

Joint Publication 3-63



Detainee Operations



30 May 2008



PREFACE

1. Scope

This publication provides guidelines for planning and executing detainee operations. It outlines responsibilities and discusses organizational options, and command and control considerations across the range of military operations.

2. Purpose

This publication has been prepared under the direction of the Chairman of the Joint Chiefs of Staff. It sets forth joint doctrine to govern the activities and performance of the Armed Forces of the United States in operations and provides the doctrinal basis for interagency coordination and for U.S. military involvement in multinational operations. It provides military guidance for the exercise of authority by combatant commanders and other joint force commanders (JFCs) and prescribes joint doctrine for operations and training. It provides military guidance for use by the Armed Forces in preparing their appropriate plans. It is not the intent of this publication to restrict the authority of the JFC from organizing the force and executing the mission in a manner the JFC deems most appropriate to ensure unity of effort in the accomplishment of the overall objective.

3. Application

a. Joint doctrine established in this publication applies to the commanders of combatant commands, subunified commands, joint task forces, subordinate components of these commands, and the Services.

b. The guidance in this publication is authoritative; as such, this doctrine will be followed except when, in the judgment of the commander, exceptional circumstances dictate otherwise. If conflicts arise between the contents of this publication and the contents of Service publications, this publication will take precedence unless the Chairman of the Joint Chiefs of Staff, normally in coordination with the other members of the Joint Chiefs of Staff, has provided more current and specific guidance. Commanders of forces operating as part of a multinational (alliance or coalition) military command should follow multinational doctrine and procedures ratified by the United States. For doctrine and procedures not ratified by the United States, commanders should evaluate and follow the multinational command's doctrine and procedures, where applicable and consistent with U.S. law, regulations, and doctrine.

For the Chairman of the Joint Chiefs of Staff:



STEPHEN M. GOLDFEIN
Major General, USAF
Vice Director, Joint Staff

TABLE OF CONTENTS

	PAGE
EXECUTIVE SUMMARY	vii
CHAPTER I	
INTRODUCTION	
• Background	I-1
• Policy	I-1
• Legal Considerations	I-2
• Detainee Categories	I-3
CHAPTER II	
ROLES AND RESPONSIBILITIES	
• Secretary of Defense	II-1
• Secretaries of the Army, Navy, and Air Force	II-1
• Chairman of the Joint Chiefs of Staff	II-1
• Combatant Commanders	II-2
• Joint Force Commanders	II-2
• Component Commanders	II-3
• Commander, Detainee Operations	II-3
• Detention Facility Commander	II-4
• Joint Interrogation and Debriefing Center Commander	II-5
• Intelligence Analysts, Human Intelligence Collectors, Interpreters, and Translators	II-6
• Joint Force Intelligence Directorate Counterintelligence and Human Intelligence Staff Element Officer and Collection Manager	II-8
• Civil Affairs Officer	II-8
• Psychological Operations Officer	II-8
• Medical Officer/Surgeon	II-9
• Staff Judge Advocate/Legal Advisor	II-10
• Chaplain	II-10
• Engineer	II-10
• Interagency Representatives	II-11
• Multinational/Allied Representatives	II-11
• Inspector General	II-11
• Joint Force Command Public Affairs Officer	II-11

CHAPTER III
PLANNING FOR DETAINEE OPERATIONS

- Introduction III-1
- Detainee Operations Planning III-4
- Internment Serial Number III-5
- Operational Considerations III-6
- Detainee Control and Discipline III-10
- Treatment and Protection of Detainees III-11
- Use of Force III-12
- Training for Detainee Operations III-14

CHAPTER IV
CAPTURE AND INITIAL DETENTION AND SCREENING

- Background IV-1
- Principles of Detention and Screening IV-1
- Procedures IV-6

CHAPTER V
TRANSPORT PROCEDURES

- Background V-1
- Procedures V-1
- In-transit Operations for Escort Missions V-2
- Detainee Movement by Land Transportation V-2
- Detainee Movement by Maritime Transportation V-2
- Detainee Movement by Air Transportation V-2

CHAPTER VI
THEATER OR STRATEGIC INTERNMENT FACILITY

- General VI-1
- Background VI-1
- Organization VI-2
- Facility Operations VI-2
- Reception of Detainees VI-2

CHAPTER VII
TRANSFER OR RELEASE FROM DETENTION

- General VII-1
- Detainee Classification VII-2
- Review and Approval Process VII-2
- Transfer to Established Recognized National Authority, Allied Facilities, or
Inter-Service Agencies VII-2
- Transfer Between Department of Defense Facilities VII-3
- Transfer or Release Mission VII-4

APPENDIX

- A Detention Facility Riot Control Measures A-1
- B Detainee Reporting System B-1
- C References C-1
- D Administrative Instructions D-1

GLOSSARY

- Part I Abbreviations and Acronyms GL-1
- Part II Terms and Definitions GL-3

FIGURE

- I-1 Detainee Categories I-4
- III-1 Detainee Operations Command and Control Model Within
the Joint Operations Area III-2
- III-2 Detainee Operations Planning Considerations III-4
- III-3 Internment Serial Numbers III-5
- III-4 Use of Force Continuum III-13
- IV-1 Detainee Collection Point IV-2
- IV-2 Detainee Holding Area IV-3
- VII-1 Transfer Accountability Measures VII-5

Intentionally Blank

EXECUTIVE SUMMARY COMMANDER'S OVERVIEW

- **Provides a General Overview of Detainee Operations**
- **Details the Roles and Responsibilities for Detainee Operations**
- **Summarizes the Detainee Operations Planning Process**
- **Discusses Capture, Initial Detention, Screening, and Transport of Military Detainees**
- **Covers Long-Term Detention**
- **Explains Detainee Transfer or Release from Detention**

General

Members of the Armed Forces of the U.S. must be prepared to detain a wide array of individuals.

U.S. forces must be prepared to properly control, maintain, protect, and account for all categories of detainees in accordance with applicable U.S. law, the law of war, and applicable U.S. policy. The challenges of today's security environment and the nature of the enemy require clear operational and strategic guidance for detainee operations in a joint environment.

Department of Defense Directive (DODD) 2310.01E, *The Department of Defense Detainee Program* establishes the overarching Department of Defense (DOD) detainee policy and directs that all detainees shall be treated humanely at all times during all armed conflicts, however characterized, and in all other military operations.

The standards of treatment set forth in the directive apply to all DOD components and DOD contractors assigned to or supporting the DOD components engaged in, conducting, participating in, or supporting detainee operations. These standards also apply to all non-DOD personnel as a condition of permitting access to internment facilities or to detainees under DOD control.

Inhumane treatment of detainees is prohibited by the Uniform Code of Military Justice, domestic and international law, and DOD policy. There is no exception to this humane treatment requirement. Accordingly, the stress of combat operations, the need for intelligence, or deep provocation by captured and/or detained personnel does not justify deviation from this obligation.

Often referred to as the law of armed conflict, the law of war encompasses all international law for the conduct of hostilities binding on the United States or its individual citizens, including treaties and international agreements to which the United States is a party. The four Geneva Conventions of 1949 are fully applicable as a matter of international law to all military operations that qualify as international armed conflicts. These treaties are intended to provide comprehensive humanitarian standards for the treatment of war victims without discrimination.

Detainees are characterized in three categories.

There are three categories of detainees. **Enemy combatants** are personnel engaged in hostilities against the United States or its coalition partners during an armed conflict. **Retained personnel** are enemy medical personnel and medical staff administrators who are engaged in either the search for, collection, transport, or treatment of the wounded or sick, or the prevention of disease; chaplains attached to enemy armed forces; or the staff of national Red Cross Societies and that of other volunteer aid societies duly recognized and authorized by their governments to assist medical service personnel of their own armed forces, provided they are exclusively engaged in the search for, or the collection, transport, or treatment of, the wounded or sick, or in the prevention of disease, and provided that the staff of such societies are subject to military laws and regulations. **Civilian internees** are civilians who are interned during an armed conflict, occupation, or other military operation for security reasons, for protection, or because he or she has committed an offense against the detaining power.

Roles and Responsibilities

Within Department of Defense, the Under Secretary of Defense for Policy provides for the overall development, coordination, approval, and implementation of major policies and plans relating to detainee operations.

The Secretary of the Army is the designated DOD executive agent for the administration of the DOD detainee program. Combatant commanders are responsible for planning, execution, and oversight of detainee operations in accordance with DODD 2310.01E. Subordinate joint force commanders (JFCs) and component commanders are primarily responsible for ensuring that detainees are treated humanely at all times; that policies relating to detainee operations are effectively implemented and monitored, and that measures are in place to ensure compliance; and that personnel conducting detainee operations understand their respective roles and responsibilities.

The Chairman of the Joint Chiefs of Staff provides appropriate oversight to the combatant commanders to ensure their detainee operations policies and procedures are consistent with DODD 2310.01E and

that operational exercises routinely test the capabilities of the DOD components to conduct, participate in, and support detainee operations.

The commander, detainee operations (CDO) is typically responsible for all detention facility and interrogation operations within the joint operations area (JOA). The detention facility commander (DFC) is the commander and/or chief responsible for the execution of all detention facility operations. The joint interrogation and debriefing center (JIDC) commander is the officer responsible to the CDO for all matters relating to interrogation, intelligence collection and reporting, and interaction with other agencies involved in the intelligence and/or evidence gathering process. Other individuals with specific responsibilities regarding detainee operations are intelligence analysts, human intelligence (HUMINT) collectors, interpreters and translators, the HUMINT/counterintelligence officer and collection manager, civil affairs officers, psychological operations officers, medical officers/surgeons, staff judge advocate/legal advisors, chaplains, engineers, interagency representatives, multinational and/or allied representatives, inspectors general and JFC public affairs officers.

Planning for Detainee Operations

The joint force commander (JFC) must consider a plan for detainee operations within the joint operations area early in the planning cycle.

The commander should analyze the wide array of logistical and operational requirements to conduct detainee operations. These requirements begin with the correct number and type of personnel on the ground to conduct the operation. Other requirements are the identification, collection, and execution of a logistical plan to support detainee operations throughout the JOA.

As with any operation, planning will set the conditions for the successful execution of detainee operations. To this end, commanders should establish planning mechanisms that ensure effective consideration of potential detainee-related issues and the development of plans and procedures to respond to these issues as early in the planning process as is feasible. Because detainee operations implicate operations, intelligence, logistic, personnel services, and information aspects of the mission, this planning process requires coordinated efforts from all members of the staff potentially impacted by detainee operations.

Maintaining control and discipline within a detention facility is an essential component of detention operations. JFCs shall ensure that DFCs establish procedures for detainee control and discipline.

Planning and preparing for the use of force is a necessary element in maintaining order.

JFCs will ensure that detainee facility security personnel are prepared to employ the effective use of force when necessary to protect themselves, other members of the force, or detainees.

When U.S. forces conduct detainee operations governed by the Geneva Conventions, they must possess the text of the applicable conventions and be specially instructed as to their provisions. Pursuant to this obligation, JFCs are responsible to ensure the effective routine review of detention operations and related training to enhance compliance with applicable law and policy.

Capture, Initial Detention, Screening, and Transport of Military Detainees

The tactical commander ensures the necessary steps are taken when handling detainees.

Once the capture of individuals has occurred, the proper identification and classification of those personnel remain critical to the overall intelligence and detainee identification effort.

Capture.

Consistent with long-standing military practice, individuals captured or detained by U.S. forces must be evacuated expeditiously through transit points to reach an internment facility in a secure area. Capturing units conduct tactical questioning (TQ) for combat information relative to the commander's critical information requirements.

Initial Detention.

When captured, detainees will normally be held at the detainee collection point (DCP) pending their immediate evacuation. Detainees should be transported from the DCP to the detainee holding area (DHA) as soon as practicable. Upon arrival at the DHA, HUMINT collectors shall normally screen all arriving detainees to determine those suspected of possessing information of immediate tactical value.

Screening.

The tactical commander ensures the necessary steps are taken when handling detainees. Units below battalion shall be trained on how to conduct TQ and make recommendations to military intelligence personnel on potential interrogation targets.

DFCs will establish policies and procedures for the detention and interrogation of detainees in the detention facility. Such policies must be consistent with applicable law and policy.

Transport.

The coordination for transportation of detainees is the responsibility of the detaining power and is a task that must be performed by military personnel. Given the array of transportation methods and the variety of arrangements, no single instruction can feasibly outline all tactics, techniques, and procedures to be used throughout all detainee escort

missions. Therefore, it is necessary for commanders, security elements and other personnel to use their best judgment when selecting a course of action to accomplish this task.

Long-Term Detention

The JFC must plan for long-term internment operations.

Theater or strategic internment facilities (TIFs/SIFs) are a permanent or semipermanent facilities with the capability of detaining detainees for an extended period of time. A TIF/SIF shall be considered for long-term internment under the condition that it is in full accordance with all applicable law and policy. The manpower intensive, close-quarters operation of a long-term internment facility requires special knowledge, training and skills of corrections specialists and support personnel. Facility operating procedures shall make allowance for the habits and customs of the detainees and shall in no case be prejudicial to their health.

Transfer or Release from Detention

The JFC should ensure that all transfer or release operations are conducted in accordance with applicable law and policy.

The JFC determines air, land or sea transportation requirements for transfer and/or release operations to the point of capture through the unit responsible for that joint operational area. The JFC also establishes the command and control relationship between all elements involved in transfers and/or release operations.

For transfer or release authority of U.S.-captured detainees, the Secretary of Defense or designee shall establish criteria for transfer or release and communicate those criteria to all commanders operating within the theater.

Reclassification or other situations may result in a detainee's transfer. The transferring unit shall determine appropriate security measures based on the type of detainee being transferred, the mode of transportation used, and other relevant conditions.

CONCLUSION

This publication provides fundamental guidance and principles for the planning and execution of military detainee operations at the combatant command and/or subordinate joint force level.

Intentionally Blank

CHAPTER I

INTRODUCTION

“American personnel are required to comply with all U.S. laws, including the United States Constitution, Federal statutes, including statutes prohibiting torture, and our treaty obligations with respect to the treatment of all detainees. The United States also remains steadfastly committed to upholding the Geneva Conventions, which have been the bedrock of protection in armed conflict for more than 50 years. These Conventions provide important protections designed to reduce human suffering in armed conflict. We expect other nations to treat our service members and civilians in accordance with the Geneva Conventions. Our Armed Forces are committed to complying with them and to holding accountable those in our military who do not.”

**President George W. Bush
President’s Statement to the United Nations
International Day in Support of Victims of Torture
26 June 2004**

1. Background

During the conduct of modern military operations, members of the Armed Forces of the United States must be prepared to detain a wide array of individuals. Some of these detained persons (hereafter referred to as detainees) will result from international armed conflict and will fall into the conventional category of enemy prisoner of war (EPW). Other categories of detainees, however, will likely result from military operations that are not typically considered international armed conflict (humanitarian assistance/disaster relief, peacekeeping operations, noncombatant evacuation operations, etc.) or may result from the particular conduct (criminal) or status of the detainee (unlawful enemy combatants [ECs], civilians, etc.). Regardless of the detainees’ legal status, U.S. forces must treat all detainees humanely and be prepared to properly control, maintain, protect, and account for detainees in accordance with (IAW) applicable U.S. law, the law of war, and applicable U.S. policy. The challenges of today’s security environment and the nature of the enemy require clear operational and strategic guidance for detainee operations in a joint environment.

2. Policy

Department of Defense Directive (DODD) 2310.01E, *The Department of Defense Detainee Program*, establishes overarching Department of Defense (DOD) detainee policy. The directive requires humane treatment of all detainees during all armed conflicts, however characterized, and in all other military operations. The standards of treatment set forth in the directive apply to all DOD components and DOD contractors assigned to or supporting the DOD components engaged in, conducting, participating in, or supporting detainee operations. These standards also apply to all non-DOD personnel as a condition of permitting access to internment facilities or to detainees under DOD control.

a. Because the treatment standard applies from the point of capture throughout detention, it is imperative that DOD personnel and contractor employees receive training on detainee operations. Inhumane treatment of detainees is prohibited by the Uniform Code of Military Justice, domestic and international law, and DOD policy. There is no exception to this humane treatment requirement. Accordingly, the stress of combat operations, the need

for intelligence, or deep provocation by captured and/or detained personnel does not justify deviation from this obligation.

b. All DOD personnel (military and civilian personnel) and contractor employees who obtain information about a “reportable incident” as set forth in DODD 2311.01E, will immediately report the incident through their chain of command or supervision. A “reportable incident” is “a possible, suspected, or alleged violation of the law of war, for which there is credible information, or conduct during military operations other than war that would constitute a violation of the law of war if it occurred during an armed conflict.” Reports also may be made through other channels, such as the military police (MP), a judge advocate, or an inspector general, who will then forward a report through the appropriate chain of command. Reportable incidents should be investigated, and where appropriate, remedied by disciplinary or administrative action. On-scene commanders will ensure that measures are taken to preserve evidence of alleged violations pending investigation by U.S., coalition, allied, or other appropriate authorities. (DODD 2311.01E, *DOD Law of War Program*, May 9, 2006, paragraph 4.5.)

