proceedings.

SUITABLE DISCIPLINARY PUNISHMENT

Whenever discipline is imposed, PWs should know the rights afforded them by the *Convention*.

FORMS OF PUNISHMENT

Under the *Geneva Convention*, whenever possible, you should get the lightest punishment authorized for a violation. The *Geneva Convention* lists forms of disciplinary punishment suitable for minor offenses. Disciplinary punishment may include—

- Fines up to one-half of your advance of pay and working pay for not more than 30 days.
- Withdrawal of any privileges granted beyond those required by the *Geneva Convention* (no *required* privilege may be withdrawn).
- Not more than two hours a day of fatigue duty such as kitchen police, fire watch, or other tasks performed outside normal duty hours for the common welfare of the PWs (officers may not be forced to work).
- Simple confinement for not more than 30 days.

LIMITATIONS ON PUNISHMENT

Even when your captors find you guilty of several minor offenses in the same proceedings,

the *Geneva Convention* limits the disciplinary punishment to 30 days. If you receive consecutive 30-day sentences, at least 3 days must elapse between sentences. You must be informed of the offense and have an opportunity to defend yourself. You may also call witnesses to testify on your behalf.

In addition, captors cannot give you undue punishment if you escape and get recaptured. The attempt to escape is not a criminal offense and entails only disciplinary punishment. If, when trying to escape, you commit a minor crime to help you escape, such as forging identification papers or stealing civilian clothes, you may be appropriately disciplined. However, the fact that you were trying to escape is not an excuse to impose extra punishment. If you help a fellow prisoner escape, you are subject only to disciplinary punishment, unless your participation includes violence or acts not solely to aid the escape.

Even during disciplinary punishment, you must receive medical attention. The camp commander must also allow you time to read and write and at least two hours of open-air exercise each day.

DISTRIBUTION OF PUNISHMENT

Only the camp commander or a designated representative can impose disciplinary punishment. He cannot delegate this power to a prisoner, regardless of grade. The camp commander records all punishments. He must make these records available for the representative of the protecting power to inspect.

ORGANIZATION

PRISONERS' REPRESENTATIVE

Organization in a PW camp is very important. Prisoners need a solid structure that allows them to be responsible to someone or for something. The *Geneva Convention Relative to the Treatment of PWs* authorizes establishment of PW organizations. The organizations normally are responsible to the prisoners'

representatives. For US PWs, the senior officer among the PWs becomes the prisoners' representative.

A detaining power may seek to damage morale or weaken certain PW organizations by trying to install a cooperative prisoner as the prisoners' representative. In camps with no officers, camp authorities may refuse to accept the senior representative. They may demand more elections until nomination of a weak person appropriate for the detaining power's purposes. They design these tactics to break down the prisoners' internal control. US policy, however, is that the senior person is always in charge.

Under provisions of the *Geneva Convention*, the prisoners' representative monitors the physical, spiritual, and intellectual well-being of the prisoners. He represents them before the military authorities of the detaining power, the protecting power, the International Committee of the Red Cross, and any other outside organization that may assist the prisoners. Various committees should be established to deal with the general problems of camp administration.

SENIOR RANKING OFFICER

According to the *US Code of Conduct* and for their own benefit, PWs should organize in a military manner under the senior person eligible for command, the senior ranking officer (SRO). He can be either an officer or enlisted soldier. The SRO should assume command within the camp or within a group of prisoners according to rank. He should do so regardless of branch of military service.

The *US Code of Conduct* (Article IV) places clear responsibility of command squarely on the shoulders of the senior ranking person. Sub-