3. Legal Considerations

a. As a subset of military operations, detainee operations must comply with the law of war during all armed conflicts, however such conflicts are characterized, and in all other military operations. Often referred to as the law of armed conflict, the law of war is that part of international law that regulates the conduct of armed hostilities and occupation.

b. The law of war encompasses all international law for the conduct of hostilities binding on the United States or its individual citizens, including treaties and international agreements to which the United States is a party, and applicable customary international law (DODD 2311.01E, paragraph 3.1; Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 5810.01C, paragraph 5.a.).

c. The four Geneva Conventions of 1949 are fully applicable as a matter of international law to all military operations that qualify as international armed conflicts. These treaties are intended to provide comprehensive humanitarian standards for the treatment of war victims without discrimination. The principles reflected in these treaties are considered customary international law, binding on all nations during international armed conflict. Although often referred to collectively as the “Geneva Conventions,” the specific treaties are:

(1) **Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (GWS)**. This convention provides protection for members of the armed forces and other persons on the battlefield who are no longer actively participating in hostilities as the result of becoming wounded or sick. It also regulates the conduct and treatment of medical and medical support personnel. It requires humane treatment for wounded and sick personnel who fall into enemy hands, with an express requirement that such individuals be: (1) protected against pillage and ill treatment,

and (2) provided necessary and adequate care. It also provides for the collection of dead persons and the recording of interment locations, and prohibits the abuse of remains.

(2) **Geneva Convention for the Amelioration of the Condition of Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea.** This convention requires the humane treatment and protection of members of the armed forces and other persons at sea who are wounded, sick, or shipwrecked. It also protects hospital ships and provides for burial at sea.

(3) **The Geneva Convention Relative to the Treatment of Prisoners of War (GPW).** This convention provides for the humane treatment of EPWs. It regulates the treatment of EPWs (care, food, clothing, medical care, and housing), discipline and punishment, labor and pay, external relations, representation, the international exchange of information, and the termination of captivity.

(4) **The Geneva Convention Relative to the Protection of Civilian Persons in Time of War (GC).** This convention deals with the protection of civilians who find themselves under the control of an enemy nation (normally during a period of belligerent occupation). It regulates the treatment of such civilians, including establishing procedures for the deprivation of liberty (arrest, internment, assigned residence); and it provides a legal framework for the relationship between civilians and the enemy authorities controlling them.

d. Multi-Service directive Army Regulation (AR) 190-8; Chief of Naval Operations Instruction (OPNAVINST) 3461.6; Air Force Instruction (AFI) 31-304; and Marine Corps Order (MCO) 3461.1, *Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees*, address legal considerations when conducting detainee operations. In addition, DODD 2310.01E, *The Department of Defense Detainee Program*, addresses legal issues regarding the reception, treatment, processing, and release of detainees.

e. Common Article 3 to the Geneva Conventions of 1949, as construed and applied by U.S. law, establishes minimum standards for the humane treatment of all persons detained by the United States, coalition, and allied forces. Common Article 3 prohibits at any time and in any place: “violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; taking of hostages; outrages upon personal dignity, in particular humiliating and degrading treatment; the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.”

4. Detainee Categories

The DOD definition of the word “detainee” includes any person captured, detained, or otherwise under the control of DOD personnel (military, civilian, or contractor employee) (see Figure I-1). It does not include persons being held primarily for law enforcement purposes except where the United States is the occupying power. As a matter of policy,

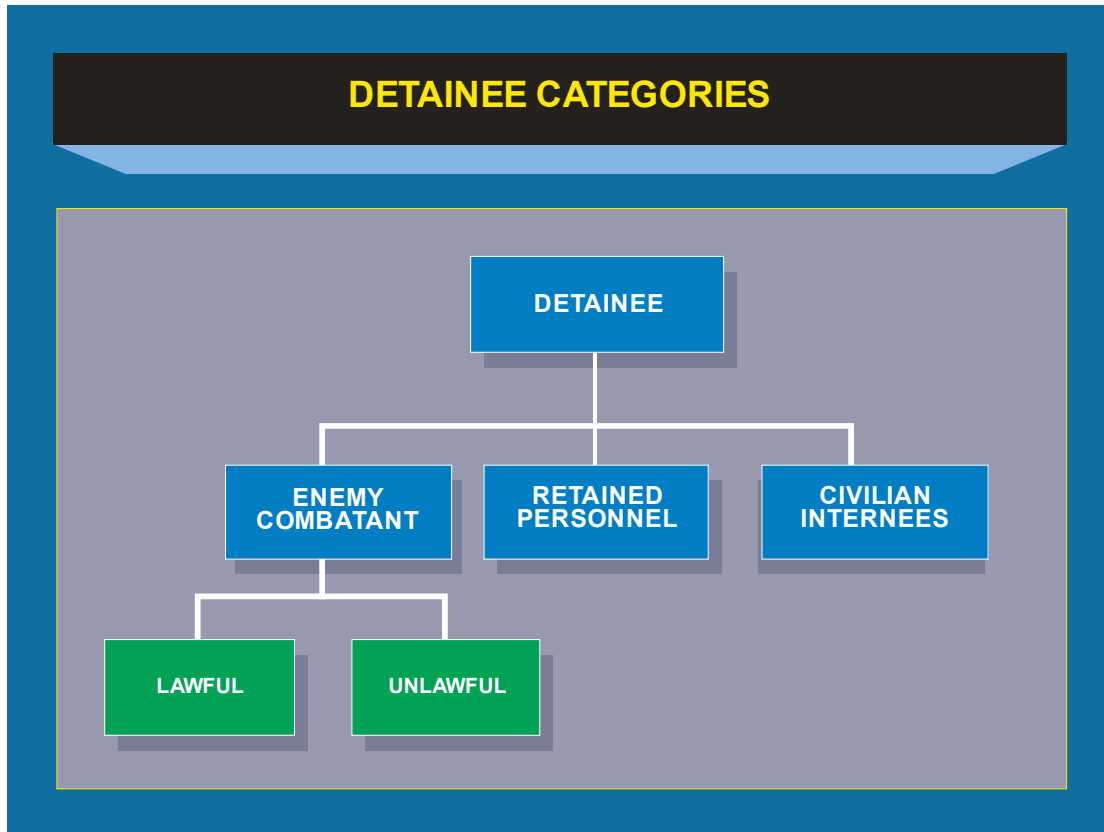


Figure I-1. Detainee Categories

all detainees will be treated as EPWs until some other legal status is determined by competent authority. During the course of operations classified by the United States as international armed conflicts, captured opposition personnel who satisfy the criteria enumerated in the GPW will be granted the appropriate status as a matter of law. Detaining officials must recognize that detained enemy combatants who have not satisfied the applicable criteria in the GPW will have a status as unlawful ECs, but are still entitled to humane treatment. The inhumane treatment of detainees is prohibited and is not justified by the stress of combat or deep provocation.

a. **Enemy Combatant.** In general, a person engaged in hostilities against the United States or its coalition partners during an armed conflict. The term "enemy combatant" includes both "lawful enemy combatants" and "unlawful enemy combatants."

(1) Lawful ECs, who are entitled to protections under the GPW, include members of the regular armed forces of a state party to the conflict; militia, volunteer corps, and organized resistance movements belonging to a state party to the conflict, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the laws of war; and, members of regular armed forces who profess allegiance to a government or an authority not recognized by the detaining power. Lawful combatants are EPWs upon capture, and are entitled to "combatant immunity" for

their lawful pre-capture warlike acts. They may be prosecuted, however, for violations of the law of war. If so prosecuted, they still retain their status as EPWs.

(2) Unlawful ECs are persons not entitled to combatant immunity, who engage in or support acts against the United States or its coalition partners in violation of the laws and customs of war during an armed conflict. For purposes of the war on terrorism, the term unlawful EC is defined to include, but is not limited to, an individual who is or was part of or supporting Taliban or al Qaeda forces or associated forces that are engaged in hostilities against the United States or its coalition partners.

b. **Enemy Prisoner of War.** Individual under the custody and/or control of the DOD according to Articles 4 and 5 of the GPW.

c. **Retained Personnel (RP).** Personnel who fall into the following categories: official medical personnel of the armed forces exclusively engaged in the search for, or the collection, transport, or treatment of wounded or sick, or in the prevention of disease, and staff exclusively engaged in the administration of medical units and facilities; chaplains attached to enemy armed forces; staff of national Red Cross Societies and that of other volunteer aid societies duly recognized and authorized by their governments to assist medical service personnel of their own armed forces, provided they are exclusively engaged in the search for, or the collection, transport or treatment of, the wounded or sick, or in the prevention of disease, and provided that the staff of such societies are subject to military laws and regulations.

d. **Civilian Internee (CI).** A civilian who is interned during an armed conflict, occupation, or other military operation for security reasons, for protection, or because he or she has committed an offense against the detaining power. Such individuals, unless they have committed acts for which they are considered unlawful combatants, generally qualify for protected status IAW the GC, which also establishes procedures that must be observed when depriving such civilians of their liberty. CIs are to be accommodated separately from EPWs and persons deprived of liberty for any other reason.

Intentionally Blank

CHAPTER II ROLES AND RESPONSIBILITIES

“A purely military emergency could give no excuse for disregarding International Law. Because victory is endangered, victory must not be pursued by breaking the law on the grounds of necessity, because the laws of warfare are supposed to rule over this conflict which is always connected with need and want.”

Trial of German War Criminals Nuremberg 1946

1. Secretary of Defense

a. Within DOD, the Under Secretary of Defense for Policy (USD(P)) provides for the overall development, coordination, approval, and implementation of major DOD policies and plans relating to detainee operations, including final coordination of proposed plans, policies, and new courses of action with the DOD components and other federal departments and agencies as necessary. The specific division within USD(P) responsible for detainee policy is the Office of Detainee Affairs.

b. The detainee operations responsibilities of the Under Secretaries of Defense for Personnel and Readiness; Acquisition, Technology and Logistics; and Intelligence, are defined in DODD 2310.01E, *The Department of Defense Detainee Program*.

c. The DOD General Counsel provides legal advice to the Secretary of Defense (SecDef) and DOD on detainee matters.

2. Secretaries of the Army, Navy, and Air Force

a. The Department Secretaries will ensure that all personnel are properly trained and certified in detainee operations commensurate with their duties, maintaining records of such training and certification.

b. The Secretary of the Army is the designated Executive Agent for the administration of the DOD Detainee Program. Within the Army, the Office of the Provost Marshal General (OPMG) exercises primary Headquarters, Department of the Army, and staff responsibility for detainee programs. Responsibilities of the Executive Agent are delineated in DODD 2310.01E.

3. Chairman of the Joint Chiefs of Staff

a. Provides appropriate oversight to the combatant commanders to ensure their detainee operations policies and procedures are consistent with DODD 2310.01E.

b. Ensures that operational exercises routinely test the capabilities of the DOD components to conduct, participate in, and support detainee operations.

4. Combatant Commanders

a. Plan, execute, and oversee combatant command detainee operations IAW DODD 2310.01E.

b. Develop programs, issue appropriate guidance and orders implementing DODD 2310.01E, and periodically review these programs for efficacy and compliance.

c. When detainee internment facilities, holding areas, collection points, or interrogation facilities fall within the combatant commander's area of responsibility, the combatant commander:

(1) Ensures procedures are established for the humane treatment of detainees, consistent with DODD 2310.01E;

(2) Ensures detainees are provided with information, in their own language, concerning the rights, duties, and obligations of their detention, including applicable provisions of the Geneva Conventions;

(3) Ensures periodic unannounced and announced inspections of internment facilities, including temporary holding areas and collection points, are conducted to provide continued oversight of detainee operations.

(4) Ensures that any other U.S. government agencies, foreign government representatives, or other parties who wish to conduct intelligence interrogations, debriefings, or other questioning of persons detained by DOD must agree to abide by DOD policies and procedures before being allowed access to any detainee under DOD control. Such agreement shall be formalized in a written document signed by the agency, government representative, or party requesting access to a detainee. A trained and certified DOD interrogator or other DOD representative with appropriate training and experience shall monitor all interrogations, debriefings, and other questioning conducted by non-DOD or non-U.S. government agencies or personnel. The DOD monitor shall terminate the interrogation, debriefing, or other questioning and report to higher authority if the interrogating party does not adhere to DOD policies and procedures.

5. Joint Force Commanders

a. Ensure that detainees are treated humanely at all times.

b. Ensure that policies relating to detainee operations are effectively implemented and monitored, and that measures are in place to ensure compliance.

c. Ensure that personnel conducting detainee operations understand their respective roles and responsibilities, and their relationship with other personnel involved in detainee operations.

6. Component Commanders

- a. Ensure that detainees are treated humanely at all times.
- b. Ensure that policies relating to detainee operations are implemented and monitored, and that measures are in place to ensure compliance.
- c. Ensure that personnel conducting detainee operations understand their respective roles and responsibilities, and their relationship with other personnel involved in detainee operations.
- d. Identify conflicts between component doctrine/policies and operational plans, policies, and procedures, and seek guidance through component command channels on effective de-confliction procedures.

7. Commander, Detainee Operations

The commander, detainee operations (CDO) is typically responsible for all detention facility and interrogation operations in the joint operations area (JOA). The CDO should have detainee operations experience and will normally be the senior MP commander. If the size and scope of the detainee operation warrants, the joint force commander (JFC) may consider designating a general or flag officer as the CDO. The CDO will have the following responsibilities:

- a. Exercise operational control over all assigned and attached forces, detention facilities and joint interrogation and debriefing centers (JIDCs), regardless of location within the JOA (see Chapter III, Figure III-1).
- b. JIDC non-detainee related activities will remain under the direction of the JFC and/or intelligence directorate of a joint staff.
- c. Report directly to the JFC or designated Service or functional component commander on all detainee matters.
- d. Ensure the development of detainee policies, procedures, orders, and directives for the JFC IAW applicable laws, regulations, and policies.
- e. Ensure humane treatment of detainees, report immediately all allegations of maltreatment and/or abuse of detainees through the designated command channels, and investigate allegations promptly and thoroughly.
- f. Coordinate all reporting requirements between internment/resettlement battalions (I/R BNs) and the theater detainee reporting center (TDRC).
- g. Ensure JIDC commander(s) and/or chiefs coordinate directly with the joint force counterintelligence and human intelligence staff element (J-2X).

- h. Ensure all logistical requirements for detention facilities and JIDCs are determined and met. These logistical requirements range from initial setup of detention facilities to sustained operations throughout the life of a facility.
- i. Coordinate with J-2X (when established) to conduct human intelligence (HUMINT) and counterintelligence collection management efforts.
- j. Coordinate with appropriate commanders and staffs to ensure that JFC priorities for detainee operations are disseminated throughout the JOA.
- k. Obtain theater commander's approval for external visit times and coordinate visits to detainee facilities with the TDRC and joint visitor bureau.
- l. Coordinate all International Committee of the Red Cross (ICRC) visits, and ensure the command responds as necessary to ICRC concerns.
- m. Ensure responsibilities of the joint strategic exploitation center, JIDC commander(s), and the detention facility commanders (DFCs) are clearly delineated, and all procedures coordinated, in order to accomplish intelligence activities efficiently at the JIDC and security requirements effectively at all facilities while treating all detainees humanely.
- n. Ensure the issuance of internment serial numbers (ISNs) IAW current policies and procedures.
- o. Establish, maintain, and supervise the detainee review process.
- p. Coordinate with the JFC legal advisor for guidance in all matters of planning and execution of operations in order to maintain compliance with applicable laws and regulations.
- q. Coordinate with the joint force surgeon (JFS) for guidance in all medical care and health matters for detainees.
- r. Coordinate with JFC postal staff for guidance relating to postal support for detainees.

8. Detention Facility Commander

The DFC is the commander responsible for the execution of all detention facility operations. He or she is responsible, when assigned, to the CDO for all matters relating to detention facility operations, including security, law enforcement, administration, logistics, and other operations support requirements. A DFC's responsibilities normally include the following:

- a. Ensuring the humane treatment of detainees at all times and under all circumstances.
- b. Ensuring the detention operations mission is conducted IAW applicable law and policy.
- c. Ensuring the safety, well-being, and training of all personnel operating the facility.
- d. Ensuring the effective management and distribution of logistical resources.
- e. Ensuring that all allegations of maltreatment of detainees are immediately reported through the appropriate command channels.
- f. Ensuring that all personnel are properly trained on the rules for use of force (RUF), the law of land warfare, including the Geneva Conventions and all other applicable laws and policies, and that all personnel have an effective knowledge of the detention facility standard operating procedure (SOP).
- g. Planning for and, when necessary, execution of effective perimeter security of the detention facility, including personnel and material aspects and external response force operations and planning.
- h. Coordinating the escort guards for all detainee transportation entering or departing the facility.
- i. The DFC and the interrogation commander will develop procedures that include accountability and security of detainees when they are undergoing interrogation.
- j. Coordinating force protection.
- k. Ensuring proper reporting of detainee accountability through TDRC.
- l. Coordinating with military criminal investigative organizations (MCIOs) and legal agencies regarding evidentiary and other legal matters as required.

9. Joint Interrogation and Debriefing Center Commander

The JIDC commander and/or chief is the officer responsible to the CDO for all matters relating to interrogation, intelligence collection and reporting, and interaction with other agencies involved in the intelligence and/or evidence gathering process. The JIDC commander should be an intelligence officer and is normally responsible for the following:

- a. Conducting interrogation operations IAW applicable law and policy.

- b. Coordinating with the DFC to ensure detention operations do not set the conditions for interrogation operations.
- c. Coordinating with the DFC for participation in base operations support including tenant unit force protection, interpreter support, logistics, and screening of the processing line.
- d. Keeping the CDO informed on interrogation operations.
- e. Executing interrogation and debriefing operations according to priorities and guidance outlined by the J-2X.
- f. Coordinating detainee movement with the DFC to support interrogation operations.
- g. Coordinating with MCIOs and legal agencies regarding evidentiary matters and resolutions as required.
- h. Ensuring that all allegations of maltreatment of detainees are immediately reported through the appropriate command channels.

10. Intelligence Analysts, Human Intelligence Collectors, Interpreters, and Translators

a. Intelligence Analysts

- (1) Research the background of detainees utilizing all source analysis of available datasets in order to place the detainee into context for collectors.
- (2) Analyze, fuse, and report intelligence information collected through the interrogation and/or debriefing process for the purpose of validating collected information and identifying related intelligence gaps.
- (3) Develop indicators for each intelligence requirement to support screening operations and develop detainee specific collection requirements for collectors.
- (4) Develop databases and organize collected information for local use and for use by customers.
- (5) Make recommendations to the DFC for release/transfer of detainees.

b. HUMINT Collectors

- (1) Develop indicators for each intelligence requirement to support screening operations.
- (2) Make recommendations to the DFC for release/transfer of detainees.

(3) Provide recommendations to the DFC concerning the separation of detainees IAW Field Manual (FM) 2-22.3, *Human Intelligence Collector Operations*.

(4) Report information collected through the interrogation process.

(5) Conduct controlled interrogations of detainees in order to obtain information of potential intelligence value.

(6) Ensure all interrogation techniques are implemented IAW applicable law and policy.

(7) Develop interrogation plans IAW unit SOP prior to conducting an interrogation.

(8) Disseminate screening reports to all potential users on a timely basis.

c. Interpreters and Translators. Unless otherwise authorized by the JFC, only individuals with the proper training and appropriate level security clearance will be allowed within the confines of the facility to perform interpreter/translator duties (e.g., coalition member).

(1) Categories of contract interpreters include:

(a) **CAT I Linguists** - CAT I linguists are locally hired personnel with an understanding of the English language. These personnel undergo a limited screening and are hired in-theater. They do not possess a security clearance and are used for unclassified work. During most operations, CAT I linguists are required to be re-screened on a scheduled basis. CAT I linguists should not be used for HUMINT collection operations.

(b) **CAT II Linguists** - CAT II linguists are U.S. citizens who have native command of the target language and near-native command of the English language. These personnel undergo a screening process, which includes a national agency check. Upon favorable findings, these personnel are granted an equivalent of a Secret collateral clearance. This is the category of linguist most used by HUMINT collectors.

(c) **CAT III Linguists** - CAT III linguists are U.S. citizens who have native command of the target language and native command of the English language. These personnel undergo a screening process, which includes a special background investigation. Upon favorable findings, these personnel are granted an equivalent of a Top Secret clearance. CAT III linguists are used mostly for high-ranking official meetings and by strategic collectors.

11. Joint Force Intelligence Directorate Counterintelligence and Human Intelligence Staff Element Officer and Collection Manager

- a. The J-2X is responsible for the technical control, support, and deconfliction of all counterintelligence and HUMINT activities and operations.
- b. Participates in planning for deployment of counterintelligence and HUMINT assets in support of operations.
- c. Coordinates and deconflicts all counterintelligence and HUMINT operations within the operational area.
- d. Coordinates with senior U.S. national intelligence representatives for specific operational approval when required by standing agreements.
- e. Validates requirements for intelligence collection by theater and national HUMINT assets.

12. Civil Affairs Officer

- a. Recommends measures intended to enhance the level of cooperation between U.S. forces and the detainee population.
- b. Assists the security force commander with control of detainees during emergencies.
- c. Serves as the coordinator between detainees and other agencies (military forces, humanitarian organizations, United Nations, etc.) as needed.

13. Psychological Operations Officer

- a. Assists the camp security forces by providing loud speaker, audiovisual, and print support in regard to camp instructions in the target language(s).
- b. Provides a graduated response through loudspeakers in crisis situations prior to the use of nonlethal or lethal force.
- c. Provides cultural expertise on potential disputes or discipline problems due to social or cultural conflicts with or among detainees.
- d. Assists camp personnel in assessing and, if necessary, countering rumors, disinformation, and propaganda spread by detainees.
- e. Exposes detainees to approved psychological operations (PSYOP) series and products relevant to new conditions they may face upon release and the behaviors expected of them upon release.

- f. Conducts evaluation of PSYOP products possessed by detainees.
- g. When applicable, builds rapport with detainees through face-to-face PSYOP and/or recreational activities.

14. Medical Officer/Surgeon

a. Reports directly to the DFC with direct access to the CDO (as needed) and maintains a chain of command independent of the guard forces.

b. Coordinates actions of medically qualified RP (individuals who satisfy the criteria for this status as established in the GWS). Provides first responder capability to the detainee population. Coordinates forward resuscitative care or higher capability.

c. Advises the commander on medical and health-related issues. Coordinates for medical consultations with appropriate medical specialists and coordinates for transportation and escort of detainees to appointments, if required.

d. Coordinates with the civil affairs officer to ensure detainee medical concerns are being considered for possible presentation at the civil-military operations center.

e. Ensures the medical requirements within the detention facility are met consistent with Department of Defense Instruction 2310.08E, *Medical Program Support for Detainee Operations*, and its implementing orders and programs. Such requirements will include:

(1) Examination and documentation of detainees' physical condition upon initiation of detention.

(2) Monthly recording of detainees' weight.

(3) Monitoring of general cleanliness of the facility (latrines, showers, and wash stations).

(4) Examining detainees for contagious diseases.

(5) Providing detainee access to medical care, such as sick call.

f. Coordinates for preventive medicine inspections of the facility.

g. Coordinates preventative medicine inspection of food sources. Advises the DFC of caloric content and dietary suitability of detainee rations.

h. Upon the death of a detainee, coordinates with the Armed Forces Medical Examiner (AFME), who will determine if an autopsy is required. The remains will not be

released from U.S. custody without authorization from the AFME and the responsible commander.

- i. Medically clears detainees for questioning and interrogation.
- j. Identifies the process for notifying interrogators of detainee medical limitations.

15. Staff Judge Advocate/Legal Advisor

- a. Serves as the JFC legal advisor for the CDO.
- b. Advises the commander and other personnel responsible for detention operations on all matters pertaining to compliance with applicable law and policy.
- c. Provides legal advice to the commander on all matters relating to detainee misconduct.
- d. Advises the appropriate commander regarding investigation of suspected maltreatment or abuse of detainees, or other violations of applicable law or policy.
- e. Normally serves as the CDO's liaison to the ICRC.
- f. In coordination with the JFS, advises the JFC on legal issues pertaining to detainee medical support.
- g. Reviews interrogation approaches and techniques and advises the commander and intelligence personnel on compliance with applicable law and policy.
- h. Advises appropriate commanders on evidentiary collection procedures necessary to prosecute detainees locally for criminal offenses.

16. Chaplain

- a. Serves as the chaplain for the detention facility personnel.
- b. Advises JFC on the religious needs and practices of detainees.
- c. Serves as a moral and ethical advisor for the DFC.

17. Engineer

- a. Responsible for the construction, maintenance, and repair of utilities (water, electricity, heat, and sanitation) and sustainment of the detention facility.
- b. Responsible for construction support and ongoing maintenance throughout the lifespan of the facility.

- c. Ensures adequate fire protection for the detainees and the guard force.
- d. Responsible for construction of force protection measures.

18. Interagency Representatives

- a. Coordinates all visits with the CDO.
- b. Coordinates with the DFC and the JIDC commander prior to participation in each or any interview/interrogation.

19. Multinational/Allied Representatives

- a. Coordinates all visits with the CDO.
- b. Coordinates all visits with the DFC for inspections of conditions for detainees captured by their forces.
- c. Coordinates with the DFC prior to participation in any interview/interrogation.

20. Inspector General

- a. Reviews detention operations for all theater sites.
- b. Assists the commander in ensuring adherence to applicable law and policy for site construction and resourcing for logistics.

21. Joint Force Command Public Affairs Officer

- a. Develops media policies regarding detainee operations for the JFC IAW applicable law and regulations.
- b. Coordinates all media activity regarding detainees through chain of command.

Intentionally Blank

CHAPTER III PLANNING FOR DETAINEE OPERATIONS

“These times of increasing terror challenge the world. Terror organizations challenge our comfort and our principles. The United States will continue to take seriously the need to question terrorists who have information that can save lives. But we will not compromise the rule of law or the values and principles that make us strong.”

**President George W. Bush
Presidents Statement on the United Nations
International Day in Support of Victims of Torture,
26 June 2004**

1. Introduction

a. The JFC must consider a plan for detainee operations within the JOA early in the planning cycle of any operation. Extensive planning for detainee operations should be in place prior to the start of operations. The commander should analyze the wide array of logistical and operational requirements to conduct detainee operations. These requirements begin with the correct number and type of personnel on the ground to conduct the operation. Other requirements are the identification, collection, and execution of a logistical plan to support detainee operations throughout the JOA.

b. The JFC should identify the following personnel on his/her staff who will be responsible for conducting various aspects of detainee operations (see Chapter II for defined roles and responsibilities):

- (1) CDO
- (2) DFC
- (3) JIDC commander
- (4) J-2X officer
- (5) Collection manager
- (6) Civil affairs officer
- (7) Psychological operations officer
- (8) JFS
- (9) Staff judge advocate
- (10) Chaplain
- (11) Engineer

(12) Public affairs officer

c. The JFC establishes the command and control (C2) relationships among all elements involved in detainee transfers and/or release operations. C2 relationships should be delineated clearly and succinctly (see Figure III-1). C2 guidance, both internal and external to the joint task force, should be established as early as possible.

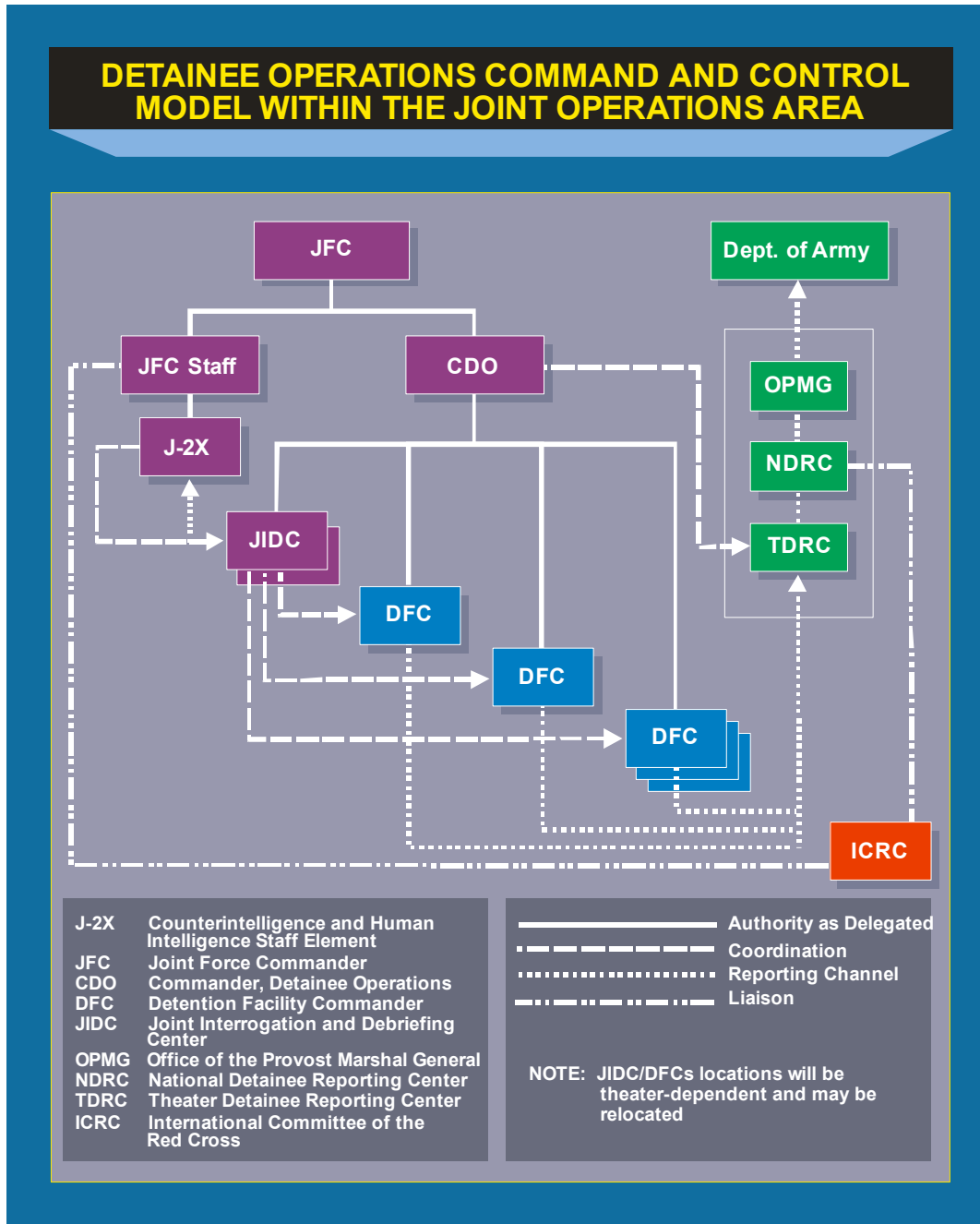


Figure III-1. Detainee Operations Command and Control Model Within the Joint Operations Area

KOREAN WAR EXPERIENCE IN ENEMY PRISONER OF WAR OPERATIONS

In late January 1951, Prisoner of War (POW) Camp 1 was designated a major subordinate command of 3d Logistical Command and put under the administrative headquarters of 60th General Depot. The construction of four enclosures was begun on 1 February 1951 using prisoner labor. Each enclosure contained eight compounds; each compound was planned to hold from 700 to 1,200 men. The compounds were separated from each other only by barbed wire. This construction resulted in a complex designed to hold a maximum of 38,400 prisoners, but grew to 53,500 by the end of February, 99,000 at the end of March, and 140,000 by June 1951. Another 7,000 to 10,000 prisoners remained on the mainland at Pusan, the majority of them in the prison hospital there.

There were many problems related to the over population of facilities at Koje-Do. One problem was the establishment and maintenance of prisoner personnel records. There was also a shortage of trained personnel to process the prisoners who were made up of different nationalities. This, in turn, led to shortages in trained interpreters for use within the system.

Another factor in the struggle for control of the camp was the shortage of trained guard personnel. The security force assigned to Camp Koje-Do consisted of six escort guard companies and two Republic of Korea (ROK) guard platoons. For a camp of this size, fifty escort guard companies were needed. The reasons for using ROK guards, primarily language and shortage of American guards, were legitimate.