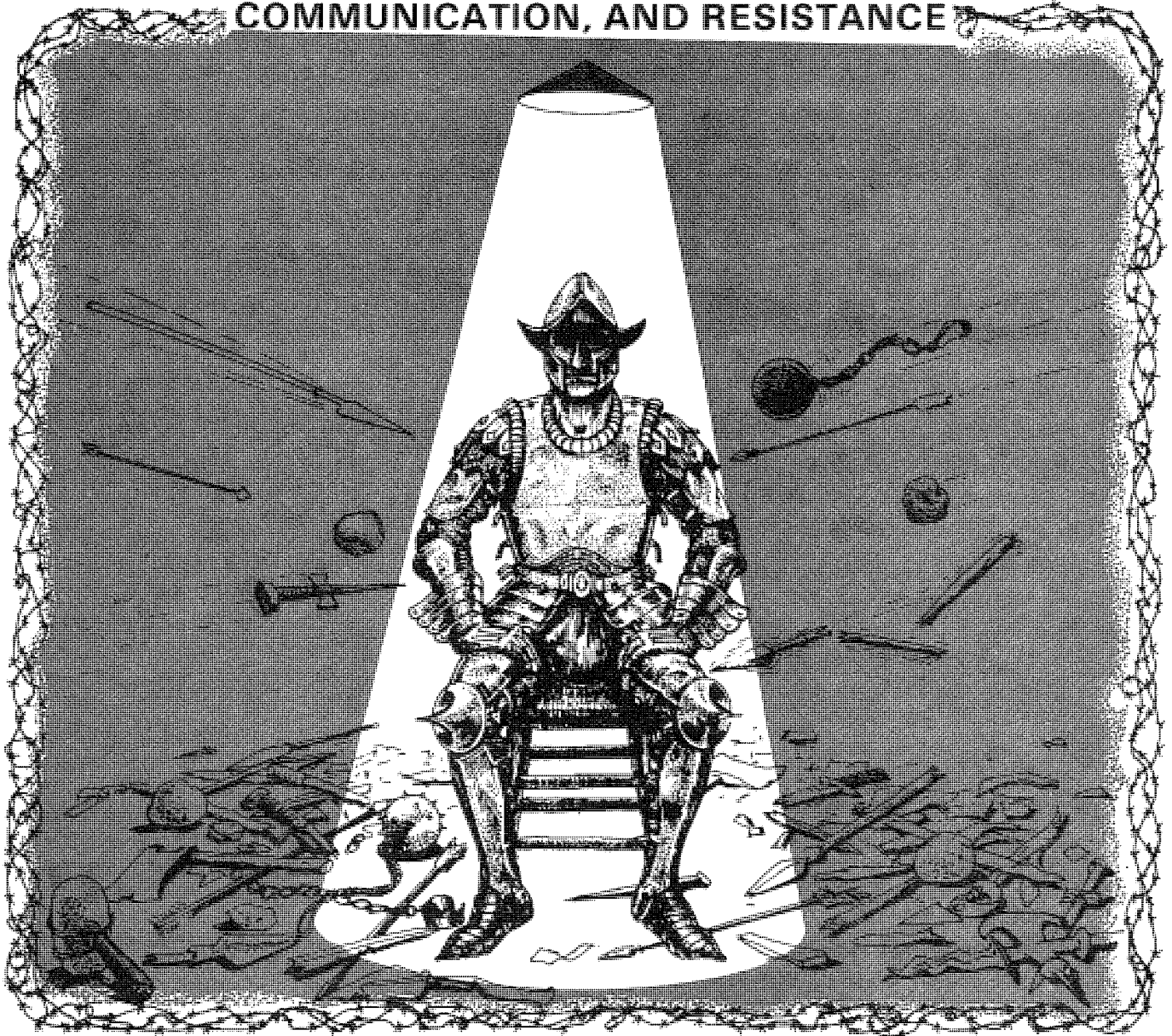
ordinates must obey the orders of the SRO. The SRO should ensure proper behavior of those under him. Enlisted prisoners must salute officers of the detaining power and show them the same respect required by their own forces. Officer prisoners must salute higher-ranking officers of the detaining power and the camp commander, regardless of his rank. Prisoners may wear their decorations and rank insignia.

If for any reason the senior person is unable to act, the next senior person must assume command. Chaplains and medical personnel are normally ineligible for command because of the nature of their duties and the special protected status accorded them under the *Conventions*.

Common sense and camp conditions determine how the SRO and other prisoners organize and carry out their responsibilities. The SRO must inform the other prisoners that he is taking command. He must designate the chain of command and inform all prisoners of it so they can identify the representatives who deal with enemy authorities. He must ensure that PWs in his organization understand their duties and the chain of command.

The enemy probably knows about the *US Code of Conduct* and the duties and responsibilities it imposes on the SRO. Experience shows that PWs most likely can have an SRO and a command organization only secretly; that is, the organization will be unknown to camp authorities. The enemy may not allow an organization—based on the normal military command structure—to form or function openly. In that case, the organization may elect prisoner's representatives. However, even if such representatives are elected, the SRO must continue to secretly exercise military command authority over all PW matters.

CHAPTER 3
GUIDELINES FOR INTERROGATION,
COMMUNICATION, AND RESISTANCE



You must resist, avoid, or evade, to the best of your ability, all enemy efforts to secure statements or actions which further the enemy's cause. The *Geneva Convention* requires that you give only your name, rank, social security number, and date of birth. If you unwillingly or accidentally disclose unauthorized information, you must regroup, renew resistance, and use a fresh approach or an alternate line of mental defense.

INTERROGATION

If you are captured, you must know certain things about the interrogation process. Your captors must question you in a language you understand. They must not use physical or mental torture or other coercion to obtain information nor should they punish you if you fail to respond. Most countries issue identification cards to members of their armed forces. Although PWs must show them to their captors on demand, as a PW, you have the right to keep your card.