Between 1966 and 1968, the United States Army conducted a detailed historical study of POW operations drawing the following conclusions from the Korean war:

- An Army commander should not be burdened with the administration of his communication zone (which included POW camps).
- A properly secured PW (POW) program required sufficient and qualified administrative and security personnel.
- PW (POW) camp locations and layouts should be determined before the fact, taking due considerations of terrain, water supply, and avoidance of towns and villages.
- Positive identification of each individual prisoner and maintenance of personnel records are required.
- The camp commander must have the authority to apply an effective judicial system to enforce discipline among the prisoners.
- The camp commander must have full authority to use the amount of force necessary to maintain absolute control of the camp.
- A preplanned and coordinated intelligence and counterintelligence program should be developed to provide a continuous, timely flow of intelligence information from the point of capture to the repatriation phase.

**SOURCE: U.S. Army Detainee Doctrine and Experience
James Gebhardt, Combat Studies Institute**

2. Detainee Operations Planning

JFCs and their staffs must be aware of special considerations when planning detainee operations. Although some of these considerations are present in all operations, many increase the demand upon units and commanders in the JOA and are of greater intensity in detainee operations. JFCs should anticipate operational and logistics requirements well in advance of conducting detainee operations. Site selection for a detainee facility is critical and must incorporate a wide range of factors including logistical supportability, security, mitigation of escape attempts, and engineering aspects. Consideration should be given to the garrison support activities that support an operating base where internment facilities are located. Comprehensive planning will effectively identify for the DFC or JIDC commander the resources needed to perform all associated garrison-type activities that are inherent with facilities of this type. This planning will alleviate potential distractions from the primary mission of detainee operations. See Figure III-2.

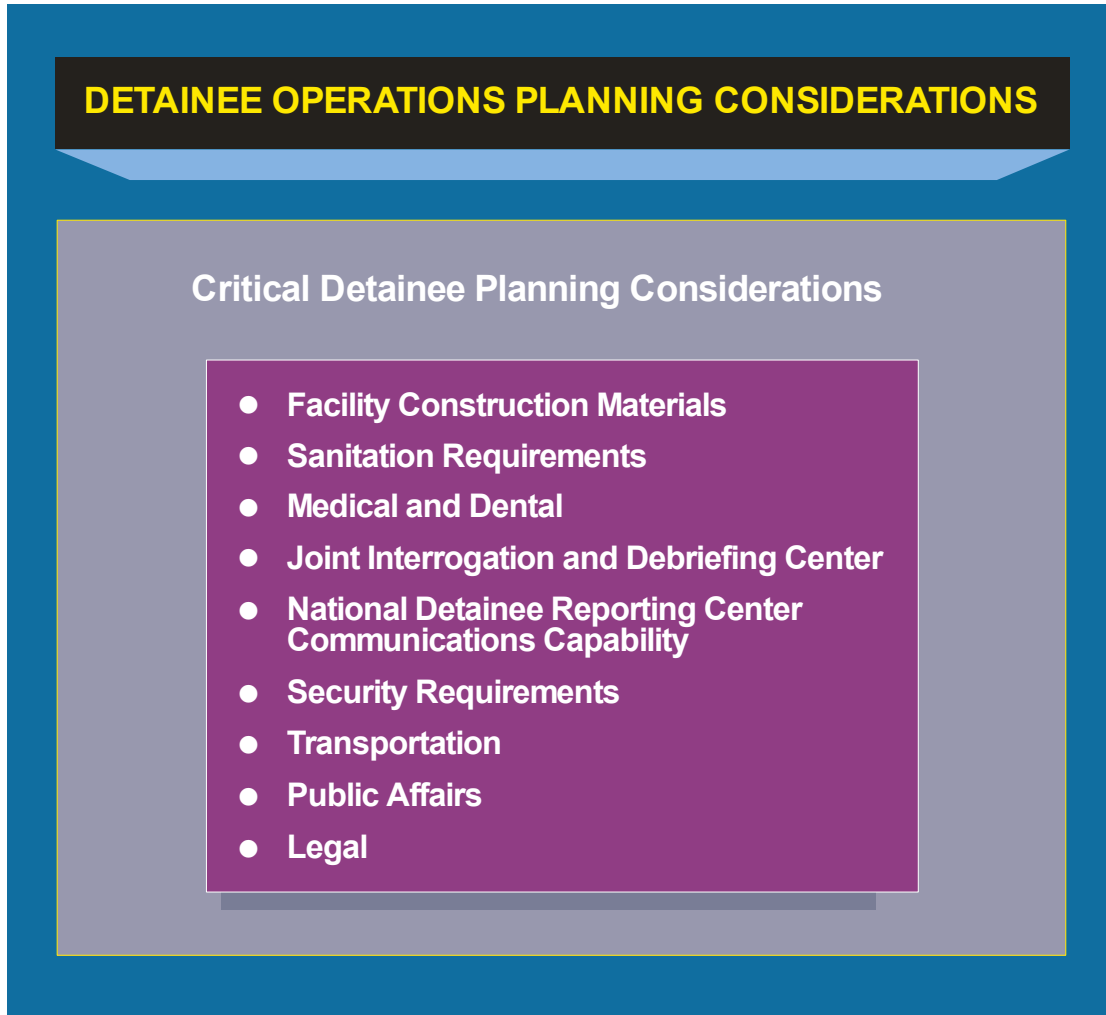


Figure III-2. Detainee Operations Planning Considerations

3. Internment Serial Number

a. The ISN is the DOD identification number used to maintain accountability of detainees. See Figure III-3. All detainees under DOD control will be registered promptly, normally within 14 days of capture. Once an ISN is assigned, all further documentation, including medical records, will use only this number (no other numbering system will be used). The ISN is generated by the detainee reporting system (DRS). DRS is the required detainee accountability database for all DOD agencies. The ISN is comprised of five components:

(1) *First Component.* The two-digit alpha character code representing the capturing power. Only country codes found within Defense Intelligence Agency Manual (DIAM) 58-12, *The DOD HUMINT Management System*, or its successor, will be used.

(2) *Second Component* The single digit designation of the command/theater under which the detainee came into the custody of the United States.

(3) *Third Component.* The two-digit alpha character code representing the detainee's power served/nationality. Where applicable, country codes found within DIAM 58-12 or its successor will be used.

(4) *Fourth Component.* A unique six-digit number assigned exclusively to an

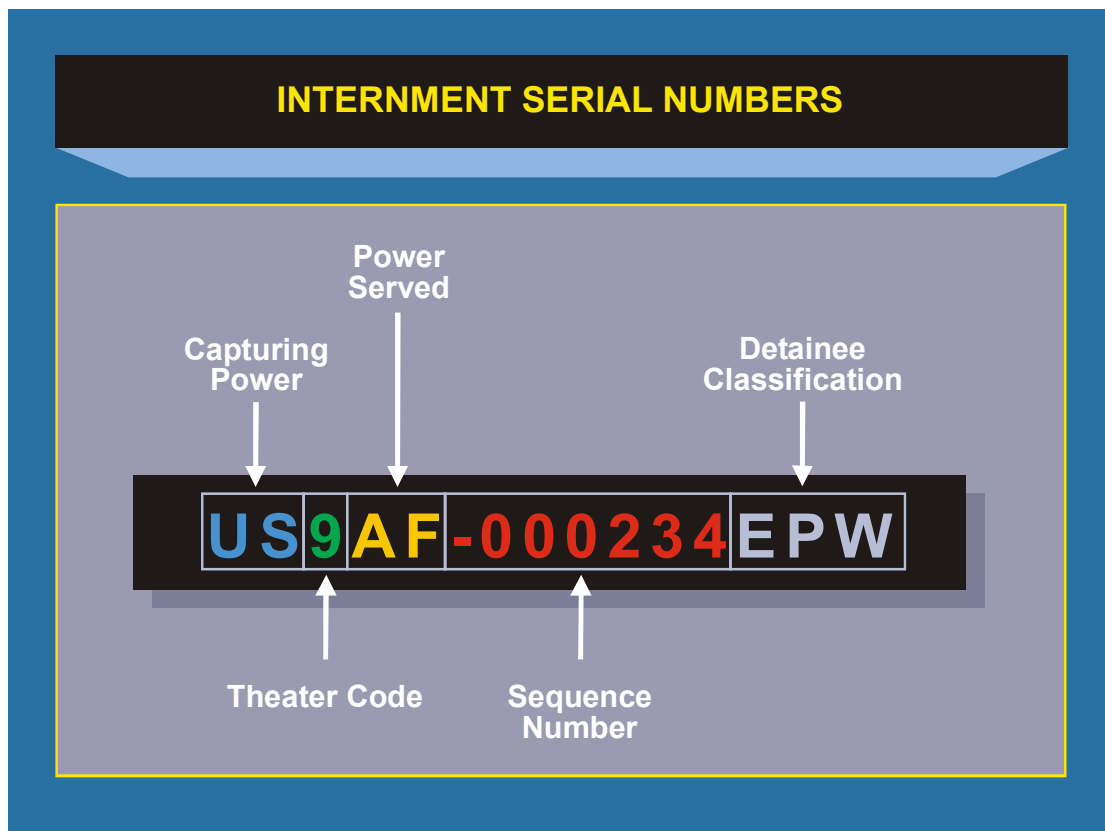


Figure III-3. Internment Serial Numbers

individual detainee. The DRS will assign these numbers sequentially. This component is commonly referred to as the “sequence number.” Not even in the event of a detainee’s death, release, repatriation, transfer, or escape, will a sequence number be reissued during the course of a single conflict to another detainee. If a detainee is ever issued two sequence numbers, the later number will be voided and the National Detainee Reporting Center (NDRC) will be notified. Voided sequence numbers will not be used at a later time.

(5) *Fifth Component.* A two- or three-digit alpha character code representing the detainee’s classification, current classifications are: EPW-enemy prisoner of war; CI-civilian internee; RP-retained personnel; OD-other detainee; or EC-enemy combatant. The ISN, once issued, is reported through the TDRC to the NDRC. Once the DRS has created an ISN, no component may be changed or corrected at the theater level without approval from the NDRC. All changes to an ISN must be requested in writing and approved by the NDRC.

b. When required by law and/or policy, the NDRC provides detainee information to the ICRC to satisfy Geneva Convention obligations. The ICRC uses this information to provide notice of the status of the detained individual to his or her government. The United States must be vigilant in executing all obligations to account for detainees and must issue detainees an ISN when required by law and/or policy. Commanders should make every effort to standardize tracking detainees from point of capture through the issuance of an ISN. The unique capture tag number that is found on Department of Defense Form 2745, *Enemy Prisoner of War (EPW) Capture Tag*, or allied equivalent, is the only authorized tracking number that may be used prior to the assignment of an ISN. After the ISN is assigned, previously generated documents should be annotated with the ISN. For example, medical personnel should use the capture tag number and then use an ISN, once an ISN is issued to a detainee, to track a detainee through the medical facilities and back to the detention facility. The DRS cross references the ISN and the capture tag number for administrative purposes.

4. Operational Considerations

As with any operation, proper planning will set the conditions for the successful execution of detainee operations. To this end, commanders should establish planning mechanisms that ensure effective consideration of potential detainee-related issues and the development of plans and procedures to respond to these issues as early in the planning process as is feasible. Because detention operations implicate operations, intelligence, logistics (supply, maintenance, transportation, health service support, explosive ordnance disposal, field services, and general engineering), personnel services (human resources support, religious ministry support, financial management, manpower, and legal support), and information aspects of the mission, the planning process requires coordinated efforts from all members of the staff potentially affected by detainee operations.

a. **Force Protection.** To the maximum extent possible, places of detention will be protected from the hazards of the battlefield. In order to protect detainees, commanders must manage the control of captured protective equipment that could be used to meet the

requirements of detainees, and commanders must also ensure that, when planning for protective measures and force protection, the potential presence of detainees is considered. As a general rule, detainees should derive the same benefit from force protection measures as do members of the detaining force. Logistics considerations should be reflected in the time-phased force and deployment data.

b. **Logistics.** The following issues are a few examples of some of the unique logistic obligations and considerations associated with detention operations:

(1) **Temperature and Lighting.** To the extent feasible, the facilities will be protected from dampness, adequately heated and cooled, and appropriately illuminated.

(2) **Food and Water.** When feasible, detainees will be fed three meals a day. At a minimum, basic daily food rations will be sufficient in quantity, quality, and variety to keep detainees in good health and to prevent significant loss of weight or the development of nutritional deficiencies. The justification for any deviation from the three meals per day standard will be documented by the commander of the detention facility and should be reviewed by both medical and legal support personnel. Account will also be taken of the habitual diet and religious/cultural requirements of the detainees. The detaining power will supply detainees who work with such additional rations as are necessary for the labor in which they are employed. Sufficient drinking water will be supplied to detainees.

(3) **Clothing.** Adequate clothing for the climate will be provided, and a clothing replacement program will be instituted at each facility. Issued clothing should be uniform in color for identification purposes. If replacement clothing is not available, commanders will attempt to provide for the cleaning of detainee clothing in order to protect the health and well-being of detainees until a clothing exchange program can be instituted.

(4) **Financial Management.** The JFC is responsible for providing EPWs and CIs pay. The joint task force comptroller may designate a component to provide currency and other required support. The designated component will also ensure that controls are established to process deposits to and payments from designated accounts properly.

c. **Property Safekeeping and Confiscation Accountability.** DODD 2310.01E, *Department of Defense Detainee Program*, states, “Detainees and their property shall be accounted for and records maintained according to applicable law, regulation, policy or other issuances.” All personal effects and articles of personal use (except arms, military equipment, personal documents with intelligence value, and military documents) will remain in the possession of detainees, including effects and articles used for their clothing or feeding, unless the detaining force considers continued possession to cause a risk for the detaining force or other detainees, or the item is of intelligence or law enforcement value. Detainees will be permitted to retain individual protective gear and like articles issued for personal protection. This is especially important during initial detention and transportation to a more established detention facility when there is a risk that the detainees will be exposed to a chemical, biological, radiological, nuclear, or high-yield explosives threat. This rule does not prohibit the centralized management of such protective equipment by the

DFC if such management is intended to enhance the overall protection of detainees. Badges of rank and nationality, decorations, and articles having, above all, a personal or sentimental value, may not be taken from detainees. Sums of money carried by detainees may not be taken away from them except by order of a commanding officer, after the amount and particulars of the owner have been recorded in a special register, and an itemized receipt has been given, legibly inscribed with the name, rank, and unit of the person issuing the said receipt. Sums in the currency of the detaining power, or those changed into such currency at the detainee's request, will be placed to the credit of the detainee's account. The detaining power may temporarily confiscate articles of value or necessity, including medications, from detainees when such action is determined to be necessary for reasons of security (including intelligence evaluations for the purpose of the security of the force). Procedures for such confiscation should be established by SOP and should follow the rules applicable for the impoundment of money noted above. All personal property taken from detainees shall be kept in the custody of the detaining power and, if feasible, shall be returned in its initial condition to the detainees at the end of their detention. Always utilize a chain of custody receipt for all inventoried numbers.

d. **Administrative Processing and Accountability.** According to DODD 2310.01E, *Department of Defense Detainee Program*, "Detainees shall be assigned an Internment Serial Number (ISN) as soon as possible after coming under DOD control, normally within 14 days of capture. DOD components shall maintain full accountability for all detainees under DOD control. Detainee records and reports shall be maintained, safeguarded, and provided to USD(P) and other DOD components as appropriate." Information will be collected and recorded on each detainee captured and detained by the Armed Forces of the United States and referenced to the ISN. Detainees should provide name, rank, serial number (if applicable), and date of birth for tracking purposes and appropriate country notification. However, failure to do so does not result in any treatment not otherwise consistent with this publication. Upon transfer to a theater-level facility, detainee information (including information related to personal property taken from the detainee) will be provided to the NDRC through the TDRC. The NDRC will maintain all information concerning detainees and their property.

e. **Religious, Intellectual, and Physical Activities.**

(1) **Religion.** Respect for the religious preferences of detainees is an essential aspect of detainee operations. Accordingly, the organization and administration of the detention facility must not be such as to hinder unjustifiably the observance of religious rites, and commanders should plan for the accommodation of the religious needs of detainees. Certain limitations may be necessary due to security concerns; however, a good faith balance should be struck between the detainee's obligation to comply with disciplinary rules and procedures and the detaining power's obligation to afford detainees the ability to meet their religious obligations and exercise their religious practices. The detaining power is also prohibited from imposing any adverse distinctions within the detainee population based on religion. In this regard, it should be noted that in some situations, segregating the detainee population based on religious affiliation may be beneficial and therefore not prohibited, particularly when conflict has been based in part on religious affiliation.

Detainees have no right to person-to-person support by military chaplains. Therefore JFCs are under no obligation to provide such support. Accordingly, military chaplains do not generally provide direct religious support to detainees. Should the JFC determine a requirement to provide direct military chaplain support to detainees, communications between the chaplains and the detainees will be privileged to the extent provided by Military Rule of Evidence 503 and appropriate Military Department policies.

(2) **Physical and Intellectual Activities.** Physical and intellectual activities for detainees contribute to the maintenance of good order and discipline within the detainee population. Commanders may accommodate these interests when doing so is both feasible and consistent with mission requirements. The extent to which accommodation is considered and/or implemented will be determined by the needs of the facility population and will take into account both security limitations and available resources. Authorized activities and programs include, but are not limited to, participation in physical exercise, access to outdoor areas, and the practice of intellectual, educational, and recreational pursuits. Other programs that may be considered, where feasible and consistent with security limitations and/or mission accomplishment, include establishment of a family visitation program.

f. The ICRC and Nongovernmental Organizations and Other Similar Organizations.

(1) During the course of detention operations, it is likely that U.S. commanders will encounter representatives of organizations attempting to assert a role in protecting the interests of detainees. Such representatives will often seek access to detainees, and/or offer their services to assist in the care and maintenance of detainees. Effective detention operations planning will establish a mechanism for command interaction with such organizations in order to maximize the benefit of potential contributions to the U.S. effort. Commanders must anticipate that, upon initiation of detention operations, these organizations will request access to and/or information about detainees, and they will continue to do so throughout the operation. Commanders should seek guidance through operational command channels for responding to such requests prior to the initiation of detention operations, or as soon thereafter as possible. In the absence of mission-specific guidance, all such requests for access or information should flow via the established chain of command to the Office of the Secretary of Defense (OSD).

(2) Commanders must also be cognizant of the special status of the ICRC. Per DOD policy, the ICRC is the only organization presumptively authorized access to detainees. Consistent with the Geneva Conventions, it is DOD policy that the ICRC shall be allowed to offer its services during an armed conflict, however characterized, to which the United States is a party. ICRC access to detainees is subject to temporary suspension based on imperative considerations of military necessity. As a general rule, commanders should be in the grade of O-5 or above and should coordinate with a legal adviser before ordering a suspension of ICRC access to a detainee.

g. **Medical Care, Dental Care, and Sanitation.** The detaining power will take all sanitary measures necessary to ensure the cleanliness and healthfulness of facilities, and to prevent epidemics. Detainees will have access to sanitary facilities that conform to preventive medicine sanitation standards. In facilities where women detainees are accommodated, feminine hygiene supplies will be provided. Detainees will receive a full medical history and physical exam during in-processing. A medical record will be created for each detainee and a narrative summary of that record will be forwarded to the detainee's new facility location. If the detainee is released, he/she should be given a narrative clinical summary detailing past and present medical status and recommendation of medical follow-up, if any. All treatment provider names will be redacted. No records will be released directly to the detainee or a foreign country. Patient services should include first responder, forward resuscitative, and theater hospitalization capabilities, as operational circumstances permit. As a contribution to the maintenance of good order, the DFCs should also provide mental health services (mental health treatment, assessment, and therapy) to detainees when feasible.

h. **Media.** Detainees will be protected from public curiosity at all times. Strict compliance with this requirement is essential. There is no distinction between international and domestic media with regard to this obligation. Media attention concerning detainees is likely to be substantial. Commanders and staffs should anticipate such attention and ensure that supporting public affairs personnel develop procedures, in advance, for dealing with media requests for visits and information. Unless delegated to subordinate commanders, OSD is the sole release authority for photographs or video of detainees. Commanders will prepare and coordinate, in advance, public affairs plans for events such as detainee movements, transfers, or releases, with both the transferring and receiving commanders.

5. Detainee Control and Discipline

Maintaining control and discipline within a detention facility is an essential component of detention operations. JFCs will ensure that DFCs establish procedures for detainee control and discipline. Because imposition of physical punishment is inconsistent with the humane treatment obligation, commanders must understand the relationship between reward and punishment. As a general rule, withdrawal of privileges provided above the minimum required level of humane treatment is often the most effective sanction for disciplinary infractions, and granting additional privileges is often the most effective incentive for continued compliance and cooperation. Planning for the provision of such privileges is therefore an essential component to any discipline and control program. Other considerations for maintaining control and discipline include, but are not limited to:

- a. SOPs regarding positive control measures over detainees.
- b. Procedures to ensure detainees understand rules, regulations, and expectations of compliance.
- c. Viable mechanisms for detainees to raise grievances to the chain of command.
- d. Privilege-granting and withdrawal processes to enhance compliance.

- e. RUF measures to enforce compliance when lesser means have been or would be ineffective.
- f. Prohibition of fraternization between detainees and detention facility personnel.
- g. SOPs regarding prevention of escape attempts.
- h. A rewards and penalty program. For those detainees who are uncooperative and high risk, the Geneva Conventions address the minimal level of treatment and entitlements.
- i. Segregation of detainees according to the guidelines set forth in the Geneva Conventions.

6. Treatment and Protection of Detainees

JFCs will ensure that all detainees are treated humanely and IAW U.S. law, the law of war, and applicable U.S. policy. DODD 2310.01E requires that all DOD personnel

ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS OF 1949

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

(a) An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

(b) The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

(c) The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

**SOURCE: Geneva Conventions
12 August 1949**

and contractors will apply, without regard to a detainee's legal status, at a minimum, the standards articulated in Common Article 3 to the Geneva Conventions of 1949 and those standards found in Enclosure 4 to DODD 2310.01E. Of note, certain categories of detainees, such as EPWs, RPs, and CIs, enjoy protections under the law of war in addition to the minimum standards prescribed in Common Article 3.

7. Use of Force

a. Planning and preparing for the use of force (UOF) is a necessary element in maintaining order. JFCs will ensure that detainee facility security personnel are prepared to employ the effective UOF necessary to protect themselves, other members of the force, or detainees. JFCs will also ensure that the UOF continuum is applied when force is required to control detainees. Personnel assigned the mission of providing for the control of detainees and security of the detention facility should be issued and trained on rules for the UOF specific to that mission. Theater rules of engagement would remain in effect for defending the detention facility from external threat. The UOF continuum is used in determining the appropriate amount of force needed to compel compliance. The use of deadly force against detainees should always be considered a measure of last resort. Its use should be authorized when no other means of suppressing the dangerous activity (attack, escape, etc.) is feasible. Furthermore, use of deadly force should be preceded by warnings appropriate to the circumstances. The continuum shown below recognizes five basic types of subjects:

NOTE: Nothing in this Joint Publication limits a Servicemember's inherent right to self-defense.

(1) **Compliant:** Offers no resistance to instruction. Individual complies with both physical and verbal directions.

(2) **Passively Resistant:** Does not follow orders but offers no physical resistance to attempts to gain control (e.g., going limp).

(3) **Actively Resistant:** Does not follow orders and offers physical resistance but does not attempt to inflict harm (e.g., bracing or pulling away, attempting to flee).

(4) **Assaultive:** Attempts to attack or inflict injury (e.g., striking with hands or feet, biting).

(5) **Lethal:** Attempts to kill or inflict serious injury (e.g., using knives, clubs, thrown objects, firearms).

b. The continuum also incorporates five levels of force (see Figure III-4). Ideally, the Service member starts at Level 1 and progressively moves up the continuum until the detainee complies. However, the UOF is dictated by the actions of the subject during the encounter. Subject actions may escalate or de-escalate rapidly, possibly skipping one or more levels. The levels of force do not have to be applied in order.

(1) **Level 1: Cooperative Controls.** Used to direct a compliant person (e.g., presence, verbal direction, hand gestures).

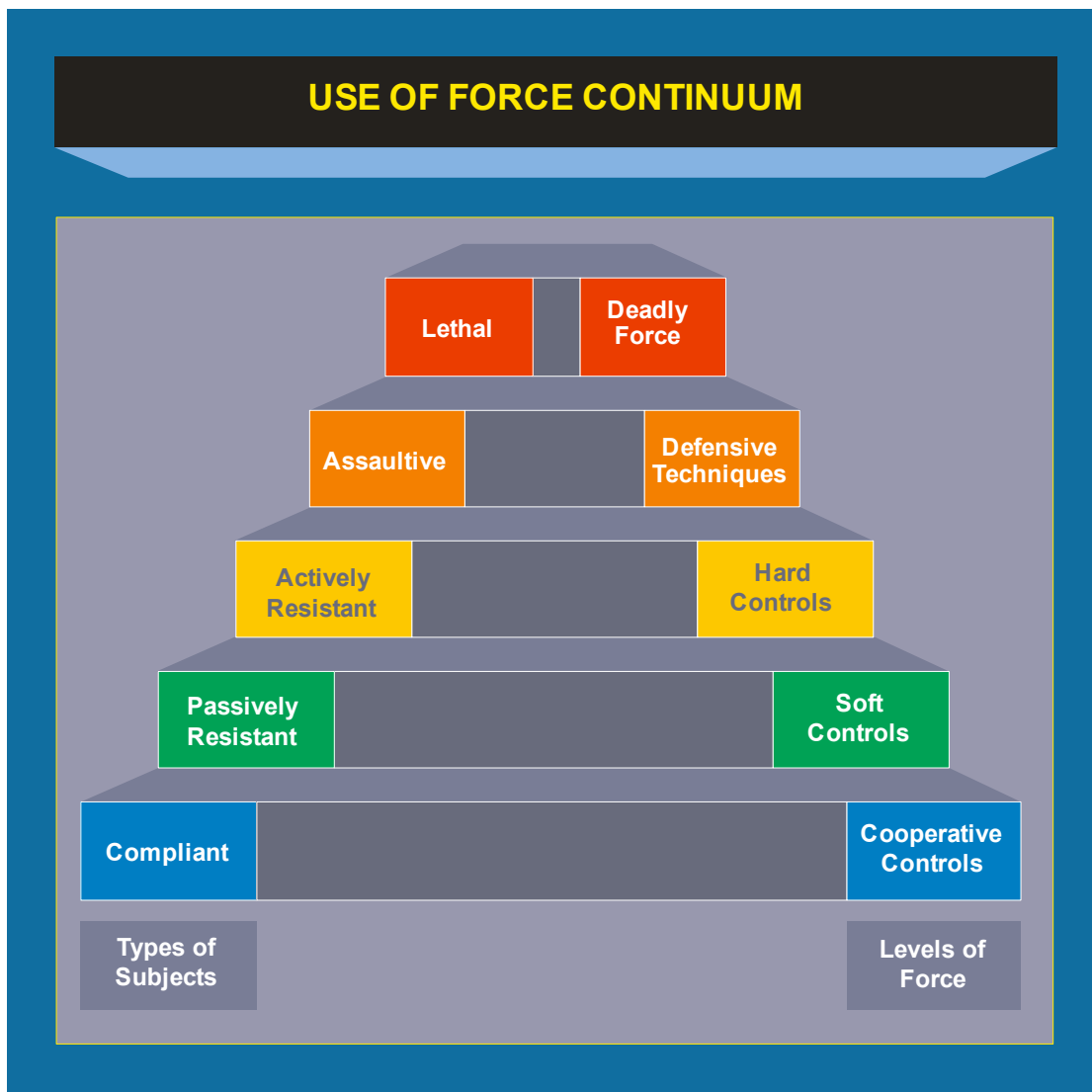


Figure III-4. Use of Force Continuum

(2) **Level 2: Soft Controls.** Used when cooperative control fails and the level of force required escalates. Designed with a low probability of causing injury (e.g., compliant or noncompliant escort positions, use of hand and/or leg restraints).

(3) **Level 3: Hard Controls.** Used when escort positions fail and the level of force required escalates; involve a slightly greater possibility of causing injury (e.g., pressure points, joint locks, oleoresin capsicum (OC) spray (i.e., pepper spray), electronic stun devices).

(4) **Level 4: Defensive Techniques.** Used when hard controls fail and the level of force required escalates; also involve a higher probability of causing injuries (e.g., empty-hand strikes and blocks, baton strikes and blocks, nonlethal munitions, military working dogs).

(5) **Level 5: Deadly Force.** Used as a last resort when all lesser means have failed or would be impractical. Used to prevent death or serious injury to self or others; to prevent the theft, damage, or destruction of resources vital to national security or dangerous to others; to terminate an active escape attempt (e.g., firearms, strikes with nonlethal weapons directed at vital points of the body).

Note: Use of the above techniques require training by qualified personnel. Nonlethal weapons must be authorized for use by the appropriate commander and have a lethal overwatch when appropriate. The use of riot control agents, including OC spray, requires specific authorizations by competent authority. Less than lethal weapons have the ability to inflict significant harm to detainees. Commanders are responsible for maintaining an active training and certification program and developing clear escalation of force policies.

8. Training for Detainee Operations

The OPMG has primary Headquarters, Department of the Army executive agent responsibility for detainee programs. When U.S. forces conduct detainee operations, they must possess the text of the applicable Geneva Conventions and be instructed as to their provisions. Because the Armed Forces of the United States comply with the law of war as a matter of DOD policy during all operations, this requirement is applicable as a matter of policy to all detention operations. JFCs have the overall responsibility to develop, implement, monitor, and, when necessary, refine standards, policies, and SOPs for detainee operations that are consistent with obligations imposed by law and applicable policy. Pursuant to this obligation, JFCs are responsible to ensure the effective routine review of detention operations and related training to enhance compliance with applicable law and policy. DFCs will maintain records of all relevant documents regarding the conduct of detainee operations. These records will be available for review during all inspections and assessments of the detainee operation.

CHAPTER IV CAPTURE AND INITIAL DETENTION AND SCREENING

“Humane Treatment. The requirement that protected persons must at all times be humanely treated is the basic theme of the Geneva Conventions.”

Pictet’s Commentary to the GPW, Article 13

1. Background

a. In any given JOA, any element of the joint force may find itself on a mission in which individuals are captured or placed under the control of U.S. forces. The efficient and effective control, processing, detention, and intelligence exploitation of such personnel is often critical to the success of U.S. forces. The humane treatment and proper care of detained personnel as they are moved to either temporary or permanent internment facilities support this goal.

b. Capture or detention may occur: on an objective, during a raid, at sea, near an air base, during a cordon and search mission, at a traffic control point, at border crossing points, or in base camps. Commanders, their staffs, and subordinate forces must anticipate this reality, and plan and train accordingly.

2. Principles of Detention and Screening

a. Once the capture of individuals has occurred, the proper identification and classification of those personnel remain critical to the overall intelligence and detainee identification effort. Rapid collection of biometrics information from detainees is critical to ensuring their prompt identification and is a crucial step that must be conducted as soon as possible after detention. Tactical commanders must exercise discretion when determining whether an individual poses a credible threat or possesses sufficient information requiring evacuation and detention. All joint force components will establish collection points that meet established standards within their specific operational area.

b. Consistent with longstanding military practice, individuals captured or detained by U.S. forces must be evacuated expeditiously through transit points to reach an internment facility in a secure area. Capturing units should have supplies of the following equipment: flex-cuffs, blackened goggles, zip-lock bags, trash bags, duct tape, Department of Defense (form) (DD) Form 2745 *Enemy Prisoner of War (EPW) Capture Tag*, and evidence/property custody documents. Capturing units conduct tactical questioning (TQ) for combat information relative to the commander’s critical information requirements. However, the need to obtain information to satisfy these requirements is never a justification to deviate from the obligation to treat detainees humanely. Appropriate segregation of detainees will be implemented as early as feasible in the detention process. While at the detention facility, a determination must be made regarding further evacuation for strategic intelligence exploitation and dissemination. Guard units at initial detainee collection points or detention facilities must have supplies of the following equipment: restraints, latex examination gloves, flex-cuffs, civil disturbance gear, and nonlethal weapons. When captured, detainees will normally be held at the detainee collection point (DCP) pending their immediate evacuation. The DCP will support the rapid transfer of control from capturing forces to U.S. MP custody and control (see Figure IV-1).