Captors view PWs as valuable sources of military information and propaganda and will use every bit of information for their own purposes. Therefore, during enemy interrogation, indoctrination, and other exploitation attempts, you should follow the guidelines below—

- Give only your name, rank, service number, and date of birth.
- Be respectful but not give the impression that you are willing to cooperate through politeness. Such an impression might prolong the interrogation.
- Act ignorant of possessing information useful to the enemy.
- Be aware of informants such as prison camp medical personnel who may be used to collect information.
- Do not reveal knowledge of the enemy's language; your concealed understanding of their language may help you escape.
- Do not believe that fellow prisoners have talked. This is a common procedure to catch prisoners off guard and encourage them to talk.
- Avoid looking the interrogator directly in the eye. Your eyes can give information even if you do not answer directly. Select a spot between the interrogator's eyes or on his forehead and concentrate on it.
- Be courteous but firm in refusing to give information during interrogation.
- Salute all senior officer interrogators.
- Never give information about other prisoners. If a fellow prisoner is mentioned during interrogation, report the circumstances to your

superior. The other prisoner may be under surveillance. Information from one PW may be used against the other.

- Do not try to impress interrogators by boasting of exploits, either true or invented.
- Do not be tricked into filling out innocent-looking questionnaires or writing statements that require more than name, rank, service number, and date of birth.
- Do not attempt to deceive the enemy by volunteering false information. A skilled interrogator is able to extract needed information once you start talking on the subject.
- Stay confident of yourself, your family, your unit, your country, and your religion. Above all, keep the will to survive.

COMMUNICATION

As a PW you are not supposed to provide information to your captor. However, to expect you to remain confined for years without some communication with the enemy is unrealistic. Certain types of communications are acceptable. You should know these exceptions and exercise great caution when communicating with the enemy.

You may, when appropriate, talk to captors on matters of health and welfare. Medical personnel may communicate with the detaining power concerning medical requirements, sanitary conditions, and related matters. The SRO has a duty to represent prisoners in matters of camp administration, health, welfare, and grievances.

You may also communicate with your families through letters. However, you must understand that the enemy will read them and may distort and use the information to demoralize you, your family at home, and your comrades in the field. Thus, if you become a PW, you should keep personal correspondence brief and general.

RESISTANCE

Under the *Geneva Convention*, the detaining power cannot subject a prisoner to physical or mental torture, or any other force, to secure information. However, do not rely on the enemy to abide by the *Geneva Convention*. If you are captured and tortured, you must resist, avoid, or evade, to the best of your ability, all enemy efforts to obtain statements or actions that will help the enemy. Examples of statements or actions to resist that are harmful to the US, its allies, or other prisoners, include—

- Oral or written confessions.
- Questionnaires or personal history statements.
- Propaganda recordings and broadcasts.
- Appeals to other PWs and appeals for surrender or peace.

- Engagement in self-criticism.
- Oral or written statements or communications on behalf of the enemy.

The enemy might use any confession or statement to convict you as a war criminal. It prolongs your right to repatriation until you serve a prison sentence.

If as a PW you unwillingly or accidentally disclose unauthorized information, you must regroup and renew resistance. You must use a fresh approach or a different line of mental defense. Experience shows that a prisoner with the will to resist can withstand intense levels of mistreatment even though enemy interrogation sessions are harsh and cruel.

REFERENCES

SOURCES USED

These are the sources quoted or paraphrased in this publication.

JOINT AND MULTISERVICE PUBLICATIONS

NWP 9/FMFM1-10. *The Commander's Handbook on the Law of Naval Operations*. 1989.

ARMY PUBLICATIONS

FM 27-10. *The Law of Land Warfare*. 1956.

DA Pam 27-1. *Treaties Governing Land Warfare*. 1956.

FM 27-2. *Your Conduct in Combat*. November 1984.

NON-MILITARY PUBLICATIONS

Pictet, Jean S. *Commentary to III Geneva Convention Relative to the Treatment of Prisoners of War*. 1960.

Levie, Howard S. *Prisoners of War in International Armed Conflict; International Law Series*, Vol. 59.

Levie, Howard S. *Documents on Prisoners of War; International Law Series*, Vol. 60.

READINGS RECOMMENDED

These readings contain relevant supplemental information.

Shindler/Toman, ed. *The Laws of Armed Conflict*. 1988.

TC 27-10-2
17 SEPTEMBER 1991

By Order of the Secretary of the Army:

GORDON R. SULLIVAN
General, United States Army
Chief of Staff

Official:

PATRICIA P. HICKERSON
Brigadier General, United States Army
The Adjutant General

DISTRIBUTION: Active Army, USAR and ARNG: To be distributed in accordance with Da Form 12-11E, requirements for TC 27-10-2, Prisoners of War, (Qty rqr block no. 1373).