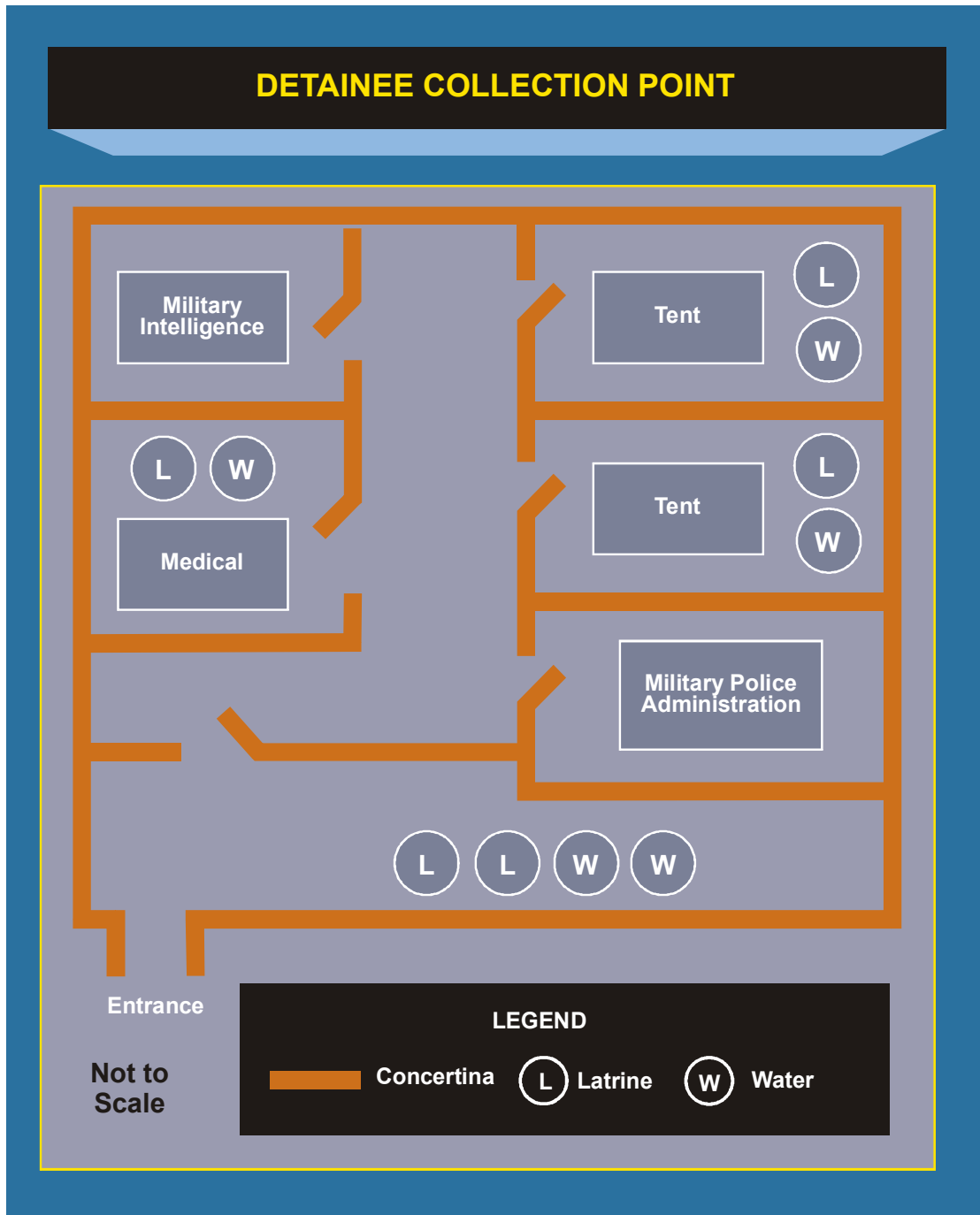


Figure IV-1. Detainee Collection Point

It should therefore be located close to the area of actual operations for quick evacuation of detainees, but should also be situated in a location intended to provide for the safety and security of the detainees and the security force. For example, the DCP could normally be located in a brigade support area of the brigade combat team, or an equivalent type unit. Detainees should be transported from the DCP to the detainee holding area (DHA) as soon as practicable. The DHA will normally be located in a secure location that provides safety and is easily accessible for receipt and evacuation of detainees (see Figure IV-2). Upon

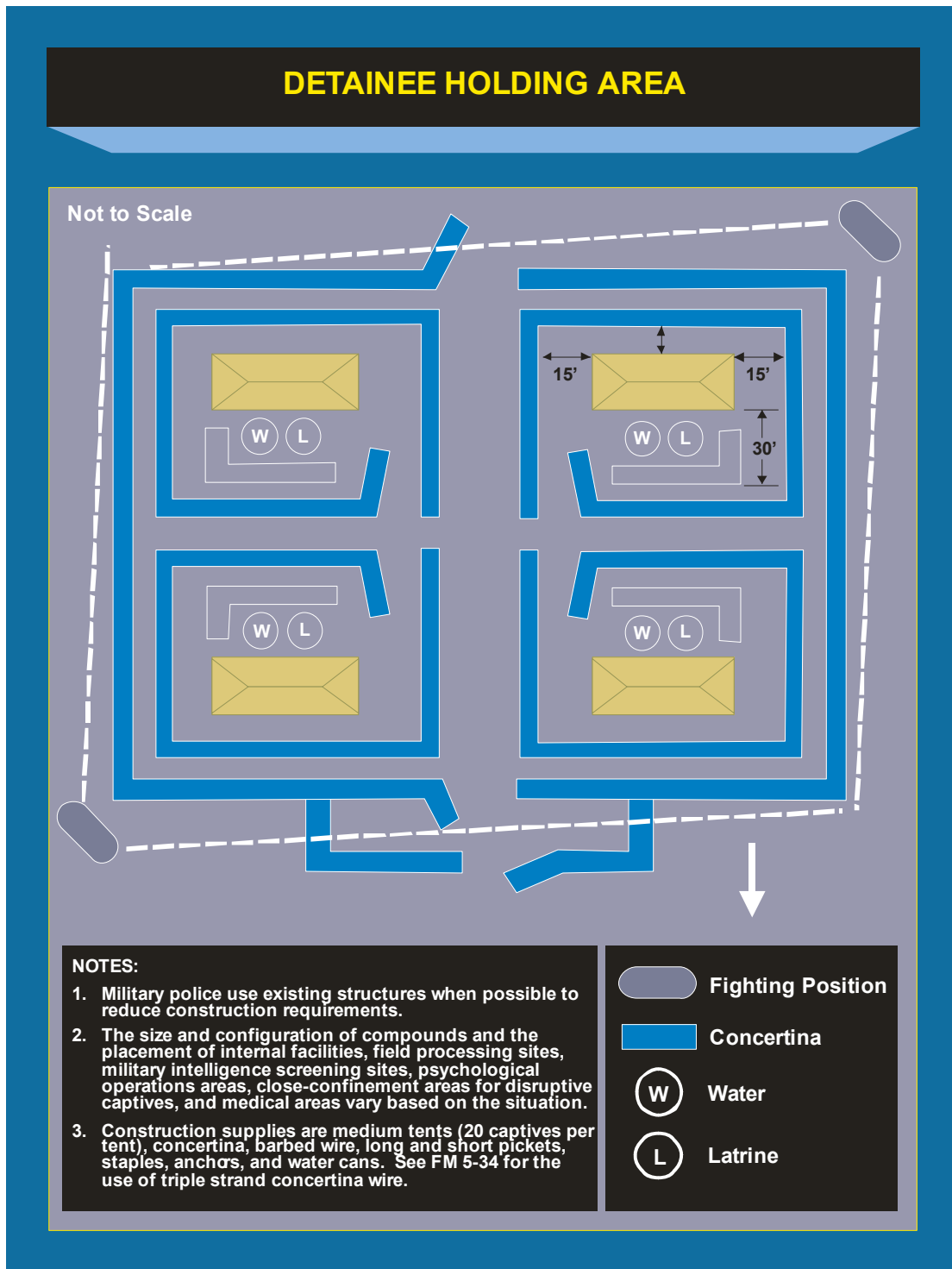


Figure IV-2. Detainee Holding Area

arrival at the DHA, HUMINT collectors will normally screen all arriving detainees to determine those suspected of possessing information of immediate tactical value. The DCP will coordinate with the supporting higher headquarters for the evacuation of detainees using organic assets to the DHA. Detainee status determinations will not be made at the DHA.

Until such status is officially determined, IAW DOD policy, all detainees will be accorded EPW treatment at all times and locations.

c. The DHA should be located in a secure area with easy access to transportation nodes, but must be protected from the effects of the battlefield to the extent feasible based on the mission, enemy, terrain and weather, troops and support available-time available (METT-T). Additionally, civilians may have to be considered based on the operational area. To the extent possible, accommodation must be made for female and child detainees. Unless militarily unfeasible, female detainees must be searched by female service members and must be segregated from male detainees. If possible, increased numbers of HUMINT collectors should be available for exploitation activities at the DHA.

d. Detainees will be transported to a theater internment facility (TIF) based on intelligence exploitation and transportation availability, at which point they will normally be assigned an ISN from a block of numbers maintained by the NDRC. The TIF will be located in the Army Service component command area of operations and will serve as the theater detainee collection facility. All detainees arriving from any and all sources and agencies will be in-processed and receive an ISN immediately upon arrival at the TIF. An I/R BN, with the appropriate units assigned, will conduct operations at a TIF with a specific capacity of up to 4,000 detainees, based on a docile, compliant population. Units will mark and tag all detainee-associated documents and property and transfer the documents and property to the transporting unit for movement to the TIF. This will maintain detainee property accountability and provide for further analysis and evaluation by DOD-trained HUMINT collectors and/or certified interrogators.

e. Prior planning, close coordination, and synchronization of assets with all resources used for the transportation of detainees to the TIF are required. Planning considerations should include: proximity to DCPs and theater internment facilities within the JOA, transportation responsibilities (air, land, and sea), logistic support (for real-time and future operations), and medical support for all DHAs and TIFs within the JOA. A TIF is an improved, semipermanent, or permanent facility that can hold detainees until they are released or until it is determined that out-of-theater evacuation is necessary. JFCs must weigh heavily the decision to establish and maintain more than one TIF in a JOA. Associated costs, manning requirements, and logistic sustainability may not allow for operating more than one TIF. Ideally, the TIF will have:

- (1) Sufficient MP corrections specialists once the theater has matured.
- (2) Permanent structures, lighting, water, utilities, and hygiene and sanitation facilities.
- (3) Ability to provide forward resuscitation, theater hospitalization, and higher medical care to detainees.
- (4) Religious and morale facilities.

(5) Networked information system for issuing ISNs and maintaining the detainee database in the DRS.

(6) Communications capability (for accountability of detainees through to the TDRC/NDRC).

(7) Support for all classes of supply and services.

f. An interview area should be established near the receiving/processing line so that intelligence personnel can interview detainees and examine their equipment and documents after they have been assigned an ISN. If detainees or their equipment or documents are removed from the receiving/processing line, accountability must be maintained IAW applicable SOPs.

g. If a detainee's status is in doubt in an international armed conflict, a tribunal will be conducted IAW Article 5, GPW. The tribunal, convened by a commander exercising general courts-martial convening authority, will determine the status of an individual who commits a belligerent act and is captured by U.S. forces when there is doubt as to the individual's status. The protections afforded EPWs under the GPW will apply to such individuals until their status is determined by the tribunal.

h. HUMINT collectors and counterintelligence agents will conduct further exploitation at the TIF. In addition to responding to the commander's critical information requirement, they support the detainee disposition process by providing recommendations to release, continue to hold, or transport the detainee to the strategic internment facility (SIF). Trained HUMINT collectors, counterintelligence agents, and MP personnel play a critical role throughout all phases of detainee operations. Although HUMINT personnel can assist with producing intelligence products, they can also quickly identify those personnel who hold no intelligence value at all and can subsequently be released based on the designated commander's directive. Organic MP personnel can identify certain individuals with potential to provide significant force protection information that may assist the DFC in maintaining security and good order in the detainee population.

i. Employing MPs as far forward as possible will assist the tactical maneuver commanders by freeing up combat assets to accomplish their missions.

j. The NDRC serves as the national collection center for detainee information. The TDRC is assigned to the MP I/R brigade and functions as the field operations agency for the NDRC. It is the central agency responsible for maintaining and reporting information on all detainees and their personal property within an assigned theater. The TDRC reports detainee accountability of persons and property to the NDRC every 24 hours. These reports are critical to ensure continued compliance with applicable U.S. law, the law of war, and DOD policy. Note: I/R BNs may report directly to NDRC when a TDRC is not operating in theater.

3. Procedures

The tactical commander/leader ensures the following steps are taken when handling detainees:

a. Point of Capture Units. Units below battalion will be trained on how to conduct TQ and make recommendations to military intelligence (MI) personnel on potential interrogation targets. Detainee capture kits need to be issued to capturing units to assist in the proper securing and transporting of detainees. These kits may include latex gloves, surgical masks, flexi-cuffs, earmuffs, capture tags, and property bags along with property custody documents. Each detainee must arrive at the DHA or TIF with a completed capture tag and the required information that can be found in the detainee tagging kit. JFCs may implement additional measures beyond the required capture tag. Proper completion of the capture tag is important to intelligence collection, detainee status determination, and the decision to retain or release. Failure to provide a properly annotated capture tag may substantially degrade the ability to process the detainee effectively, and it may result in the denial of acceptance of detainees at a facility until the required paperwork is completed and turned over to the new facility.

b. Daily Detention Operations. DFCs will establish policies and procedures for the detention and interrogation of detainees in the detention facility. Such policies must be consistent with applicable law and policy. All locations where detainees are held by U.S. forces must, to the extent feasible based on METT-T, be shielded from the dangers associated with military operations. Commanders should attempt to utilize building-type structures for internment facilities. However, although this may be a preference, there is no prohibition against using less-improved facilities when they offer the best available option for satisfying all legal and policy obligations related to detainee treatment, particularly when use of an improved structure is not feasible. There is no legal requirement to provide detainees with conditions better than those of the U.S. forces executing the detainee operation mission.

(1) It is important, either at the DHA or the TIF, that trained HUMINT collectors and counterintelligence agents have access to the detainees as quickly as possible. An interview site will be established near the receiving/processing line so that MI personnel can screen detainees and examine their equipment and documents. This will either facilitate the release of those who do not meet holding criteria or expedite exploitation of valuable information in support of the intelligence process.

(2) Another critical aspect of detainee operations is record-keeping. As detainees are in-processed, a medical screening will be conducted during which heights and weights are recorded. In addition, any marks or injuries on the detainees will be annotated and recorded. Commanders should also consider including medical screening prior to and subsequent to interrogations. A daily log will be maintained on each detainee and will include, at a minimum, records of any injuries, times of interrogations, times of medical exams, any hunger strikes and their durations, as well as any disciplinary problems and

corrective measures taken. This information will be provided to the next detention facility if a detainee is transferred.

(3) Detainees will be segregated within internment facilities according to the distinctions specified by law and policy, unless such segregation is not possible due to the conditions of the facility. If the TIF commander determines that such segregation is required by law, but the facility's conditions prevent segregation, the commander will attempt to develop other methods of protecting the interests of detainees, and will request the additional resources required to provide for such segregation.

(4) The guard force will become familiar with simple commands to be given in the language of the detainee population. Internment facilities housing lawful ECs will provide and post copies of the applicable Geneva Conventions for those individuals in their own language.

(5) When a detainee in U.S. custody dies, the commander, the staff judge advocate or legal adviser, and appropriate military investigative agency will be notified immediately. The attending medical officer will provide the commander the following information:

- (a) Full name of deceased
- (b) ISN of deceased
- (c) ICRC number of deceased, if available
- (d) Date and place of death
- (e) A statement as to the cause of death

(6) After coordination with the AFME, the detention facility's senior medical officer available will sign the death certificate. This authority will not be delegated. Upon the death of a detainee, the internment facility, unit, or medical facility will immediately notify the TDRC through the chain of command by the most expeditious means possible.

c. JIDC. A JIDC is located in close proximity to a TIF. The DFC and the interrogations commander will develop procedures that include accountability and security responsibilities for detainees when they are undergoing interrogation. HUMINT collectors and counterintelligence agents will coordinate with the TIF commander in order to obtain information on detainees obtained by organic MP and counterintelligence personnel through passive custodial observation and conversation.

Military police will escort the detainee to the joint interrogation and debriefing center, which is located in close proximity to the internment facility. Depending on local standard operating procedure, security concerns, and force manning levels, the human intelligence (HUMINT) collectors and certified interrogators may request that escorts remain to guard the detainee, or they may release the escorts until the detainee needs to be returned to the living area. Release of custody must be officially documented. The only authorized purpose for escorts to remain in the HUMINT collection area is to provide for custody and control of the detainee. MP or other security personnel will not be involved in the interrogation process or set conditions for interrogations.

CHAPTER V TRANSPORT PROCEDURES

“The Detaining Power shall take adequate precautions especially in case of transport by sea or by air, to ensure their safety during transfer, and shall draw up a complete list of all transferred prisoners before their departure.”

**Excerpt from Article 46, Geneva Convention
Relative to the Treatment of Prisoners of War**

1. Background

The primary considerations in the planning and execution of the detainee escort missions are the security of the conveyance, the safety of all U.S. resources, and the protection of the detainees. The coordination for the transportation of detainees is the responsibility of the detaining power and is a task that must be performed by military personnel. The foremost planning consideration is assessing the appropriate amount of land, maritime, and air transportation assets to accomplish the mission. Considerations will also be made for the logistical, medical, and linguistic needs of detainees while in transit. Given the array of transportation methods and variety of arrangements, no single instruction can feasibly outline all tactics, techniques, and procedures to be used throughout all detainee escort missions. Therefore, it is necessary for commanders, security elements, and other personnel to use their best judgment when selecting a course of action to accomplish this task. Ideally, the issues related to detainee transport should be addressed in orders or directives issued by the JFC.

2. Procedures

a. Commanders of detention facilities will forward copies of detainee records (including at a minimum: capture tag, disciplinary actions, medical narrative summaries, property, and record of any injuries sustained since capture) along with a complete manifest for each detainee transferred. Prior to transport from the DHA to a TIF, all detainees will receive a thorough medical exam, be deloused, bathed, and if necessary, shaved. Detainees will be thoroughly searched for weapons and contraband immediately before boarding the conveyance. Detainees will be briefed in a language that they understand about the departure and restrictions while on board the conveyance, as well as safety and emergency procedures. Detainee records and property will accompany them during transport.

b. Another aspect of transfer missions is the transportation of detainees that must be transported to medical facilities or to judicial proceedings. These transfer missions are likely to involve many security assets; therefore, commanders must conduct a thorough mission analysis and determine appropriate requirements for such transport missions. Unanticipated requirements may stretch security assets to the limit; therefore, they should be considered when planning detainee operations.

3. In-transit Operations for Escort Missions

In-transit operations are the most vulnerable period of detainee operations. The security escort team leader will have tactical command and control of all assets in the movement element, from the element's departure of a DCP, DHA, or TIF until the element arrives at another facility. The security escort team leader will adopt tactics, techniques, and procedures to meet mission requirements including feeding, latrine escort, medical aid, and any emergency actions aboard the conveyance. Detainees will be isolated from friendly personnel and from each other to the maximum extent possible, and will be protected from public curiosity (including avoidable exposure to media). All restraints will remain in place except during an emergency. Friendly forces personnel will not move in close proximity to detainees without a security over-watch. The security team will maintain a log and the detainee manifest, in which they will record all transfers of custody, UOF, and any significant events. The security team will maintain control of all detainees until custody is transferred and the mission requirements are complete.

4. Detainee Movement by Land Transportation

JFCs should plan for and assign the mission of detainee evacuation to a properly resourced transportation element. The transportation of detainees is a separate mission from the escort and guarding of detainees in transit. Capturing units and initial transfers will primarily use land transportation. Further movement of detainees by land transportation should be minimized to limit exposure to hazards, public curiosity, and the media.

5. Detainee Movement by Maritime Transportation

Detainee movement by maritime transportation can be used, but normally it will not be considered as a location for detention (in rare circumstances, temporary maritime detention may provide the best course of action to protect detainees from operational and environmental hazards). If considered, the use of maritime detention must be authorized by the JFC. When maritime detention is used, appropriate resources and areas aboard maritime vessels will be sequestered for detainee use and must meet the requirements of the Geneva Conventions.

6. Detainee Movement by Air Transportation

Detainee movement by air should be the primary means of transporting detainees outside the JOA. Aircrews that are responsible for the transportation of detainees will be briefed on the proper handling and interacting procedures. Security escort teams will be trained for the mission and perform all detainee handling procedures on board the aircraft. Rotary-wing, as well as fixed-wing aircraft should be considered in the transport of detainees. A copy of the detainee manifest will remain with the losing organization until the detainees are accounted for at the gaining unit.

CHAPTER VI THEATER OR STRATEGIC INTERNMENT FACILITY

“Prisoners of war who have been without news for a long period, or who are unable to receive news from their next of kin or to give them news by the ordinary postal route, as well as those who are at a great distance from their homes, shall be permitted to send telegrams.”

**Excerpt from Article 71, Geneva Convention
Relative to the Treatment of Prisoners of War**

1. General

When dictated by the anticipated mission, the JFC must plan for long-term internment operations. The JFCs ensure the joint force is trained and logistically supported to conduct such operations.

2. Background

The TIF/SIF is a permanent or semipermanent facility with the capability of detaining detainees for an extended period of time. A TIF/SIF will be considered for long-term internment under the condition that they are in full accordance with all applicable law and policy. It is possible that detainees may bypass an initial detention facility and be transferred directly to the TIF/SIF. In such cases, all in-processing and the assignment of ISNs takes place immediately upon arrival to the TIF/SIF.



Long-Term Detention facility

3. Organization

Key organization elements in the TIF/SIF may include the following: joint security group, joint interrogation group, detainee hospital, joint logistics group, and joint internment operations group. Special staff considerations may include: joint visitors bureau, chaplain, inspector general, staff judge advocate, manpower and administration, public affairs, surgeon, forensic psychologist, forensic psychiatrist, medical plans and operations officer, preventive medicine officer, environmental health officer, and provost marshal.

4. Facility Operations

a. **Logistics.** The aforementioned logistic requirements in chapter two also apply to the long-term internment facility. JFCs should direct long-term facility construction queries to the OPMG or the United States Disciplinary Barracks and the Army Corps of Engineers before initiating a construction contract. The manpower intensive, close-quarters operation of a long-term internment facility requires the special knowledge, training, and skills of corrections specialists and support personnel.

b. **Environment.** Facility operating procedures will make allowance for the habits and customs of the detainees and will in no case be prejudicial to their health. The foregoing comment will apply in particular to the housing units of detainees as regards both total surface and minimum cubic space, and the general installation, bedding, and blankets (refer to Geneva Conventions, DODDs, and all applicable regulations). Quarters furnished to detainees must protect the detainees from the negative effects of the natural environment, must be adequately lit and heated (particularly between dusk and lights-out), and must have adequate precautions taken against the dangers of fire. Detainees must be segregated and quartered separately as directed by applicable law and policy.

c. **Procedure.** The commander will formalize all SOPs in writing, providing guidance for handling detainees, medical, hygiene operations, food service, UOF, emergency plans, count procedures, disciplinary policy, and reward programs. Orders concerning rules, procedures, or instructions for the administration of an orderly facility will be posted for view by the detainees and the guard force. The orders posted for the detainees will be printed in a language the detainee understands. An interpreter will also read the orders in the detainees' language during in-processing and on a regularly recurring basis.

5. Reception of Detainees

a. Detainees will not be accepted for detainment or transfer to U.S. military control from other nations, without prior approval from OSD. The officer designated to accept them will properly account for all detainees received. The receipt indicates the place and date the facility assumed custody and the name, grade, and nationality of each transferred detainee. Three or more copies of the receipt will be prepared. The original, plus one copy, will be delivered to the commander of the facility to which the detainee is assigned. A DD Form 2708, *Receipt for Inmate or Detained Person*, or an allied equivalent form for

individuals listed on the receipt, should be delivered to the accepting officer at the time the transfer is affected.

b. When directed, detainees transferred between facilities and hospitals will be received and accounted for as described in paragraph 5.a., and the receipts will be returned to the original facility. When detainees are transferred to hospitals outside the jurisdiction of the internment facility, hospital guards will be assigned to accompany the detainee.

c. The use of a manifest identifying the name, identification number, nationality, and physical condition of each detainee transferred and received is required. The manifest is attached to the original receipt of transfer and forwarded to the appropriate authorities.

d. Individuals held by other agencies may be turned over to the custody and control of a DOD internment facility only IAW JFC directive. The TIF/SIF commander will, absent controlling directives, designate the transfer location. All other agency transfers should be effected as soon as possible after initial classification and administrative processing have been accomplished. A manifest is required to identify the name, rank/status, ISN (if assigned), power served/nationality, and physical condition of each detainee that is transferred and received. The manifest is attached to the receipt of transfer and becomes a permanent record to ensure accountability of each prisoner. All detainees arriving from any and all sources and agencies will be in-processed and receive an ISN immediately upon arrival at the TIF/SIF if they do not already have one.

Intentionally Blank

CHAPTER VII TRANSFER OR RELEASE FROM DETENTION

1. General

The JFC must ensure all personnel conducting detainee operations are trained and logistically supported to conduct transfer or release operations. The JFC should ensure that all transfer and/or release operations are conducted IAW applicable law and policy. The JFC also determines air, land, or sea transportation requirements for transfer and/or release operations to the point of capture through the unit responsible for that JOA. The JFC also establishes the command and control relationship between all elements involved in transfers and/or release operations. The JFC ensures that notification is made of the transfer and/or release of a detainee to the NDRC. Other responsibilities include:

a. JFC

(1) Develops detainee policies regarding transfer or release operations IAW applicable law and policy.

(2) Coordinates with appropriate staff elements to conduct transfer or release operations.

(3) Coordinates with appropriate commanders and staffs to ensure that transfer or release operations directives are disseminated throughout the JOA.

b. Surgeon

(1) Ensures policies established regarding medical requirements for the transfer or release of detainees is IAW applicable law and policy.

(2) Ensures coordination of subordinate medical elements to support transfer or release operations.

c. Staff Judge Advocate

(1) Provides the JFC with legal guidance regarding applicable law and regulations.

(2) Serves as the command liaison to the ICRC and determines authorized ICRC activities related to the transfer/release of detainees.

(3) Provides technical expertise in support of required instruction and training related to the law of war.

d. Public Affairs Officer

(1) Develops media policies regarding detainee operations for the JFC IAW applicable law and policy.

(2) Coordinates all media coverage regarding detainee transfer or release operations through the chain of command.

2. Detainee Classification

The initial classification of a detainee may be based on unsupported statements or documentation accompanying the detainee. After a detainee is assigned to a facility, expect a continuing need for further classification. If the identity of the detainee may have been based on unsupported statements or documentation, it may be necessary to reclassify the detainee as more information is obtained. If the detainee's classification remains in doubt, a tribunal may be convened to determine the detainee's status. Reclassification may result in release of detainees, or reassignment of detainees within the facility or to other facilities.

3. Review and Approval Process

a. For transfer or release authority of U.S.-captured detainees, the SecDef, or designee, will establish criteria for the transfer or release of detainees and communicate those criteria to all commanders operating within the theater.

b. For detainees at the TIF, the designated combatant commanders will periodically assess the detainees for release or transfer per applicable regulations. The JIDC commander, with the advice of the assigned interrogators, should provide recommendations to the DFC for release/transfer of detainees, to ensure that detainees are not released while still being exploited for HUMINT. Recommendations for transfer or release will be coordinated with other U.S. Government agencies as appropriate and forwarded to SecDef, or his designee, for decision.

4. Transfer to Established Recognized National Authority, Allied Facilities, or Inter-Service Agencies

a. The permanent or temporary transfer or release of detainees from the custody of U.S. forces to the host nation, other allied/coalition forces, or any non-DOD U.S. Government entity, requires the approval of the SecDef, or his designee. The permanent or temporary transfer of a detainee to a foreign nation may be governed by bilateral agreements, or may be based on ad hoc arrangements. However, detainees who qualify, as a matter of law, as EPWs, RP, CIs, or ECs may only be transferred IAW the requirements of the applicable U.S. law, the law of war, and U.S. policy.

b. The DFC, IAW applicable procedures, will make the transfer or release of a detainee from a collection point or a detention facility. All proposed transfers/releases should be reviewed by the legal adviser to ensure compliance with applicable law and policy. Unless prohibited by command policies, immediate release of detainees may be made at the point of capture based on the decision of the most senior official on the ground. The decision should be based on criteria established by higher headquarters.

c. The temporary transfer of detainees from one facility to another is authorized to accommodate surges in the detainee population beyond capacity. Transfers will also occur to ensure detainee treatment and conditions are IAW applicable law and policy. As a general rule, detainees should not be transferred closer to the harmful effects of military operations.

d. A detainee who is captured or detained by the U.S. military or other agencies will be turned over to the U.S. detention facility designated by the JFC at the earliest opportunity. Inter-Service or intra-theater transfers will be executed following initial classification and administrative processing.

5. Transfer Between Department of Defense Facilities

a. Reclassification or other situations may result in a detainee's transfer. The transferring unit will determine appropriate security measures based on the type of detainee being transferred, the mode of transportation used, and other relevant conditions.

b. The DFC will:

(1) Publish a transfer order and inform the TDRC/NDRC of the movement.

(2) Verify the accuracy and completeness of the detainee's personal records and provide copies of the records (in a sealed envelope) to the guards accompanying the movement.

(3) Verify that the detainees possess their authorized clothing and equipment.

(4) Account for and prepare impounded personal property for shipment with the escorting unit or separate shipment as appropriate.

(5) Brief escort personnel on their duties and responsibilities, including procedures for an escape, a death, or other emergencies.

(6) Provide rations and basic needs to the detainees during the movement.

(7) Ensure the detainees are manifested by name, ISN, nationality, and physical condition (including a statement of "communicable diseases" if applicable).

(8) Prepare paperwork in English and other languages (if required) before transferring the detainees.

(9) Ensure detainees are given a full physical, instructions for medication, and a supply of medications.

(10) Ensure all appropriate health and disciplinary records accompany the detainee.

(11) Coordinate prior to transfer with JFC subordinate commanders regarding transfer of detainees.

6. Transfer or Release Mission

a. For transfer or release from within the JOA to either other detention facilities or direct release of the detainee back into the community, the following requirements should be met:

(1) When required by the applicable Geneva Convention, publication of the transfer/release order and informing the detainees of their impending transfer or release so that they may notify their next-of-kin of their new location.

(2) Verify the accuracy of the detainees' personnel records and provide copies (in a sealed envelope) to the transporting unit.

(3) Verify that detainees possess their authorized clothing and equipment.

(4) Account for and prepare impounded personal property for shipment with the escorting unit.

(5) Ensure logistic resources are adequate (food, water, etc.).

(6) Ensure that the detainees are manifested by name, rank/status, ISN, power served, nationality, and physical condition. Attach the manifest to the original receipt and provide a copy to the NDRC.

(7) Prepare paperwork in English and other languages (if required) before transferring/releasing the detainees.

(8) Coordinate, prior to transfer, with JFC subordinate commanders regarding transfer of detainees.

(9) Verify collected biometric data.

b. For release from a long-term detention facility, the following requirements should be considered. SecDef, or his designee, will send official notification of transfer or release from long-term detention. Applicable execute orders approved by appropriate authority will delineate the responsibilities and procedures to undertake. Figure VII-1 outlines the release process, from long-term detention, for detainees. The DFC may tailor stations to meet the current situation and conditions. Some steps normally taken to execute the order include:

(1) The releasing unit must prepare, maintain, and report the chain of custody and transfer/release documentation IAW current transfer and release procedures as directed by SecDef or his designee.

TRANSFER ACCOUNTABILITY MEASURES	
	Actions
Control and accountability	Maintain control and accountability until releases or transfers are received by the appropriate authorities. Maintain a manifest that contains: -Name -Rank/status -Internment serial number (ISN) -Power served/nationality -Physical condition NOTE: A manifest is used as an official receipt of transfer and becomes a permanent record to ensure accountability of each detainee until release.
Records	Ensure that copies of appropriate personnel, finance, and medical record narrative summaries accompany released detainees. Signed release agreements will be maintained within the Department of Defense. Transfer the records to the designated receiving authority.
Personal Property	Ensure that confiscated personal property (that can be released) accompanies released detainees. Conduct an inventory and identify discrepancies. Ensure that detainees sign property receipts. Ensure released detainee is provided with appropriate food, clothing, and equipment for safe transition and movement upon release.

Figure VII-1. Transfer Accountability Measures

(2) Individual detainee preparation including, at a minimum, segregation and out-briefing, medical screening, and execution of conditional release statement for those detainees being released.

(3) Determination of receipt/transfer location.

(4) Movement routes to transfer location. Coordinate all routes through the appropriate combatant commanders.

(5) Due to operational security concerns, only make public notification of a release and/or transfer in consultation and coordination with OSD.

Intentionally Blank

APPENDIX A

DETENTION FACILITY RIOT CONTROL MEASURES

1. Introduction

Riot control doctrine is usually written for quelling civil disturbances that occur in large open areas where the size of the responding force or the type of formation employed is not hampered by a lack of space. However, in a detention facility, detainee disturbances may occur in small, closed areas, such as a housing area, a dining facility, or a chapel where available maneuver space limits the size of the element and equipment that may be employed. The layout of each facility is different and presents its own problems when employing riot control measures.

2. Crowd Tactics within a Detention Facility

a. In detention facility disturbances, detainees may employ a number of tactics to resist, to control, or to achieve their goals. Non-violent tactics range from obscene remarks, taunts, and jeers, to building barricades to impede troop movement. Violent crowd tactics used by detainees are often extremely destructive and can include physical attacks on guards, other detainees, or property. The use of violent tactics and makeshift weapons against individuals (guards or detainees), property, or facilities is limited only by the attitudes and ingenuity of the detainees, and the materials available to them.

b. The guard force is susceptible to violent crowd behavior. Guards will likely become emotionally stimulated during a tense confrontation with unruly and violent detainees. To counteract the effect of crowd behavior on the guard force, commanders must institute rigorous training and firm and effective leadership. This training must include a complete awareness and understanding of the UOF as well as the commander's intent.

3. Planning

DFCs must be aware of the potential risks involved in quelling disturbances within a detention facility. Careful planning minimizes collateral damage and risks to control force members. Planners must consider:

- a. The location of the disturbance.
- b. The estimated number of rioters.
- c. Access to weapons or improvised weapons.
- d. Detainees' military training.
- e. Hostage situations.

4. Use of Force Guidelines

Plans, SOPs, and other directives must establish the procedures for authorization and use of lethal and non-lethal force, including riot control agents. Use of riot control agents

must be approved for use by appropriate authority IAW applicable rules for the UOF. Coordinate with the staff judge advocate prior to incorporating any of the UOF guidelines in plans, SOPs, and similar directives.

5. Record of Events

A record of events must be initiated to provide a basis for the preparation and submission of a formal report to higher headquarters. Augment the record with video or still photographs if possible.

6. Training and Equipment

Guard units and associated teams must establish a continuous training program and train regularly on emergency plans, riot control formations, UOF, first aid, and interpersonal communication skills. Recommended basic riot gear used by the control force includes:

- a. Riot baton.
- b. Riot shield.
- c. Helmet with face shield and neck protection.
- d. Groin protector.
- e. Ballistic and stab resistant vest.
- f. Leather gloves.
- g. Shin protection.

7. Forced Cell Move Teams

The intent of a forced cell move is to remove an unruly and/or uncooperative detainee from one cell to another in a controlled manner. This is a difficult task and must not be taken lightly. A forced cell move must be thoroughly planned, rehearsed, and properly resourced to ensure the safety of the team members and the detainee. A number of reasons may compel the commander to consider a forced cell move. The detainee may refuse to eat, to take his medication, to accept medical attention, to get a haircut, to keep himself clean, or to move or rotate cells when ordered. If use of non-lethal riot control agents is deemed desirable, DFCs must ensure use is approved.

APPENDIX B DETAINEE REPORTING SYSTEM

1. Introduction

Timely and accurate reporting through the DRS is critical to ensuring accountability of detainees and adherence to obligations under applicable U.S. law, the law of war, and DOD policy. As detainees are collected and processed, applicable law and policy require that such information is forwarded to the appropriate authorities.

2. National Detainee Reporting Center

The NDRC is the executive agent designated by the OPMG as the recipient and archive for all detainee information. The NDRC's principal responsibility is to ensure the collection, storage, and appropriate dissemination of detainee information as required by AR 190-8, *Enemy Prisoner of War, Retained Personnel, Civilian Internees and Other Detainees*, and DODD 2310.01E, *The Department of Defense Detainee Program*. The NDRC provides detainee information to the ICRC to fulfill the requirements of applicable law and policy. The NDRC directs the development of the DRS, and the NDRC issues blocks of ISNs to the TDRCs.

3. Theater Detainee Reporting Center

The TDRC functions as the field operations agency for the NDRC. It reports all detainee data directly to the NDRC. It is the central agency responsible for maintaining information on all detainees and their personal property within an operational area. It will obtain and store information concerning all detainees in the custody of U.S. Armed Forces and those captured by U.S. Armed Forces and transferred to or from other powers for detention (either temporarily or permanently). The TDRC serves as the theater repository for information pertaining to accountability of detainees and implementation of DOD policy. It will provide initial and replacement block ISN assignments to organizations operating in the theater and request replacement ISNs from the NDRC. The ISN is the sole number used to track detainees and their property. The TDRC will issue a block of ISNs to organizations that process detainees upon authorization from the NDRC.

a. All locations issued ISNs by the TDRC will forward information concerning the detainees back to the TDRC. The ISN is used throughout the detainees' detention as their primary means of identification and is used to link the detainee with biometric data, DNA (deoxyribonucleic acid), personal property, medical information, and issued equipment.

b. Any location that holds detained persons may receive a DRS if deemed necessary by the combatant commander, TDRC, or NDRC. If provided with a DRS, the facility can request ISNs (except collection points) from the TDRC and forward all information concerning the detainees to the TDRC. The ISN issued at the facility will be used throughout the detainees' detention.

Intentionally Blank

APPENDIX C REFERENCES

The development of JP 3-63 is based upon the following primary references:

1. U.S. Statutes

- a. Public Law 109-366, *Military Commissions Act of 2006*.
- b. Public Law 109-163, *The Detainee Treatment Act of 2005*.

2. Multinational Treaties

- a. *Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field*, 12 August 1949.
- b. *Geneva Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea*, 12 August 1949.
- c. *Geneva Convention Relative to the Treatment of Prisoners of War*, 12 August 1949.
- d. *Geneva Convention Relative to the Protection of Civilian Persons in Time of War*, 12 August 1949.

3. Department of Defense Documents

- a. DIAM 58-12, *The DOD HUMINT Management System*.
- b. DODD 1325.4, *Confinement of Military Prisoners and Administration of Military Correctional Programs and Facilities*.
- c. DODD 2310.01E, *The Department of Defense Detainee Program*.
- d. DODD 2311.01E, *DOD Law of War Program*.
- e. DODD 3115.09, *DOD Intelligence Interrogations, Detainee Briefings, and Tactical Questioning*.
- f. DODI 2310.08E, *Medical Program Support for Detainee Operations*.

4. Joint Policy, Doctrine, and Other Publications

- a. CJCSI 3290.01B, *Program for Detainee Operations*.
- b. CJCSI 5810.01C, *Implementation of the DOD Law of War Program*.

c. JP 2-01.2, *Counterintelligence and Human Intelligence Support to Joint Operations*.

5. Multi-Service Publications

AR 190-8, OPNAVINST 3461.6, AFI 31-304, MCO 3461.1, *Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees*.

6. U.S. Army Publications

- a. AR 27-10, *Military Justice*.
- b. AR 190-40, *Serious Incident Report*.
- c. AR 190-47, *Army Corrections System*.
- d. DA Pam 25-6, *Configuration Management for Automated Information Systems*.
- e. FM 2-22.3, *Human Intelligence Collector Operations*.
- f. FM 3-19.40 *Military Police Internment/Resettlement Operations*.
- g. FM 5-34, *Engineer Field Data*.
- h. Kandahar Detention Facility Standard Operating Procedures.

7. U.S. Air Force Publications

- a. AFI 31-207, *Arming and Use of Force by Air Force Personnel*.
- b. AMC Detainee Movement Standard Operating Procedures.

8. U.S. Marine Corps Publications

MCO P1640.4C *Marine Corps Correctional Custody Manual*.

9. U.S. Navy Publications

- a. SECNAVINST 1640.9C *Department of the Navy Corrections Manual*.
- b. SECNAV Instruction 3461.3, *Program for Prisoners of War and Other Detainees*.
- c. NWP 3-07.4, *Maritime Counter Drug and Alien Migrant Interdiction Operations*.
- d. OPNAV Instruction 1640.9A, *Guide for the Operation and Administration of Detention Facilities*.

10. Other Publications

- a. USEUCOM Directive 45-1, *Law of War Program*.
- b. Allied Joint Publication 2.5, *Captured Persons, Materiel, and Documents*.
- c. STP 21-24-SMCT, *Soldier's Manual of Common Tasks*.
- d. Bagram Standard Operating Procedures.
- e. GTMO Standard Operating Procedures.
- f. GTMO Medical Standard Operating Procedures.
- g. GTMO Tiger Team Standard Operating Procedures.

Intentionally Blank

APPENDIX D ADMINISTRATIVE INSTRUCTIONS

1. User Comments

Users in the field are highly encouraged to submit comments on this publication to: Commander, United States Joint Forces Command, Joint Warfighting Center, ATTN: Doctrine Group, 116 Lake View Parkway, Suffolk, VA 23435-2697. These comments should address content (accuracy, usefulness, consistency, and organization), writing, and appearance.

2. Authorship

The lead agent for this publication is the U.S. Army. The Joint Staff doctrine sponsor for this publication is the Director for Strategic Plans and Policy (J-5).

3. Change Recommendations

- a. Recommendations for urgent changes to this publication should be submitted:

TO: CSA WASHINGTON DC//G-3/5//DAMO-SSP//
INFO: JOINT STAFF WASHINGTON DC//J7-JEDD//
CDRUSJFCOM SUFFOLK VA//DOC GP//

Routine changes should be submitted electronically to Commander, Joint Warfighting Center, Joint Doctrine Group and info the Lead Agent and the Director for Operational Plans and Joint Force Development J-7/JEDD via the CJCS JEL at <http://www.dtic.mil/doctrine>.

b. When a Joint Staff directorate submits a proposal to the Chairman of the Joint Chiefs of Staff that would change source document information reflected in this publication, that directorate will include a proposed change to this publication as an enclosure to its proposal. The Military Services and other organizations are requested to notify the Joint Staff J-7 when changes to source documents reflected in this publication are initiated.

- c. Record of Changes:

CHANGE NUMBER	COPY NUMBER	DATE OF CHANGE	DATE ENTERED	POSTED BY	REMARKS
------------------	----------------	-------------------	-----------------	--------------	---------

4. Distribution of Publications

Local reproduction is authorized and access to unclassified publications is unrestricted. However, access to and reproduction authorization for classified joint publications must be in accordance with DOD Regulation 5200.1-R, *Information Security Program*.

5. Distribution of Electronic Publications

a. Joint Staff J-7 will not print copies of JPs for distribution. Electronic versions are available on JDEIS at <https://jdeis.js.mil> (NIPRNET), and <https://jdeis.js.smil.mil> (SIPRNET) and on the JEL at <http://www.dtic.mil/doctrine> (NIPRNET).

b. Only approved joint publications and joint test publications are releasable outside the combatant commands, Services, and Joint Staff. Release of any classified joint publication to foreign governments or foreign nationals must be requested through the local embassy (Defense Attaché Office) to DIA Foreign Liaison Office, PO-FL, Room 1E811, 7400 Pentagon, Washington, DC 20301-7400.

c. CD-ROM. Upon request of a JDDC member, the Joint Staff J-7 will produce and deliver one CD-ROM with current joint publications.

GLOSSARY
PART I – ABBREVIATIONS AND ACRONYMS

AFI	Air Force instruction
AFME	Armed Forces Medical Examiner
AR	Army regulation
C2	command and control
CDO	commander, detainee operations
CI	civilian internee
CJCSI	Chairman of the Joint Chiefs of Staff instruction
DCP	detainee collection point
DD	Department of Defense (form)
DFC	detention facility commander
DHA	detainee holding area
DIAM	Defense Intelligence Agency manual
DOD	Department of Defense
DODD	Department of Defense directive
DRS	detainee reporting system
EC	enemy combatant
EPW	enemy prisoner of war
FM	field manual
GC	Geneva Convention Relative to the Protection of Civilian Persons in Time of War
GPW	Geneva Convention Relative to the Treatment of Prisoners of War
GWS	Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field
HUMINT	human intelligence
IAW	in accordance with
ICRC	International Committee of the Red Cross
I/R BN	internment/resettlement battalion
ISN	internment serial number
J-2X	joint force counterintelligence and human intelligence staff element
JFC	joint force commander
JFS	joint force surgeon
JIDC	joint interrogation and debriefing center
JOA	joint operations area
MCIO	military criminal investigative organization

Glossary

MCO	Marine Corps order
METT-T	mission, enemy, terrain and weather, troops and support available – time available (pursuant to establishment of this pub and JP 1-02)
MI	military intelligence
MP	military police
NDRC	National Detainee Reporting Center
OC	oleoresin capsicum
OPMG	Office of the Provost Marshal General
OPNAVINST	Chief of Naval Operations instruction
OSD	Office of the Secretary of Defense
PSYOP	psychological operations
RP	retained personnel
SecDef	Secretary of Defense
SIF	strategic internment facility
SOP	standard operating procedure
TDRC	theater detainee reporting center
TIF	theater internment facility
TQ	tactical questioning
UOF	use of force
USD(P)	Under Secretary of Defense for Policy

PART II – TERMS AND DEFINITIONS

Unless otherwise annotated, this publication is the proponent for all terms and definitions found in the glossary. Upon approval, JP 1-02 will reflect this publication as the source document for these terms and definitions.

civilian internee. A civilian who is interned during armed conflict, occupation, or other military operation for security reasons, for protection, or because he or she committed an offense against the detaining power. Also called CI. (This term and its definition modify the existing term and its definition and are approved for inclusion in JP 1-02 and sourced to DODD 2310.01E.)

counterintelligence operations. Proactive activities designed to identify, exploit, neutralize, or deter foreign intelligence collection and terrorist activities directed against the United States. (JP 2-01.2)

detainee. A term used to refer to any person captured or otherwise detained by an armed force. (JP 3-63)

enemy combatant. In general, a person engaged in hostilities against the United States or its coalition partners during an armed conflict. Also called EC. (This term and its definition modify the existing term and its definition and are approved for inclusion in JP 1-02 and sourced to DODD 2310.01E.)

joint interrogation and debriefing center. Physical location for the exploitation of intelligence information from detainees and other sources. Also called JIDC. (JP 2-01.2.)

national detainee reporting center. National-level center that obtains and stores information concerning enemy prisoners of war, civilian internees, and retained personnel and their confiscated personal property. May be established upon the outbreak of an armed conflict or when persons are captured or detained by U.S. military forces in the course of the full range of military operations. Accounts for all persons who pass through the care, custody, and control of the U.S. Department of Defense. Also called NDRC. (Approved for inclusion in JP 1-02.)

reportable incident. Any suspected or alleged violation of Department of Defense policy or of other related orders, policies, procedures or applicable law, for which there is credible information. (Approved for inclusion in JP 1-02.)

retained personnel. Enemy medical personnel and medical staff administrators who are engaged in either the search for, collection, transport, or treatment of the wounded or sick, or the prevention of disease; chaplains attached to enemy armed forces; and, staff of National Red Cross Societies and that of other volunteer aid societies, duly recognized and authorized by their governments to assist medical service personnel of their own armed forces, provided they are exclusively engaged in the search for, or the collection, transport or treatment of wounded or sick, or in the prevention of disease, and provided that the staff of such societies are subject to military laws and regulations.

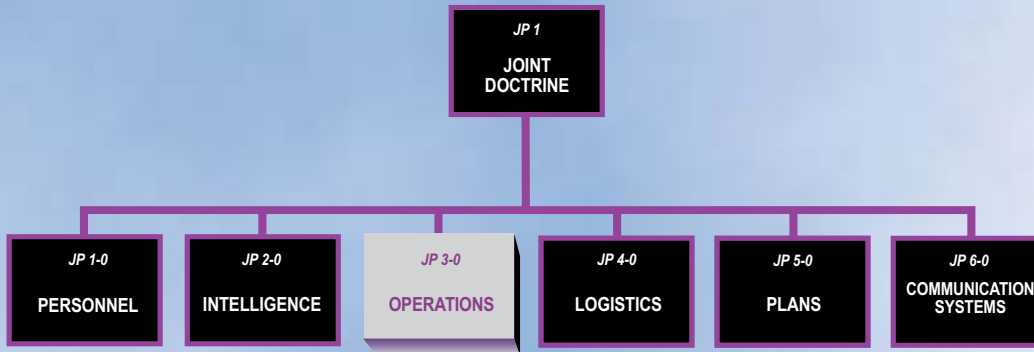
Also called RP. (This term and its definition modify the existing term and its definition and are approved for inclusion in JP 1-02.)

segregation. In detainee operations, the removal of a detainee from other detainees and their environment for legitimate purposes unrelated to interrogation, such as when necessary for the movement, health, safety, and/or security of the detainee, the detention facility, or its personnel. (Approved for inclusion in JP 1-02.)

tactical questioning. Direct questioning by any Department of Defense personnel of a captured or detained person to obtain time-sensitive tactical intelligence information, at or near the point of capture or detention and consistent with applicable law. Also called TQ. (This term and its definition modify the existing term and its definition and are approved for inclusion in JP 1-02.)

theater detainee reporting center. The field operating agency of the national detainee reporting center. It is the central tracing agency within the theater, responsible for maintaining information on all detainees and their personal property within a theater of operations or assigned area of operations. Also called TDRC. (Approved for inclusion in JP 1-02.)

JOINT DOCTRINE PUBLICATIONS HIERARCHY



All joint publications are organized into a comprehensive hierarchy as shown in the chart above. **Joint Publication (JP) 3-63** is in the **Operations** series of joint doctrine publications. The diagram below illustrates an overview of the development process:

