

FM 34-52

INTELLIGENCE

INTERROGATION

HEADQUARTERS, DEPARTMENT OF THE ARMY

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FIELD MANUAL 34-52

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INTELLIGENCE INTERROGATION

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PREFACE

This manual provides doctrinal guidance, techniques, and procedures governing employment of interrogators as human intelligence (HUMINT) collection assets in support of the commander's intelligence needs. It outlines the interrogator's role within the intelligence collection effort and the supported unit's day-to-day operations. Details are presented on how interrogation assets accomplish their assigned collection mission.

Material in this manual applies to operations in low-, mid-, and high-intensity conflicts. Principles outlined are valid under conditions involving use of electronic warfare (EW) or nuclear, biological, or chemical (NBC) weapons.

This manual is intended for use by interrogators as well as commanders, staff officers, and military intelligence (MI) personnel charged with the responsibility of the interrogation collection effort. Unless otherwise stated, descriptions pertaining to duties, functions, and responsibilities of the G1, G2, G3, G4, and G5 apply to equivalent positions at other organizational echelons.

Interrogation is the HUMINT subdiscipline responsible for MI exploitation of enemy personnel and documents to answer the supported specific information requirements (SIR). These SIR responses, along with those of other MI disciplines, are correlated to satisfy the force commander's priority intelligence requirements (PIR) and intelligence requirements (IR).

During previous armed conflicts, interrogators contributed significantly to the overall intelligence collection effort. They revalidated and established keystone interrogation doctrine (for example, theater interrogation facility [TIF] operations) and documented valuable lessons learned. This knowledge became the genesis for evolving interrogation doctrine.

During Southwest Asia operations, interrogators organized and operated a massive document exploitation (DOCEX) effort. Interrogation units screened, interrogated, or debriefed 49,350 enemy prisoners of war (EPWs), and gathered enough captured enemy documents (CEDs) for DOCEX to fill 18 trailer trucks.

MI interrogation units are a proven and valued collection asset. This manual incorporates the operational experiences and lessons learned. It builds upon existing doctrine and moves interrogation into the 21st century.

These principles and techniques of interrogation are to be used within the constraints established by the following:

- The Uniform Code of Military Justice (UCMJ).
- Geneva Convention for the Amelioration of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, hereinafter referred to as GWS.

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- Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949, hereinafter referred to as GPW.
- Geneva Convention Relative to the Protection of Civilian Persons in Time of War of August 12, 1949, hereinafter referred to as GC.

Doctrine in this publication conforms with and supports principles contained in FM 34-1.

This publication implements the following Standardization Agreements (STANAGs):

- STANAG 2033, Interrogation of Prisoners of War, Edition 6.
- STANAG 2044, Procedures for Dealing with Prisoners of War, Edition 5.
- STANAG 2084, Handling and Reporting of Captured Enemy Equipment and Documents, Edition 5.

This publication also complies with STANAG 1059 and Quadripartite Standardization Agreements (QSTAGs) 170, 523, and 528.

The use of the terms EPW, detainee, and source are interchangeable during interrogation process.

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

The proponent of this publication is the US Army Intelligence Center. Send comments and recommendations on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to Headquarters, US Army Intelligence Center, ATTN: ATSI-TDL-D, Fort Huachuca, AZ 85613-6000.

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ENEMY

The enemy, and our knowledge of the enemy, can influence interrogator assignments and the complexity of the exploitation process. One factor which affects interrogation operations is the type of opposing enemy force. The techniques and procedures used to collect from insurgents in a LIC may differ from those used to collect from regular enemy forces in a MIC to HIC.

For example, an EPW from a regular forces unit may have undergone political indoctrination, but his commitment to his unit may not be as strong as that of the insurgent who is passionately committed to an ideal. Thus, interrogators may have more difficulty persuading the insurgent to talk.

Another factor affecting interrogation operations is our current intelligence holdings on the enemy force and the interrogator's understanding of the threat. Our intelligence holdings on the composition of a newly formed insurgent organization usually will not be as complete as holdings on the composition of a regular enemy force. Thus, the focus of interrogation efforts in the early stages of a LIC may be on enemy force composition; whereas, the focus in a MIC or HIC may be on enemy force missions or intentions.

Cultural aspects also affect interrogation missions. The employment of some basic interrogation techniques will differ based on the ethnic and cultural background of the enemy, and our failure to understand and adapt to this could hamper the collection effort.

TROOPS

The number, experience level, and language proficiency of interrogators affect the tactical employment of interrogation elements. Due to the limited number of interrogators at any echelon, interrogation element commanders have to pick from available interrogators. They must manage personnel to ensure the most experienced are used to the best advantage (for example, to exploit complex enemy documents) and select EPWs most likely to answer SIR.

Interrogation element commanders often have to contend with a mismatch between language-qualified personnel assigned to the unit and languages needed to perform the mission. They overcome the mismatch by acquiring local national (LN) interpreter support.

DEFINITION OF INTERROGATION

Interrogation is the process of questioning a source to obtain the maximum amount of usable information.

through the Assistant Chief of Staff, G1 (Personnel). They can also augment their interrogators by requesting other available linguists within the supported command to serve as interpreters.

Another troop-related factor which affects interrogation operations is the training of all soldiers on EPW handling and evacuation. EPW treatment during the early stages of capture is critical to the success of subsequent interrogations. The availability of military police (MP) support at brigade and above can enhance interrogation activities. Interrogation operations are more effective in a controlled environment where EPWs are adequately guarded.

TERRAIN

Terrain and weather are relevant to interrogator operations and affect site deployments, communications, and mobility. MP must ensure proper shelter and security for the EPW facility if it is collocated or immediately adjacent to the EPW collecting point or internment facility.

TIME AVAILABLE

Information collected through interrogation operations is valuable only if it is reported in a timely manner. Exploitation procedures may need to be adjusted to make the most use of time available. At the tactical level, interrogations will be brief, PIR driven, and reported in concise formats such as size, activity, location, unit, time, equipment (SALUTE).

At the operational and strategic levels, time will generally allow for a more expanded interrogation effort and flexible reporting format, such as the intelligence information report (IIR).

The challenge is for interrogators to be proficient linguists and skilled members of a highly organized collection activity. This ensures the acquisition of the maximum amount of pertinent information regardless of time available.

Like other intelligence assets, interrogators must serve the commander. Interrogation operations are of no value unless they contribute to the accomplishment of the supported commander's mission. To understand the interrogator's role in mission accomplishment, one must understand the interrogation process.

The goal of any interrogation is to obtain reliable information in a lawful manner, in a minimum amount of

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time, and to satisfy intelligence requirements of any echelon of command. Sources may be—

- Civilian internees.
- Insurgents.
- EPWs.
- Defectors.
- Refugees.
- Displaced persons.
- Agents or suspected agents.
- Other non-US personnel.

A good interrogation produces needed information which is timely, complete, clear, and accurate. An interrogation involves the interaction of two personalities—the source and interrogator. Each contact between these two may differ because of individual characteristics and capabilities of the participants. Furthermore, the circumstances of each contact and physical environment vary.

Other forms of intelligence interrogations include interviews, debriefings, and elicitations. There are certain principles which generally apply to all types of interrogations; namely, the objective, the prohibition against use of force, and security.

OBJECTIVE

Each interrogation must be conducted for a definite purpose. The interrogator must keep this purpose firmly in mind as he proceeds to obtain usable information to satisfy the assigned requirement, and thus contribute to the success of the unit's mission.

The objective may be specific—Establish the exact location of an ammunition storage facility. Or it may be general—Seek to obtain OB information about a specific echelon of the enemy forces.

In either case, the interrogator must use the objective as a basis for planning and conducting the interrogation. He should attempt to prevent the source from becoming aware of the true objective of the interrogation. The interrogator should not concentrate on the objective to the extent he overlooks or fails to recognize and exploit other valuable information extracted from the source.

For example, during an interrogation, the interrogator learns of the presence of a heretofore unknown, highly destructive weapon. Although this information

may not be in line with his specific objective, the interrogator must develop this important lead to obtain all possible information concerning this weapon. It becomes obvious an interrogation objective can be changed as necessary or desired.

PROHIBITION AGAINST USE OF FORCE

The Intelligence Staff Officer (J2, G2, or S2) has responsibility for all command intelligence functions. He assists the commander by—

- Supervising the collection, evaluation, and interpretation of all intelligence information.
- Disseminating intelligence to appropriate higher, lower, and adjacent units.
- Assuming primary responsibility to ensure that all command intelligence functions are conducted in accordance with international, US, and other applicable law and policy. Specifically, the J2, G2, or S2 is responsible to ensure the GWS, GPW, and GC are not violated by intelligence personnel.

One of the significant means used by the intelligence staff is the interrogation of the following:

- EPWs.
- Captured insurgents.
- Civilian internees.
- Other captured, detained, or retained persons.
- Foreign deserters or other persons of intelligence interest.

These persons are protected by the Geneva Conventions for the Protection of War Victims of August 12, 1949, as they relate to captured wounded and sick enemy personnel (GWS), retained enemy medical personnel and chaplains (GWS), enemy prisoners of war (GPW), and civilian internees (GC). Captured insurgents and other detained personnel whose status is not clear, such as suspected terrorists, are entitled to PW protection until their precise status has been determined by competent authority.

In conducting intelligence interrogations, the J2, G2, or S2 has primary staff responsibility to ensure these activities are performed in accordance with the GWS, GPW, and GC, as well as US policies, regarding the treatment and handling of the above-mentioned persons.

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The GWS, GPW, GC, and US policy expressly prohibit acts of violence or intimidation, including physical or mental torture, threats, insults, or exposure to inhumane treatment as a means of or aid to interrogation.

Such illegal acts are not authorized and will not be condoned by the US Army. Acts in violation of these prohibitions are criminal acts punishable under the UCMJ. If there is doubt as to the legality of a proposed form of interrogation not specifically authorized in this manual, the advice of the command judge advocate should be sought before using the method in question.

Experience indicates that the use of prohibited techniques is not necessary to gain the cooperation of interrogation sources. Use of torture and other illegal methods is a poor technique that yields unreliable results, may damage subsequent collection efforts, and can induce the source to say what he thinks the interrogator wants to hear.

Revelation of use of torture by US personnel will bring discredit upon the US and its armed forces while undermining domestic and international support for the war effort. It also may place US and allied personnel in enemy hands at a greater risk of abuse by their captors. Conversely, knowing the enemy has abused US and allied PWs does not justify using methods of interrogation specifically prohibited by the GWS, GPW, or GC, and US policy.

Limitations on the use of methods identified herein as expressly prohibited should not be confused with psychological ploys, verbal trickery, or other nonviolent or noncoercive ruses used by the interrogator in the successful interrogation of hesitant or uncooperative sources.

The psychological techniques and principles in this manual should neither be confused with, nor construed to be synonymous with, unauthorized techniques such as brainwashing, physical or mental torture, or any other form of mental coercion to include drugs that may induce lasting and permanent mental alteration and damage.

Physical or mental torture and coercion revolve around eliminating the source's free will, and are expressly prohibited by GWS, Article 13; GPW, Articles 13 and 17; and GC, Articles 31 and 32. Torture is defined as the infliction of intense pain to body or mind

to extract a confession or information, or for sadistic pleasure.

Examples of physical torture include—

- Electric shock.
- Infliction of pain through chemicals or bondage (other than legitimate use of restraints to prevent escape).
- Forcing an individual to stand, sit, or kneel in abnormal positions for prolonged periods of time.
- Food deprivation.
- Any form of beating.

Examples of mental torture include—

- Mock executions.
- Abnormal sleep deprivation.
- Chemically induced psychosis.

Coercion is defined as actions designed to unlawfully induce another to compel an act against one's will. Examples of coercion include—

- Threatening or implying physical or mental torture to the subject, his family, or others to whom he owes loyalty.
- Intentionally denying medical assistance or care in exchange for the information sought or other cooperation.
- Threatening or implying that other rights guaranteed by the GWS, GPW, or GC will not be provided unless cooperation is forthcoming.

Specific acts committed by US Army personnel may subject them to prosecution under one or more of the following punitive articles of the UCMJ:

- Article 78 - Accessory after the fact.
- Article 80 - Attempts (to commit one of the following offenses).
- Article 81 - Conspiracy (to commit one of the following offenses).
- Article 93 - Cruelty and maltreatment.
- Article 118 - Murder.
- Article 119 - Manslaughter.
- Article 124 - Maiming.

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- Article 127 - Extortion.
- Article 128 - Assault (consummated by battery; with a dangerous weapon; or intentionally inflicting grievous bodily harm).
- Article 134 - Homicide, negligent:

-- Misprision of a serious offense
(taking some positive act to conceal a serious crime committed by another).

-- Soliciting another to commit an offense.

-- Threat, communicating.

See Appendix A for the text of these offenses.

While using legitimate interrogation techniques, certain applications of approaches and techniques may approach the line between lawful actions and unlawful actions. It may often be difficult to determine where lawful actions end and unlawful actions begin. In attempting to determine if a contemplated approach or technique would be considered unlawful, consider these two tests:

- Given all the surrounding facts and circumstances, would a reasonable person in the place of the person being interrogated believe that his rights, as guaranteed under both international and US law, are being violated or withheld, or will be violated or withheld if he fails to cooperate.
- If your contemplated actions were perpetrated by the enemy against US PWs, you would believe such actions violate international or US law.

If you answer yes to either of these tests, do not engage in the contemplated action. If a doubt still remains as to the legality of a proposed action, seek a legal opinion from your servicing judge advocate.

DEFINITION OF PRISONER OF WAR AND ENEMY PRISONER OF WAR

A PW is a US or allied person detained by an enemy power. An EPW is a person detained by US or allied powers. The first issue interrogators must deal with is who must be afforded PW treatment. Figure 1-3 paraphrases Article 4 of the GPW. In addition, the following personnel shall be treated as PWs: Persons belonging, or having belonged, to the armed forces of the occupied country, if—

The approaches, psychological techniques, and other principles presented in this manual must be read in light of the requirements of international and US law as discussed above.

Authority for conducting interrogations of personnel detained by military forces rests primarily upon the traditional concept that the commander may use all available resources and lawful means to accomplish his mission and to protect and secure his unit.

It is the stated policy of the US Army that military operations will be conducted in accordance with the law of war obligations of the US. The GWS, GPW, and GC establish specific standards for humane care and treatment of enemy personnel captured, retained, or detained by US military forces and its allies. Suspected or alleged violations of these standards will be reported, investigated and, if appropriate, referred to competent authority for trial or other disposition. Violations of the GWS, GPW, or GC committed by US personnel normally constitute violations of the UCMJ.

The commander is responsible for ensuring that the forces under his command comply with the GWS, GPW, and GC. Should violations occur in the conduct of warfare, the commander bears primary responsibility for investigating and prosecuting violations.

SECURITY

The interrogator, by virtue of his position, possesses a great deal of classified information. He is aware his job is to obtain information, not impart it to the source. He safeguards military information as well as the source of that information.

This becomes very clear when one considers that among those persons with whom the interrogator has contact, there are those attempting to collect information for the enemy. The interrogator is alert to detect any attempt made by the source to elicit information.

- The occupying power considers it necessary by reason of such allegiance to intern them; in particular, if—
- Such persons have made an unsuccessful attempt to rejoin the armed forces to which they belong and which are engaged in combat; or

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PWs are persons who have fallen into the power of the enemy and who are—

- Members of the armed forces of a party to the conflict, militias, or volunteer corps forming part of such armed forces.
- Members of other militias and volunteer corps, including those of organized resistance movements, belonging to a part of the conflict, and operating in or outside their territory, even if this territory is occupied, provided such militias or volunteer corps, including such organized resistance movements, fulfill the following conditions by—
 - Being commanded by a person responsible for their subordinates.
 - Having a fixed distinctive sign recognizable at a distance.
 - Carrying arms openly.
 - Conducting their operations by the laws and customs of war.
- Members of regular armed forces who profess allegiance to a government or an authority not recognized by the Detaining Power.
- Persons who accompany the armed forces without being members of it, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labor units or services responsible for the welfare of the armed forces, if they have received authorization from the armed forces they accompany, who shall provide them for that purpose with an identity card as described in the Geneva Conventions.
- Members of the crews of merchant marine, and crews of civil aircraft of the parties to the conflict, who do not benefit by more favorable treatment under any other provisions of international law.
- Inhabitants of an unoccupied territory, who on the approach of the enemy, spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units provided they carry arms openly and respect the laws and customs of war.

Figure 1-3. Definition of prisoner of war (GPW).

- Where they fail to comply with a summons made to them with a view to internment.

Obviously, there are many personnel who qualify for and require treatment as PWs. If there is any question whether a person should be treated as a PW, treat the

individual as such. The determination whether an individual qualifies as a PW is a Staff Judge Advocate (SJA) function, but has a direct impact on the interrogation effort due to GPW requirements. It is especially important in LICs to distinguish between PWs and criminals.

PERTINENT ARTICLES OF GENEVA CONVENTIONS

Several articles of the GPW apply to interrogators and interrogation operations. The articles

most commonly used by interrogators are shown in Figure 1-4.

TYPES OF SOURCES

The interrogator encounters many sources who vary greatly in personality, social class, civilian occupation, military specialty, and political and religious beliefs. Their physical conditions may range from near death to

perfect health; intelligence levels may range from well below average to well above average; and security consciousness may range from the lowest to the highest.

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Article 13--PWs must be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a PW in its custody is prohibited. PWs must always be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

Article 14--PWs are entitled, in all circumstances, to respect for their persons and honor. Women shall be treated with all regard due their sex, and shall always benefit by treatment as favorable that granted men.

Article 15--The Power detaining PWs shall provide, free of charge, for the maintenance and medical attention required by their state of health.

Article 17--This article covers several requirements with direct impact on interrogation.

- Every PW, when questioned on the subject, is bound to give only his surname, first names and rank, date of birth, and army, regimental, personal or (SIC) serial number, or failing this, equivalent information. If he willfully infringes this rule, he may render himself liable to a restriction of the privileges (emphasis added) accorded to his rank or status.
- For example, this does not mean if a prisoner fails to give this information he loses status as a prisoner, only special privileges. An example might be an officer who fails to identify himself as such. An officer cannot be compelled to work (Article 49). An officer who fails to identify himself as such could lose this privilege.
- The questioning of PWs shall be carried out in a language they understand.
- No physical or mental torture nor any other form of coercion may be inflicted on EPWs to secure from them information of any kind whatsoever. EPWs who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind.

Article 18--All effects and articles of personal use, except arms, horses, military equipment and documents, shall remain in the possession of PWs. They will also retain their metal helmets, gas masks, and like articles issued for personal protection. Effects and articles used for their clothing or feeding shall also remain in their possession, even if such effects and articles belong to their regulation military equipment.

- Badges of rank and nationality, decorations and articles having above all a personal or sentimental value may not be taken from PWs.
- Sums of money carried by PWs may not be taken away from them except by order of an officer, and 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 said receipt.

Article 19--PWs shall be evacuated, as soon as possible after their capture, to camps situated in an area far enough from the combat zone for them to be out of danger. Only those PWs, who, owing to wounds and sickness, would run greater risks by being evacuated than by remaining where they are, may be temporarily kept back in a danger zone.

Article 33--Medical personnel and chaplains, while retained by the Detaining Power with a view to assisting PWs, shall not be considered as PWs. They shall, however, receive as a minimum, the benefits and protection of the Geneva Convention. They shall continue to exercise their medical and spiritual functions for the benefits of PWs.

Figure 1-4. Pertinent articles of the GPW.

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Sources may be civilian internees, insurgents, EPWs, defectors, refugees, displaced persons, and agents or suspected agents. Because of these variations, the interrogator makes a careful study of every source to evaluate his mental, emotional, and physical state, and uses it as a basis for interrogation. He deals mainly with three categories of sources: cooperative and friendly, neutral and nonpartisan, and hostile and antagonistic.

COOPERATIVE AND FRIENDLY

A cooperative and friendly source offers little resistance to interrogation, and normally speaks freely on almost any topic introduced, other than those which tend to incriminate or degrade him personally. To obtain the maximum amount of information from cooperative and friendly sources, the interrogator takes care to establish and preserve a friendly and cooperative atmosphere by not inquiring into those private affairs which are beyond the scope of the interrogation. At the same time, he must avoid becoming overly friendly and losing control of the interrogation.

NEUTRAL AND NONPARTISAN

A neutral and nonpartisan source is cooperative to a limited degree. He normally takes the position of answering questions asked directly, but seldom volunteers information. In some cases, he may be afraid to answer for fear of reprisals by the enemy. This often is the case in LIC where the people may be fearful of insurgent reprisals. With the neutral and nonpartisan source, the interrogator may have to ask many specific questions to obtain the information required.

HOSTILE AND ANTAGONISTIC

A hostile and antagonistic source is most difficult to interrogate. In many cases, he refuses to talk at all, and offers a real challenge to the interrogator. An interrogator must have self-control, patience, and tact when dealing with him.

At lower tactical echelons, there is generally insufficient time available to effectively interrogate a hostile or antagonistic source. When time is available, and the

source appears to be an excellent target for exploitation, the source should be segregated and approached in an effort to obtain his cooperation. Because of possible high stress and frustration levels that such a source may invoke in you, great care must be taken to maintain your self-control. No matter what the source says or does, you must abide by the provisions of the law of war as previously discussed.

The absence of the use of threats in interrogation is intentional, as threats in and of themselves constitute a form of coercion. Any attempt at enforcement of a threat would constitute an act prohibited by the GWS, GPW, or GC and is punishable under the UCMJ.

A hostile or antagonistic source may be best exploited at echelons where sufficient time and resources will generally be available.

The successful interrogator is a skilled professional who is able to rapidly evaluate sources of information and adapt his approaches and techniques accordingly. The interrogator extracts intelligence from two primary sources: human sources and material sources (primarily CEDs). The senior interrogator determines which of these sources may be most effectively exploited to meet the supported commander's PIR and IR.

CEDs (see Chapter 4) include any piece of recorded information which has been in the possession of a foreign nation and comes into US possession. This includes US documents which the foreign nation may have possessed. There are many ways to acquire a document; some are found in the possession of human sources, on enemy dead, or on the battlefield. There are three types of documents:

- Official (government or military) documents such as overlays, field orders, maps, and codes.
- Personal (private or commercial) documents such as letters, diaries, newspapers, and books.
- Identity (government or military) documents such as cards and books.

PERSONAL QUALITIES

An interrogator should possess an interest in human nature and have a personality which will enable him to gain the cooperation of a source. Ideally, these and other personal qualities would be inherent in an interrogator; however, in most cases, an interrogator can cultivate these qualities if he has the desire and is willing to

devote time to study and practice. Some desirable personal qualities in an interrogator are discussed below.

MOTIVATION

Motivation is the most significant factor to achieve success. Without motivation, other qualities lose their significance. The stronger the motivation, the more

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successful the interrogator. An interrogator may be motivated by several factors; for example:

- An interest in human relations.
- A desire to react to the challenge of personal interplay.
- An enthusiasm for the collection of information.
- A profound interest in foreign languages and cultures.

ALERTNESS

The interrogator must be constantly aware of the shifting attitudes which normally characterize a source's reaction to interrogation. The interrogator—

- Notes the source's every gesture, word, and voice inflection.
- Determines why the source is in a certain mood or why his mood suddenly changed. It is from the source's mood and actions the interrogator determines how to best proceed with the interrogation.
- Watches for any indication the source is withholding information.
- Watches for a tendency to resist further questioning, diminishing resistance, contradictions, or other tendencies, to include susceptibility.

PATIENCE AND TACT

The interrogator must have patience and tact in creating and maintaining rapport between himself and the source, thereby enhancing the success of the interrogation. The validity of the source's statements and motives behind these statements may be obtainable only through exercise of tact and patience. Displaying impatience may—

- Encourage the difficult source to think if he remains unresponsive for a little longer, the interrogator will stop questioning.
- Cause the source to lose respect for the interrogator, thereby reducing his effectiveness.

An interrogator, with patience and tact, is able to terminate an interrogation and later continue it without arousing apprehension or resentment.

CREDIBILITY

The interrogator must maintain credibility with the source and friendly forces. Failure to produce material

rewards when promised may adversely affect future interrogations. The importance of accurate reporting cannot be overstressed, since interrogation reports are often the basis for tactical decisions and operations.

OBJECTIVITY

The interrogator must maintain an objective and dispassionate attitude, regardless of the emotional reactions he may actually experience or simulate during the interrogation. Without objectivity, he may unconsciously distort the information acquired. He may also be unable to vary his interrogation techniques effectively.

SELF-CONTROL

The interrogator must have exceptional self-control to avoid displays of genuine anger, irritation, sympathy, or weariness which may cause him to lose the initiative during the interrogation. Self-control is especially important when employing interrogation techniques which require the display of simulated emotions or attitudes.

ADAPTABILITY

An interrogator must adapt to the many and varied personalities which he will encounter. He should try to imagine himself in the source's position. By being adaptable, he can smoothly shift his techniques and approaches during interrogations according to the operational environment. In many cases, he has to conduct interrogations under unfavorable physical conditions.

PERSEVERANCE

A tenacity of purpose can be the difference between an interrogator who is merely good and one who is superior. An interrogator who becomes easily discouraged by opposition, noncooperation, or other difficulties will neither aggressively pursue the objective to a successful conclusion nor seek leads to other valuable information.

APPEARANCE AND DEemeanor

The interrogator's personal appearance may greatly influence the conduct of the interrogation and attitude of the source toward the interrogator. Usually a neat, organized, and professional appearance will favorably influence the source. A firm, deliberate, and businesslike manner of speech and attitude may create a proper environment for a successful interrogation. If the interrogator's manner reflects fairness, strength, and efficiency, the source may prove cooperative and more receptive to questioning.

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However, depending on the approach techniques (see Chapter 3), the interrogator can deliberately portray a different (for example, casual or sloven) appearance and demeanor to obtain the cooperation of the source.

INITIATIVE

Achieving and maintaining the initiative are essential to a successful interrogation just as the offense is the key to success in combat operations. The interrogator must grasp the initiative and maintain it throughout the interrogation.

SPECIAL AREAS OF KNOWLEDGE

The interrogator must be knowledgeable on a variety of subjects in order to be effective in exploiting sources. Some of these areas are—

- Proficiency in the target language.
- Knowledge of the target country.
- International agreements.
- Enemy materiel and equipment.
- Armed forces uniforms.
- OB information.

In addition to these subjects, the interrogator should have a knowledge of basic psychology and neurolinguistics.

PROFICIENCY IN THE TARGET LANGUAGE

The interrogator must be proficient in one or more foreign languages to exploit both human sources and CEDs. According to the GPW, a prisoner must be questioned in a language he understands.

The more proficient an interrogator is with the target language, the better he will be able to develop rapport with his source, understand the nuances of the source's speech, and follow up on source leads to additional information.

The skilled linguist will be able to translate CEDs quicker and more accurately than the interrogator who is merely familiar with the target language.

KNOWLEDGE OF THE TARGET COUNTRY

The interrogator should be familiar with the social, political, and economic institutions; geography; history; language; and culture of the target country. Since many sources will readily discuss nonmilitary topics, the interrogator—

The source, especially if detained by military forces during tactical operations, normally has undergone a traumatic experience and fears for his life. This anxiety is usually intensified by the source's lack of knowledge and understanding of what is about to occur (fear of the unknown), or by the unfounded fear he will be tortured or executed.

The interrogator has a position of authority over the source. The source realizes this fact, and, in some cases, believes his future might depend upon his association with the interrogator.

- May induce reluctant prisoners to talk by discussing the geography, economics, or politics of the target country.
- May gradually introduce significant topics into the discussion to gain insight about the conditions and attitudes in the target country.
- Should keep abreast of major and current events as they occur in the target country to better understand the general situation, as well as causes and repercussions.

LAW OF WAR

The interrogator should understand US law of war obligations contained in the GWS, GPW, and GC regarding the treatment of EPWs, retained personnel, and civilian internees (see Figure 1-4).

ENEMY MATERIEL AND EQUIPMENT

The interrogator should be familiar with the capabilities, limitations, and employment of standard weapons and equipment so he may recognize and identify changes, revisions, and innovations. Some of the more common subjects of interest to the interrogator include the following:

- Small arms.
- Infantry support weapons.
- Artillery.
- Aircraft.
- Vehicles.
- Communications equipment.
- NBC defense.

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ARMED FORCES UNIFORMS AND INSIGNIA

Through his knowledge of uniforms, insignia, decorations, and other distinctive devices, the interrogator may be able to determine the rank, branch of service, type of unit, and military experience of a military or paramilitary source. This knowledge is helpful during the planning and preparation and the approach phases discussed in Chapter 3.

OB INFORMATION

OB is defined as the identification, strength, command structure, and disposition of personnel, units, and equipment of any military force. Interrogation OB elements are separate categories by which detailed information is maintained. They are—

- Missions.
- Composition.
- Disposition.
- Strength.
- Training.
- Combat effectiveness.
- Tactics.
- Logistics.
- Electronic technical data.
- Miscellaneous data.

During the questioning phase, OB elements assist the interrogator in verifying the accuracy of the information obtained and can be used as an effective tool to gain

INTERROGATOR CAPABILITIES AND LIMITATIONS

HUMINT collection is capable of obtaining information pertinent to all six IEW tasks:

- Situation development.
- Target development and target acquisition.
- I&W.
- IPB.
- BDA.
- Force protection.

Interrogators are trained as linguists to question EPWs and civilian detainees and to exploit CEDs.

new information. Aids which may be used to identify units are—

- Names.
- Commanders.
- Home station identifications.
- Code designations and numbers.
- Uniforms and insignia.
- Guidons.
- Documents.
- Military postal system data.
- Equipment and vehicle markings.

UNDERSTANDING BASIC PSYCHOLOGY

An interrogator can best adapt himself to the EPW's or detainee's personality and control of their reactions when he understands basic psychological factors, traits, attitudes, drives, motivations, and inhibitions. For example, the timely use or promise of rewards and incentives may mean the difference between an interrogation's success or failure and future EPW or detainee exploitation.

NEUROLINGUISTICS

Neurolinguistics is a behavioral communication model and a set of procedures that improve communication skills. The interrogator should read and react to nonverbal communications. An interrogator can best adapt himself to the source's personality and control his own reactions when he understands basic psychological factors, traits, attitudes, drives, motivations, and inhibitions.

During their collection, interrogators attempt to obtain and report any information possessed by these targets that pertains to the IEW tasks. This persistence is determined by comparing the information obtained to the SIR contained in the interrogation element's collection mission.

Interrogators are capable of collecting information on political, economic, and a wide range of military topics. For the most part, interrogators attempt to organize their collection effort according to the OB elements analysts use. In addition to these elements, interrogators also obtain PIR-directed information on the

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Smooth Transitions

The interrogator must guide the conversation smoothly and logically, especially if he needs to move from one approach technique to another. "Poking and hoping" in the approach may alert the prisoner to ploys and will make the job more difficult.

Tie-ins to another approach can be made logically and smoothly by using transitional phrases. Logical tie-ins can be made by including simple sentences which connect the previously used approach with the basis for the next one.

Transitions can also be smoothly covered by leaving the unsuccessful approach and going back to nonpertinent questions. By using nonpertinent conversation, the interrogator can move the conversation in the desired direction and, as previously stated, sometimes can obtain leads and hints about the source's stresses or weaknesses or other approach strategies that may be more successful.

Sincere and Convincing

If an interrogator is using argument and reason to get the source to cooperate, he must be convincing and appear sincere. All inferences of promises, situations, and arguments, or other invented material must be believable. What a source may or may not believe depends on the interrogator's knowledge, experience, and training. A good source assessment is the basis for the approach and vital to the success of the interrogation effort.

Recognize the Breaking Point

Every source has a breaking point, but an interrogator never knows what it is until it has been reached. There are, however, some good indicators the source is near his breaking point or has already reached it. For example, if during the approach, the source leans forward with his facial expression indicating an interest in the proposal or is more hesitant in his argument, he is probably nearing the breaking point. The interrogator must be alert to recognize these signs.

Once the interrogator determines the source is breaking, he should interject a question pertinent to the objective of the interrogation. If the source answers it, the interrogator can move into the questioning phase. If the source does not answer or balks at answering it, the interrogator must realize the source was not as close to the breaking point as thought. In this case, the interrogator must continue with his approach, or switch to an alternate approach or questioning technique and

continue to work until he feels the source is near breaking.

The interrogator can tell if the source has broken only by interjecting pertinent questions. This process must be followed until the EPW or detainee begins to answer pertinent questions. It is possible the EPW or detainee may cooperate for a while and then balk at answering further questions. If this occurs, the interrogator can reinforce the approaches that initially gained the source's cooperation or move into a different approach before returning to the questioning phase.

At this point, it is important to note the amount of time spent with a particular source depends on several factors:

- The battlefield situation.
- Expediency which the supported commander's PIR and IR requirements need to be answered.
- Source's willingness to talk.

The number of approaches used is limited only by the interrogator's skill. Almost any ruse or deception is usable as long as the provisions of the GPW, as outlined in Figure 1-4, are not violated.

An interrogator must not pass himself off as a medic, chaplain, or as a member of the Red Cross (Red Crescent or Red Lion). To every approach technique, there are literally hundreds of possible variations, each of which can be developed for a specific situation or source. The variations are limited only by the interrogator's personality, experience, ingenuity, and imagination.

APPROACH COMBINATIONS

With the exception of the direct approach, no other approach is effective by itself. Interrogators use different approach techniques or combine them into a cohesive, logical technique. Smooth transitions, sincerity, logic, and conviction almost always make a strategy work. The lack of will undoubtedly dooms it to failure. Some examples of combinations are—

- Direct—futility—incentive.
- Direct—futility—love of comrades.
- Direct—fear-up (mild)—incentive.

The number of combinations are unlimited. Interrogators must carefully choose the approach strategy in the planning and preparation phase and listen carefully

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to what the source is saying (verbally or nonverbally) for leads the strategy chosen will not work. When this occurs, the interrogator must adapt to approaches he believes will work in gaining the source's cooperation.

The approach techniques are not new nor are all the possible or acceptable techniques discussed below. Everything the interrogator says and does must be in concert with the GWS, GPW, GC, and UCMJ. The approaches which have proven effective are—

- Direct.
- Incentive.
- Emotional.
- Increased fear-up.
- Pride and ego.

Direct Approach

The interrogator asks questions directly related to information sought, making no effort to conceal the interrogation's purpose. The direct approach, always the first to be attempted, is used on EPWs or detainees who the interrogator believes will cooperate.

This may occur when interrogating an EPW or detainee who has proven cooperative during initial screening or first interrogation. It may also be used on those with little or no security training. The direct approach works best on lower enlisted personnel, as they have little or no resistance training and have had minimal security training.

The direct approach is simple to use, and it is possible to obtain the maximum amount of information in the minimum amount of time. It is frequently employed at lower echelons when the tactical situation precludes selecting other techniques, and where the EPW's or detainee's mental state is one of confusion or extreme shock. Figure C-3 contains sample questions used in direct questioning.

The direct approach is the most effective. Statistics show in World War II, it was 90 percent effective. In Vietnam and OPERATIONS URGENT FURY, JUST CAUSE, and DESERT STORM, it was 95 percent effective.

Incentive Approach

The incentive approach is based on the application of inferred discomfort upon an EPW or detainee who lacks willpower. The EPW or detainee may display fondness

for certain luxury items such as candy, fruit, or cigarettes. This fondness provides the interrogator with a positive means of rewarding the EPW or detainee for cooperation and truthfulness, as he may give or withhold such comfort items at his discretion. Caution must be used when employing this technique because—

- Any pressure applied in this manner must not amount to a denial of basic human needs under any circumstances. [NOTE: Interrogators may not withhold a source's rights under the GPW, but they can withhold a source's privileges.] Granting incentives must not infringe on these rights, but they can be things to which the source is already entitled. This can be effective only if the source is unaware of his rights or privileges.
- The EPW or detainee might be tempted to provide false or inaccurate information to gain the desired luxury item or to stop the interrogation.

The GPW, Article 41, requires the posting of the convention contents in the EPW's own language. This is an MP responsibility.

Incentives must seem to be logical and possible. An interrogator must not promise anything that cannot be delivered. Interrogators do not make promises, but usually infer them while sidestepping guarantees.

For example, if an interrogator made a promise he could not keep and he or another interrogator had to talk with the source again, the source would not have any trust and would probably not cooperate. Instead of clearly promising a certain thing, such as political asylum, an interrogator will offer to do what he can to help achieve the source's desired goal; as long as the source cooperates.

As with developing rapport, the incentive approach can be broken down into two incentives. The determination rests on when the source expects to receive the incentive offered.

- Short term—received immediately; for example, letter home, seeing wounded buddies.
- Long term—received within a period of time; for example, political asylum.

Emotional Approach

Through EPW or detainee observation, the interrogator can often identify dominant emotions which motivate. The motivating emotion may be greed, love, hate, revenge, or others. The interrogator employs ver-

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bal and emotional ruses in applying pressure to the EPW's or detainee's dominant emotions.

One major advantage of this technique is it is versatile and allows the interrogator to use the same basic situation positively and negatively.

For example, this technique can be used on the EPW who has a great love for his unit and fellow soldiers. The interrogator may take advantage of this by telling the EPW that by providing pertinent information, he may shorten the war or battle in progress and save many of his comrades' lives, but his refusal to talk may cause their deaths. This places the burden on the EPW or detainee and may motivate him to seek relief through cooperation.

Conversely, this technique can also be used on the EPW or detainee who hates his unit because it withdrew and left him to be captured, or who feels he was unfairly treated in his unit. In such cases, the interrogator can point out that if the EPW cooperates and specifies the unit's location, the unit can be destroyed, thus giving the EPW an opportunity for revenge. The interrogator proceeds with this method in a very formal manner.

This approach is likely to be effective with the immature and timid EPW.

Emotional Love Approach. For the emotional love approach to be successful, the interrogator must focus on the anxiety felt by the source about the circumstances in which he finds himself. The interrogator must direct the love the source feels toward the appropriate object: family, homeland, or comrades. If the interrogator can show the source what the source himself can do to alter or improve his situation, the approach has a chance of success.

This approach usually involves some incentive such as communication with the source's family or a quicker end to the war to save his comrades' lives. A good interrogator will usually orchestrate some futility with an emotional love approach to hasten the source's reaching the breaking point.

Sincerity and conviction are critical in a successful attempt at an emotional love approach as the interrogator must show genuine concern for the source, and for the object at which the interrogator is directing the source's emotion.

If the interrogator ascertains the source has great love for his unit and fellow soldiers, the interrogator can ef-

fectively exploit the situation. This places a burden on the source and may motivate him to seek relief through cooperation with the interrogator.

Emotional Hate Approach. The emotional hate approach focuses on any genuine hate, or possibly a desire for revenge, the source may feel. The interrogator must ascertain exactly what it is the source may hate so the emotion can be exploited to override the source's rational side. The source may have negative feelings about his country's regime, immediate superiors, officers in general, or fellow soldiers.

This approach is usually most effective on members of racial or religious minorities who have suffered discrimination in military and civilian life. If a source feels he has been treated unfairly in his unit, the interrogator can point out that, if the source cooperates and divulges the location of that unit, the unit can be destroyed, thus affording the source revenge.

By using a conspiratorial tone of voice, the interrogator can enhance the value of this technique. Phrases, such as "You owe them no loyalty for the way they treated you," when used appropriately, can expedite the success of this technique.

Do not immediately begin to berate a certain facet of the source's background or life until your assessment indicates the source feels a negative emotion toward it.

The emotional hate approach can be used more effectively by drawing out the source's negative emotions with questions that elicit a thought-provoking response. For example, "Why do you think they allowed you to be captured?" or "Why do you think they left you to die?" Do not berate the source's forces or homeland unless certain negative emotions surface.

Many sources may have great love for their country, but may hate the regime in control. The emotional hate approach is most effective with the immature or timid source who may have no opportunity up to this point for revenge, or never had the courage to voice his feelings.

Fear-Up Approach

The fear-up approach is the exploitation of a source's preexisting fear during the period of capture and interrogation. The approach works best with young, inexperienced sources, or sources who exhibit a greater than normal amount of fear or nervousness. A source's fear may be justified or unjustified. For example, a source who has committed a war crime may justifiably fear

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prosecution and punishment. By contrast, a source who has been indoctrinated by enemy propaganda may unjustifiably fear that he will suffer torture or death in our hands if captured.

This approach has the greatest potential to violate the law of war. Great care must be taken to avoid threatening or coercing a source which is in violation of the GPW, Article 17.

It is critical the interrogator distinguish what the source fears in order to exploit that fear. The way in which the interrogator exploits the source's fear depends on whether the source's fear is justified or unjustified.

Fear-Up (Harsh). In this approach, the interrogator behaves in an overpowering manner with a loud and threatening voice. The interrogator may even feel the need to throw objects across the room to heighten the source's implanted feelings of fear. Great care must be taken when doing this so any actions would not violate the prohibition on coercion and threats contained in the GPW, Article 17.

This technique is to convince the source he does indeed have something to fear; that he has no option but to cooperate. A good interrogator will implant in the source's mind that the interrogator himself is not the object to be feared, but is a possible way out of the trap.

Use the confirmation of fear only on sources whose fear is justified. During this approach, confirm to the source that he does indeed have a legitimate fear. Then convince the source that you are the source's best or only hope in avoiding or mitigating the object of his fear, such as punishment for his crimes.

You must take great care to avoid promising actions that are not in your power to grant. For example, if the source has committed a war crime, inform the source that the crime has been reported to the appropriate authorities and that action is pending. Next inform the source that, if he cooperates and tells the truth, you will report that he cooperated and told the truth to the appropriate authorities. You may add that you will also report his lack of cooperation. You may not promise that the charges against him will be dismissed because you have no authority to dismiss the charges.

Fear-Up (Mild). This approach is better suited to the strong, confident type of interrogator; there is generally no need to raise the voice or resort to heavy-handed, table-banging.

For example, capture may be a result of coincidence—the soldier was caught on the wrong side of the border before hostilities actually commenced (he was armed, he could be a terrorist)—or as a result of his actions (he surrendered contrary to his military oath and is now a traitor to his country, and his forces will take care of the disciplinary action).

The fear-up (mild) approach must be credible. It usually involves some logical incentive.

In most cases, a loud voice is not necessary. The actual fear is increased by helping the source realize the unpleasant consequences the facts may cause and by presenting an alternative, which, of course, can be brought about by answering some simple questions.

The fear-up (harsh) approach is usually a dead end, and a wise interrogator may want to keep it in reserve as a trump card. After working to increase the source's fear, it would be difficult to convince him everything will be all right if the approach is not successful.

Fear-Down Approach

This technique is nothing more than calming the source and convincing him he will be properly and humanely treated, or telling him the war for him is mercifully over and he need not go into combat again. When used with a soothing, calm tone of voice, this often creates rapport and usually nothing else is needed to get the source to cooperate.

While calming the source, it is a good idea to stay initially with nonpertinent conversation and to avoid the subject which has caused the source's fear. This works quickly in developing rapport and communication, as the source will readily respond to kindness.

When using this approach, it is important the interrogator relate to the source at his perspective level and not expect the source to come up to the interrogator's level.

If the EPW or detainee is so frightened he has withdrawn into a shell or regressed to a less threatening state of mind, the interrogator must break through to him. The interrogator can do this by putting himself on the same physical level as the source; this may require some physical contact. As the source relaxes and begins to respond to kindness, the interrogator can begin asking pertinent questions.

This approach technique may backfire if allowed to go too far. After convincing the source he has nothing

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to fear, he may cease to be afraid and may feel secure enough to resist the interrogator's pertinent question. If this occurs, reverting to a harsher approach technique usually will bring the desired result quickly.

The fear-down approach works best if the source's fear is unjustified. During this approach, take specific actions to reduce the source's unjustified fear. For example, if the source believes that he will be abused while in your custody, make extra efforts to ensure that the source is well cared for, fed, and appropriately treated.

Once the source is convinced that he has no legitimate reason to fear you, he will be more inclined to cooperate. The interrogator is under no duty to reduce a source's unjustified fear. The only prohibition is that the interrogator may not say or do anything that directly or indirectly communicates to the source that he will be harmed unless he provides the requested information.

These applications of the fear approach may be combined to achieve the desired effect. For example, if a source has justified and unjustified fears, you may initially reduce the source's unfounded fears, then confirm his legitimate fears. Again, the source should be convinced the interrogator is his best or only hope in avoiding or mitigating the object of his fear.

Pride and Ego Approach

The strategy of this approach is to trick the source into revealing desired information by goading or flattering him. It is effective with sources who have displayed weakness or feelings of inferiority. A real or imaginary deficiency voiced about the source, loyalty to his organization, or any other feature can provide a basis for this technique.

The interrogator accuses the source of weakness or implies he is unable to do a certain thing. This type of source is also prone to excuses and reasons why he did or did not do a certain thing, often shifting the blame to others. An example is opening the interrogation with the question, "Why did you surrender so easily when you could have escaped by crossing the nearby ford in the river?"

The source is likely to provide a basis for further questions or to reveal significant intelligence information if he attempts to explain his surrender in order to vindicate himself. He may give an answer such as, "No one could cross the ford because it is mined."

This technique can also be employed in another manner--by flattering the source into admitting certain information in order to gain credit. For example, while interrogating a suspected saboteur, the interrogator states: "This was a smooth operation. I have seen many previous attempts fail. I bet you planned this. Who else but a clever person like you would have planned it? When did you first decide to do the job?"

This technique is especially effective with the source who has been looked down upon by his superiors. The source has the opportunity to show someone he is intelligent.

A problem with the pride and ego approach is it relies on trickery. The source will eventually realize he has been tricked and may refuse to cooperate further. If this occurs, the interrogator can easily move into a fear-up approach and convince the source the questions he has already answered have committed him, and it would be useless to resist further.

The interrogator can mention it will be reported to the source's forces that he has cooperated fully with the enemy, will be considered a traitor, and has much to fear if he is returned to his forces.

This may even offer the interrogator the option to go into a love-of-family approach where the source must protect his family by preventing his forces from learning of his duplicity or collaboration. Telling the source you will not report that he talked or that he was a severe discipline problem is an incentive that may enhance the effectiveness of the approach.

Pride and Ego-Up Approach. This approach is most effective on sources with little or no intelligence, or on those who have been looked down upon for a long time. It is very effective on low-ranking enlisted personnel and junior grade officers, as it allows the source to finally show someone he does indeed have some "brains."

The source is constantly flattered into providing certain information in order to gain credit. The interrogator must take care to use a flattering somewhat-in-awe tone of voice, and speak highly of the source throughout this approach. This quickly produces positive feelings on the source's part, as he has probably been looking for this type of recognition all of his life.

The interrogator may blow things out of proportion using items from the source's background and making them seem noteworthy or important. As everyone is eager to hear praise, the source will eventually reveal

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pertinent information to solicit more laudatory comments from the interrogator.

Effective targets for a successful pride and ego-up approach are usually the socially accepted reasons for flattery, such as appearance and good military bearing. The interrogator should closely watch the source's demeanor for indications the approach is working. Some indications to look for are—

- Raising of the head.
- A look of pride in the eyes.
- Swelling of the chest.
- Stiffening of the back.

Pride and Ego-Down Approach. This approach is based on attacking the source's sense of personal worth. Any source who shows any real or imagined inferiority or weakness about himself, loyalty to his organization, or captured under embarrassing circumstances, can be easily broken with this approach technique.

The objective is for the interrogator to pounce on the source's sense of pride by attacking his loyalty, intelligence, abilities, leadership qualities, slovenly appearance, or any other perceived weakness. This will usually goad the source into becoming defensive, and he will try to convince the interrogator he is wrong. In his attempt to redeem his pride, the source will usually involuntarily provide pertinent information in attempting to vindicate himself.

A source susceptible to this approach is also prone to make excuses and give reasons why he did or did not do a certain thing, often shifting the blame to others. If the interrogator uses a sarcastic, caustic tone of voice with appropriate expressions of distaste or disgust, the source will readily believe him. Possible targets for the pride and ego-down approach are the source's—

- Loyalty.
- Technical competence.
- Leadership abilities.
- Soldierly qualities.
- Appearance.

The pride and ego-down approach is also a dead end in that, if unsuccessful, it is difficult for the interrogator to recover and move to another approach and rees-

tablish a different type of rapport without losing all credibility.

Futility

In this approach, the interrogator convinces the source that resistance to questioning is futile. When employing this technique, the interrogator must have factual information. These facts are presented by the interrogator in a persuasive, logical manner. He should be aware of and able to exploit the source's psychological and moral weaknesses, as well as weaknesses inherent in his society.

The futility approach is effective when the interrogator can play on doubts that already exist in the source's mind. There are different variations of the futility approach. For example:

- Futility of the personal situation—"You are not finished here until you answer the questions."
- Futility in that "everyone talks sooner or later."
- Futility of the battlefield situation.
- Futility in the sense if the source does not mind talking about history, why should he mind talking about his missions, they are also history.

If the source's unit had run out of supplies (ammunition, food, or fuel), it would be somewhat easy to convince him all of his forces are having the same logistical problems. A soldier who has been ambushed may have doubts as to how he was attacked so suddenly. The interrogator should be able to talk him into believing that the interrogator's forces knew of the EPW's unit location, as well as many more units.

The interrogator might describe the source's frightening recollections of seeing death on the battlefield as an everyday occurrence for his forces. Factual or seemingly factual information must be presented in a persuasive, logical manner, and in a matter-of-fact tone of voice.

Making the situation appear hopeless allows the source to rationalize his actions, especially if that action is cooperating with the interrogator. When employing this technique, the interrogator must not only have factual information but also be aware of and exploit the source's psychological, moral, and sociological weaknesses.

Another way of using the futility approach is to blow things out of proportion. If the source's unit was low on, or had exhausted, all food supplies, he can be easily

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led to believe all of his forces had run out of food. If the source is hinging on cooperating, it may aid the interrogation effort if he is told all the other source's have cooperated.

The futility approach must be orchestrated with other approach techniques (for example, love of comrades). A source who may want to help save his comrades' lives may be convinced the battlefield situation is hopeless and they will die without his assistance.

The futility approach is used to paint a bleak picture for the prisoner, but it is not effective in and of itself in gaining the source's cooperation.

We Know All

This approach may be employed in conjunction with the "file and dossier" technique (discussed below) or by itself. If used alone, the interrogator must first become thoroughly familiar with available data concerning the source. To begin the interrogation, the interrogator asks questions based on this known data. When the source hesitates, refuses to answer, or provides an incorrect or incomplete reply, the interrogator provides the detailed answer.

When the source begins to give accurate and complete information, the interrogator interjects questions designed to gain the needed information. Questions to which answers are already known are also asked to test the source's truthfulness and to maintain the deception that the information is already known. By repeating this procedure, the interrogator convinces the source that resistance is useless as everything is already known.

After gaining the source's cooperation, the interrogator still tests the extent of cooperation by periodically using questions to which he has the answers; this is very necessary. If the interrogator does not challenge the source when he is lying, the source will know everything is not known, and he has been tricked. He may then provide incorrect answers to the interrogator's questions.

There are some inherent problems with the use of the "we know all" approach. The interrogator is required to prepare everything in detail, which is time consuming. He must commit much of the information to memory, as working from notes may show the limits of the information actually known.

File and Dossier

The file and dossier approach is used when the interrogator prepares a dossier containing all available information obtained from documents concerning the source or his organization. Careful arrangement of the material within the file may give the illusion it contains more data than actually there. The file may be padded with extra paper, if necessary. Index tabs with titles such as education, employment, criminal record, military service, and others are particularly effective.

The interrogator confronts the source with the dossiers at the beginning of the interrogation and explains intelligence has provided a complete record of every significant happening in the source's life; therefore, it would be useless to resist. The interrogator may read a few selected bits of known data to further impress the source.

If the technique is successful, the source will be intimidated by the size of the file, conclude everything is known, and resign himself to complete cooperation. The success of this technique is largely dependent on the naivete of the source, volume of data on the subject, and skill of the interrogator in convincing the source.

Establish Your Identity

This approach is especially adaptable to interrogation. The interrogator insists the source has been correctly identified as an infamous individual wanted by higher authorities on serious charges, and he is not the person he purports to be. In an effort to clear himself of this allegation, the source makes a genuine and detailed effort to establish or substantiate his true identity. In so doing, he may provide the interrogator with information and leads for further development.

The "establish your identity" approach was effective in Viet Nam with the Viet Cong and in OPERATIONS JUST CAUSE and DESERT STORM.

This approach can be used at tactical echelons. The interrogator must be aware if it is used in conjunction with the file and dossier approach, as it may exceed the tactical interrogator's preparation resources.

The interrogator should initially refuse to believe the source and insist he is the criminal wanted by the ambiguous higher authorities. This will force the source to give even more detailed information about his unit in order to convince the interrogator he is who he says he is. This approach works well when combined with the "futility" or "we know all" approach.

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Repetition

This approach is used to induce cooperation from a hostile source. In one variation of this approach, the interrogator listens carefully to a source's answer to a question, and then repeats the question and answer several times. He does this with each succeeding question until the source becomes so thoroughly bored with the procedure he answers questions fully and candidly to satisfy the interrogator and gain relief from the monotony of this method.

The repetition technique must be judiciously used, as it will generally be ineffective when employed against introverted sources or those having great self-control. In fact, it may provide an opportunity for a source to regain his composure and delay the interrogation. In this approach, the use of more than one interrogator or a tape recorder has proven effective.

Rapid Fire

This approach involves a psychological ploy based upon the principles that—

- Everyone likes to be heard when he speaks.
- It is confusing to be interrupted in mid-sentence with an unrelated question.

This approach may be used by one or simultaneously by two or more interrogators in questioning the same source. In employing this technique, the interrogator asks a series of questions in such a manner that the source does not have time to answer a question completely before the next one is asked.

This confuses the source and he will tend to contradict himself, as he has little time to formulate his answers. The interrogator then confronts the source with the inconsistencies causing further contradictions.

In many instances, the source will begin to talk freely in an attempt to explain himself and deny the interrogator's claims of inconsistencies. In this attempt, the source is likely to reveal more than he intends, thus creating additional leads for further exploitation. This approach may be orchestrated with the pride and ego-down or fear-up approaches.

Besides extensive preparation, this approach requires an experienced and competent interrogator, with comprehensive case knowledge and fluency in the source's language.

Silent

This approach may be successful when used against the nervous or confident source. When employing this technique, the interrogator says nothing to the source, but looks him squarely in the eye, preferably with a slight smile on his face. It is important not to look away from the source but force him to break eye contact first.

The source may become nervous, begin to shift in his chair, cross and recross his legs, and look away. He may ask questions, but the interrogator should not answer until he is ready to break the silence. The source may blurt out questions such as, "Come on now, what do you want with me?"

When the interrogator is ready to break silence, he may do so with some nonchalant questions such as, "You planned this operation for a long time, didn't you? Was it your idea?" The interrogator must be patient when using this technique. It may appear the technique is not succeeding, but usually will when given a reasonable chance.

Change of Scene

The idea in using this approach is to get the source away from the atmosphere of an interrogation room or setting. If the interrogator confronts a source who is apprehensive or frightened because of the interrogation environment, this technique may prove effective.

In some circumstances, the interrogator may be able to invite the source to a different setting for coffee and pleasant conversation. During the conversation in this more relaxed environment, the interrogator steers the conversation to the topic of interest. Through this somewhat indirect method, he attempts to elicit the desired information. The source may never realize he is being interrogated.

Another example in this approach is an interrogator poses as a compound guard and engages the source in conversation, thus eliciting the desired information.

QUESTIONING PHASE

The interrogation effort has two primary goals: To obtain information and to report it. Developing and using good questioning techniques enable the inter-

rogator to obtain accurate and pertinent information by following a logical sequence.

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APPENDIX D

PROTECTED PERSONS RIGHTS VERSUS SECURITY NEEDS

The articles in this Appendix are extracted from the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of August 12, 1949.

The GC attempts to balance the necessity of the proper treatment of protected persons with the needs of security by the Detaining or Occupying Power. The GC applies to the whole of the populations of the countries in conflict, without any adverse distinction based, in particular, on race, nationality, religion, or political opinion. It is the design of the Convention to alleviate the sufferings caused by war (Article 13).

At the outbreak of a conflict, many protected persons become displaced persons. They move within their own country to areas where hostilities are not a threat or a power is able to protect them. They may become refugees, fleeing into neighboring countries seeking a safe haven. The GC provides that protected persons who desire to leave at the outset of, or during a conflict, should be allowed to do so, unless their departure is contrary to the national interest of the State (Article 35). However, in light of possible threats to the security of the State receiving the refugees or a Detaining Power, the Geneva Convention does recognize a State's right to take appropriate action to insure security.

The most typical security measure taken in such cases is the establishment of some manner of screening camps where the people may be identified and screened. During the process, useful intelligence may be obtained from legitimate displaced persons or refugees, and from potential threats, such as covert agents, who may be identified and interrogated.

In most cases, interrogators or linguists will conduct the screening operations while working closely with CI personnel to identify those protected persons of CI interest. Other military intelligence personnel may be required to participate in this screening process because of the large numbers of refugees and/or the lack of other qualified personnel.

Internment of a protected person occurs when the Detaining Power determines that confinement or assignment of residences to certain protected persons is absolutely necessary to the security of the Detaining Power (Articles 41 and 42). A civilian internee is defined by the Department of Defense (DOD) as a civilian who is interned during an armed conflict or occupation for security reasons or for protection or because he has committed an offense against the Detaining Power.

GENEVA CONVENTION PROVISIONS CONCERNING PROTECTED PERSONS

It is critical that the GC provisions concerning protected persons be strictly adhered to in the quest to identify legitimate threats and gain needed intelligence. Specifically:

(a) Article 5 provides that if a Party to the conflict is satisfied that an individual protected person is suspected of or engaged in activities hostile to the security of the State, such individual shall not be entitled to claim rights or privileges under the convention, if the exercise of that right would be prejudicial to that State. However, such individuals must be humanely treated during internment and the pendency of any investigation and/or prosecution. A limitation of rights or privileges may include the withholding of the right to communicate with members of their family or representatives of their government. Such restrictions would be appropriate in a case involving spying.

(b) Article 29 places the responsibility for the treatment accorded protected persons upon the Party in whose hands they are found. This is in addition to any personal responsibility incurred by an agent of that Party. This is an affirmative duty upon commanders to insure their subordinates are not mistreating protected persons or their property. The command and the government will ultimately be held responsible for any mistreatment.

(c) Article 31 prohibits physical or moral coercion against protected persons to obtain information from them or from third parties. Prohibited coercion may be obvious, such as physically abusing the subject of the screening or interrogation. It may also be more subtle, such as threats to turn the individual over to hostile forces; subjecting the individual to humiliating or degrading treatment; implying harm to the individual or his

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property, or implying a deprivation of rights guaranteed by international law because of a failure to cooperate; threatening to separate parents from their children; or forcing a protected person to perform guide services.

(d) Article 32 prohibits corporal punishment, torture or taking any measure of such character as to cause the physical suffering or extermination of protected persons in your control. This prohibition not only applies to actions taken by the Detaining Party against the protected persons, but also any adverse action that others may take.

(e) Article 33 prohibits collective punishments, penalties, reprisals, or pillaging of protected persons and their property. The principle behind this provision is that protected persons should only be held liable for offenses they personally commit. This prohibition includes all measures of intimidation or terrorism.

(f) Article 41 allows the Power, in whose hands the protected persons are found, to intern or force assigned residence to protected persons, if the other measures of control permitted by the convention are inadequate. Some persons may demand internment (for example, protected persons who may be threatened by others). Internment must be provided when the situation renders this step necessary (Article 42).

(g) If interned or forced into assigned residences, protected persons have the right to have any such determination reconsidered and reviewed on a periodic basis (Article 43).

(h) In connection with the above, Article 44 prohibits the Detaining Power from automatically interning or forcing an assigned residence against refugees who are nationals of an Enemy State, exclusively on the basis of their nationality, who do not, in fact, enjoy the protection of any government. The purpose of this article is to insure that refugees, who may only technically remain enemy aliens, are not, on that basis alone, automatically subject to control measures, notwithstanding the fact that they are not protected by their government. An example of this would be interning Iraqi refugees based solely on their status as Iraqis. This prohibition, however, does not in any way deny the right of a State to intern such persons or subject them to legitimate controls when there is an additional basis for taking such action in the interest of security of the State.

(i) Article 45 prohibits the transfer of protected persons into the custody of a Power not a signatory to the convention. The transferring Power must insure that protected persons transferred from their custody will be treated in accordance with the conventions. In the event that the transferring Power discovers that the protected persons are not being treated in accordance with the convention, they shall request that the protected persons be returned to their custody.

Army Regulation 190-8
OPNAVINST 3461.6
AFJI 31-304
MCO 3461.1

Military Police

Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

Headquarters
Departments of the Army,
the Navy, the Air Force,
and the Marine Corps
Washington, DC
1 October 1997

UNCLASSIFIED

APPELLATE EXHIBIT III

Headquarters
Departments of the Army,
the Navy, the Air Force,
and the Marine Corps
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1 October 1997

*Army Regulation 190-8
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*AFJI 31-304
*MCO 3461.1

Effective 1 November 1997

Military Police

Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

By Order of the Secretary of
the Navy:

By Order of the Secretary of
the Air Force:

By Order of the Secretary of
the Navy:

TOGO D. WEST, JR.
Secretary of the Army

J.L. JOHNSON
Admiral, United States Navy
Chief of Naval Operations
Acting

RICHARD A. COLEMAN
Colonel, USAF
Chief of Security Police

LT GENERAL J.L. JONES, USMC
Marine Corps Deputy Chief of Staff
for Plans, Policies and Operations

J.S. Mobley
Rear Admiral, United States Navy
Director, Navy Staff

History. This printing publishes a revision of this publication. Because the publication has been extensively revised the changed portions have not been highlighted.

Summary. This regulation implements Department Of Defense Directive 2310.1 and establishes policies and planning guidance for the treatment, care, accountability, legal status, and administrative procedures for Enemy Prisoners of War, Civilian Internees, Retained Persons, and Other Detainees. This regulation is a consolidation of Army Regulation 190-8 and Army Regulation 190-57 and incorporates SECNAV Instruction 3461.3 and Air Force Joint Instruction 31-304. Policy and procedures established herein apply to the services and their capabilities to the extent that they are resourced and organized for enemy prisoner of war operations.

Applicability. This is a multi-service regulation. It applies to the Army, Navy, Air Force and Marine Corps and to their Reserve components when lawfully ordered to active duty under the provisions of Title 10 United States Code.

Proponent and exception authority. The proponent of this regulation is the Deputy Chief of Staff for Operations and Plans. The proponent has the authority to approve

exceptions to this regulation that are consistent with controlling law and regulation. Proponents may delegate the approval authority, in writing, to a division chief within the proponent agency in the grade of colonel or the civilian equivalent.

Army management control process. The Regulation contains management control provisions in accordance with AR 11-2, but does not contain checklists for conducting management control. Reviews are used to accomplish assessment of management controls.

Supplementation. Army supplementation of this regulation and establishment of command or local forms is prohibited without prior approval from HQDA (DAMO-ODL), WASH DC 20310. Navy, Marine Corps and Air Force supplementation of this regulation is authorized, but is not required. If supplements are issued, major or second echelon commands will furnish one copy of each supplement to their headquarters, as follows: Navy, to the Chief of Naval Operations (N511), 2000 Navy Pentagon, Washington DC 20350-2000, Marine Corps, to the Commandant of the Marine Corps, HQ USMC (POS-10) 2 Navy Annex, Washington DC, 20380-1775 11), and Air Force, to HQ USAF/SPO,

1340 Air Force Pentagon, Washington, DC 20330-1340.

Suggested Improvements. Users are invited to send comments and suggested improvements through channels as follows: HQDA (DAMO-ODL), WASH DC 20310-0440.

Distribution. *Army:* Distribution of this regulation is made in accordance with initial distribution number (IDN) 092120, intended for command levels A, B, C, D, and E for Active Army, Army National Guard, U. S. Army Reserve.

Navy: SNDL A (Navy Department); B5 (Coast Guard); (COMDT COGARD, only) 21A (Fleet Commanders in Chief); 22A (Fleet Commanders); 23 (Force Commanders); 24 (Type Commanders); 26A (Amphibious Groups); 28 (Squadron, Division, and Group Commanders—Ships); 41A (COM-SC); SECNAV/OPNAV Directives Control Office, Washington Navy Yard Bldg 200, 901 M Street SE, Washington DC 20374-5074

Air Force: F

Marine Corps: PCN 10203324000

*This regulation supersedes AR 190-8, 1 June 1982, and rescinds AR 190-57, 4 March 1987. This regulation also rescinds DA Form 5451-R, August 1985; DA Form 5452-R, August 1985; and DA Form 5976, January 1991.

medical annex of OPLANs, OPORDs and contingency plans includes procedures for treatment of EPW, CI, RP, and ODs. Medical support will specifically include:

(a) First aid and all sanitary aspects of food service including provisions for potable water, pest management, and entomological support.

(b) Preventive medicine.

(c) Professional medical services and medical supply.

(d) Reviewing, recommending, and coordinating the use and assignment of medically trained EPW, CI, RP and OD personnel and medical material.

(e) Establishing policy for medical repatriation of EPW, CI and RP and monitoring the actions of the Mixed Medical Commission.

h. U. S. Army Criminal Investigation Command (USACIDC). USACIDC will provide criminal investigative support to EPW, CI and RP Camp Commanders per AR 195-2.

1-5. General protection policy

2. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed Forces, is as follows:

(1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation.

(2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority.

(3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial.

(4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).

b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment.

c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence.

d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command.

e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP.

f. Medical Personnel. Retained medical personnel shall receive as a minimum the benefits and protection given to EPW and shall also be granted all facilities necessary to provide for the medical care of EPW. They shall continue to exercise their medical functions for the benefit of EPW, preferably those belonging to the armed forces upon which they depend, within the scope of the military laws and regulations of the United States Armed Forces. They shall be provided with necessary transport and allowed to periodically visit EPW situated in working detachments or in hospitals outside the

EPW camp. Although subject to the internal discipline of the camp in which they are retained such personnel may not be compelled to carry out any work other than that concerned with their medical duties. The senior medical officer shall be responsible to the camp military authorities for everything connected with the activities of retained medical personnel.

g. Religion.

(1) EPW, and RP will enjoy latitude in the exercise of their religious practices, including attendance at the service of their faith, on condition that they comply with the disciplinary routine prescribed by the military authorities. Adequate space will be provided where religious services may be held.

(2) Military chaplains who fall into the hands of the U.S. and who remain or are retained to assist EPW, and RP, will be allowed to minister to EPW, RP, of the same religion. Chaplains will be allocated among various camps and labor detachments containing EPW, RP, belonging to the same forces, speaking the same language, or practicing the same religion. They will enjoy the necessary facilities, including the means of transport provided in the Geneva Convention, for visiting the EPW, RP, outside their camp. They will be free to correspond, subject to censorship, on matters concerning their religious duties with the ecclesiastical authorities in the country of detention and with international religious organizations. Chaplains shall not be compelled to carry out any work other than their religious duties.

(3) Enemy Prisoners of War, who are ministers of religion, without having officiated as chaplains to their own forces, will be at liberty, whatever their denomination, to minister freely to the members of their faith in U.S. custody. For this purpose, they will receive the same treatment as the chaplains retained by the United States. They are not to be obligated to do any additional work.

(4) If EPW, RP, do not have the assistance of a chaplain or a minister of their faith. A minister belonging to the prisoner's denomination, or in a minister's absence, a qualified layman, will be appointed, at the request of the prisoners, to fill this office. This appointment, subject to approval of the camp commander, will take place with agreement from the religious community of prisoners concerned and, wherever necessary, with approval of the local religious authorities of the same faith. The appointed person will comply with all regulations established by the United States.

1-6. Tribunals

a. In accordance with Article 5, GPW, if any doubt arises as to whether a person, having committed a belligerent act and been taken into custody by the US Armed Forces, belongs to any of the categories enumerated in Article 4, GPW, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal.

b. A competent tribunal shall determine the status of any person not appearing to be entitled to prisoner of war status who has committed a belligerent act or has engaged in hostile activities in aid of enemy armed forces, and who asserts that he or she is entitled to treatment as a prisoner of war, or concerning whom any doubt of a like nature exists.

c. A competent tribunal shall be composed of three commissioned officers, one of whom must be of a field grade. The senior officer shall serve as President of the Tribunal. Another non-voting officer, preferably an officer in the Judge Advocate General Corps, shall serve as the recorder.

d. The convening authority shall be a commander exercising general courts-martial convening authority.

e. Procedures.

(1) Members of the Tribunal and the recorder shall be sworn. The recorder shall be sworn first by the President of the Tribunal. The recorder will then administer the oath to all voting members of the Tribunal to include the President.

(2) A written record shall be made of proceedings.

(3) Proceedings shall be open except for deliberation and voting by the members and testimony or other matters which would compromise security if held in the open.

(d) An EPW who has successfully escaped shall not be punished for the escape if subsequently recaptured.

3-7. Punitive Jurisdiction

a. EPW/RP are subject to punishment under the Uniform Code of Military Justice and other U.S. Laws, regulations and orders in force during the time of their detention.

b. Judicial proceedings against EPW and RP will be by courts-martial or by civil courts. When EPW are tried by courts-martial, pretrial, trial, and post-trial procedures will be according to the UCMJ and the U.S. Manual for Courts-Martial. An EPW will not be tried by a civil court for committing an offense unless a member of the U.S. Armed Forces would be so tried.

c. When possible, disciplinary rather than judicial measures will be taken for an offense. The disciplinary measures below are authorized:

(1) Suspend or eliminate privileges granted over and above the minimum privileges provided for in the GPW and GC.

(2) Confinement.

(3) A fine not to exceed one-half of the advance of pay (article 60 GPW) and working pay (article 62 GPW) that the detainee would otherwise receive during a period of not more than 30 days.

(4) Fatigue duties not exceeding 2 hours daily. This punishment will not be applied to officers.

d. EPW and RP rights. Before any disciplinary punishment is pronounced, EPW/RP will be given precise information regarding the offenses for which they are accused. They will be given a chance to explain their conduct and to defend themselves. They will be permitted to call witnesses and to have use of a qualified interpreter, if necessary and reasonably available. The board's decision will be announced to the person and to the person's representative.

e. The following are limitations on punishment:

(1) Collective punishment for individual acts, corporal punishment, imprisonment in premises without sunlight, and any form of torture or cruelty is forbidden.

(2) EPW may not be deprived of their grade or prevented from wearing insignia of grade and nationality.

(3) No EPW or RP will be handcuffed or tied, except to ensure safe custody or when prescribed by a responsible medical officer as needed to control a medical case requiring restraint.

(4) No EPW or RP may be punished more than once for the same act or sentenced to any penalties except those authorized herein.

(5) In no case will disciplinary punishments be inhumane, brutal, or dangerous to the person's health. The length of a single disciplinary punishment will not exceed 30 days. Confinement served while awaiting the hearing of a disciplinary offense or the award of disciplinary punishment will be deducted from punishment awarded. No more than 30 days punishment may be prescribed even if a person is answerable for several acts at the same time. This is true whether such acts are related or not. The period between pronouncing an award of disciplinary punishment and commencing punishment will not exceed 30 days.

(6) When EPW or RP are awarded a further disciplinary punishment, a period of at least 3 days will elapse between punishments if the length of one of the punishments is 10 days or more.

(7) EPW or RP being disciplined or judicially punished will not be subjected to more severe treatment than that authorized for the same offense by members of the U.S. Armed Forces of equal grade.

(8) EPW or RP sentenced by a courts-martial or awarded disciplinary punishment will not be treated differently from other detainees after their punishment.

f. Offenses and warranted punishments. EPW or RP who attempt to escape or escape the confines of the camp, but who do not succeed in their escape, will be liable only to disciplinary punishments for those escape acts. They will not be liable to judicial proceedings, even if they are repeat offenders. Escapes or attempts to escape, even if they are repeat offenses, will not be considered aggravating circumstances if detainees are tried by judicial proceedings for offenses committed during their escapes or attempts to

escape. Offenses, such as those against public property, theft without intention of self-enrichment, drawing up or use of false papers, or wearing of civilian clothing, that are committed by detainees with the sole intent of making their escape easier and that do not entail any violence against life or limb will warrant disciplinary punishment only. Because of attempts to escape, EPW and RP may be subjected to close watch. The watch must not affect the state of their health. The EPW and RP watched must be in camp. The watch must not deprive them of the safeguards granted by the Geneva Conventions. Persons who aid or abet an escape or an attempt to escape will be liable on this count for disciplinary punishment only.

g. Offenses against discipline. EPW and RP accused of an offense against disciplinary measures will not be confined pending a hearing, unless members of the U.S. Armed Forces would be confined if they were accused of a similar offense or unless camp order and discipline would be jeopardized. A period spent in confinement awaiting disposal of an offense against disciplinary measures will be reduced to an absolute minimum. It will not exceed 14 days.

h. Confinement. A pretrial investigation of an offense alleged to have been committed by a detainee will be conducted as soon as circumstances permit so that trial, if warranted, will take place as soon as possible. A detainee will not be confined while awaiting trial unless a member of the U.S. Armed Forces would be so confined if accused of a similar offense, or unless national security would be served. In no case will this confinement exceed 3 months. A period spent in confinement while awaiting trial will be deducted from a sentence of imprisonment. The period will be taken into account in fixing a penalty.

i. Retention of Geneva Convention benefits. Persons prosecuted for an act committed before capture will retain, even if convicted, the protection of the Geneva Conventions. EPW, RP undergoing confinement will:

(1) Continue to enjoy the benefits of the Geneva Convention except when such benefits do not apply because detainees are confined.

(2) Be permitted to exercise their right to complain and to confer with visiting representatives of the Protecting Power.

(3) Not be deprived of the prerogatives attached to their grade.

(4) Be allowed to exercise and to stay in the open air at least 2 hours daily.

(5) Be given medical attention as prescribed in this regulation.

(6) Be permitted to read and write and to send and receive letters and cards. Parcels, however, may be withheld from them until the punishment is completed. Such parcels will be released to the safekeeping of the detainee representative. If perishable goods are contained in the parcels, the detainee representative will give them to the camp infirmary or hospital to distribute them fairly among the other detainees.

3-8. Judicial proceedings

a. No EPW or RP will be tried or sentenced for an act that was not forbidden by U.S. law or by international law in force at the time the act was committed.

b. No moral or physical coercion will be exerted to induce EPW or RP to admit guilt for any act.

c. No EPW or RP will be convicted without having had the chance to present a defense and without having the assistance of a qualified advocate or counsel.

d. Accused persons will be notified promptly of the charges in writing. Charges will be in a language understood by the accused. These persons will be tried as soon as possible. A notification (in duplicate) of proceedings against a detainee will be submitted through channels to the NPWIC. The NPWIC will send such notification to the Protecting Power in cases of charges involving the death penalty or imprisonment for 2 years or more. Upon request, the Protecting Power will be furnished data on the status of such proceedings. Furthermore, the Protecting Power will be entitled, upon request, to be furnished with all data or any other proceedings started against a detainee. The information will be sent without delay. Trial will not commence until 3 weeks after the Protecting

NOTICE

The CI regardless of faith or political belief, who fear that their lives are in danger or that they may suffer physical injury at the hands of other detainees will immediately report the fact personally to any U.S. Army officer of this camp without consulting the Internee Committee. From that time on, the camp command will assure adequate protection to such civilian internees by segregation, transfer, or other means. Civilian internees who mistreat fellow internees will be punished.

Signed (Commanding Officer)

c. *Courtesies.* The normal civilian courtesies will be required of the CI in their relationships with military personnel. U.S. military personnel will be courteous and will extend to the CI the regard due them.

d. *Flags and political emblems.* Flags on which a political enemy emblem or device appears will be seized. The CI will not have any political emblem, insignia, flag, or picture of political leaders. The CI may have pictures of political leaders that appear in magazines, books, and newspapers if the pictures are not removed.

e. *Security.* All security matters connected with the custody and utilization of the CI are the responsibilities of the theater commanders in overseas areas.

6-11. Provisions common to disciplinary and judicial punishments

a. General.

(1) If general laws, regulations, or orders declare acts committed by the CI to be punishable, whereas the same acts are not punishable when committed by persons who are not interned, these acts will only entail disciplinary punishment.

(2) When possible disciplinary punishment rather than judicial punishment will be used.

(3) The courts or authorities in passing sentence or awarding disciplinary punishment will consider the fact that the defendant is not a national of the United States. They will be free to reduce the penalty prescribed for the offense with which the CI is charged and will not be obliged to apply the prescribed minimum sentence but may impose a lesser one.

(4) Punishment will not be inhumane, brutal, or dangerous to the health of the CI. The age, sex, and state of health of the CI will be considered.

(5) Imprisonment in premises without daylight is prohibited.

(6) The length of time a CI is confined while awaiting a disciplinary hearing or a trial will be deducted from any disciplinary or judicial punishment involving confinement to which he or she may be sentenced and will be taken into account in finding any penalty.

(7) No CI may be punished more than once for the same offense.

(8) The CI who has served disciplinary punishment on judicial sentences will not be treated differently from other CI.

b. *Confinement benefits.* The CI undergoing confinement, whether before or after trial and whether in connection with disciplinary or judicial proceedings, will—

(1) Be allowed to exercise and stay in the open air at least two hours daily.

(2) Be allowed to attend daily sick call, receive medical attention as needed, and if necessary be transferred to a hospital.

(3) Be given enough food to maintain them in as good health as that provided other CI.

(4) Be permitted to confer with visiting representatives of the protecting power or the ICRC.

(5) Be permitted to receive spiritual assistance.

(6) If a minor, be treated with proper regard.

(7) Be provided with hygienic living conditions.

(8) Be provided adequate bedding and supplies and facilities necessary for personal cleanliness.

(9) If a female, be confined in separate quarters from male CI and will be under the immediate supervision of women.

6-12. Disciplinary proceedings and punishments

a. *Authority to order disciplinary punishment.* Without prejudice to the competence of courts and higher authorities, disciplinary punishment may be ordered only by the camp commander.

b. *Rights of accused prior to imposition of disciplinary punishment.* Prior to imposition of disciplinary punishment, the CI will be—

(1) Provided precise information regarding the offense of which they are accused.

(2) Given an opportunity to defend the allegation.

(3) Permitted to call witnesses and to have, if necessary, the service of a qualified interpreter.

c. *Authorized disciplinary punishment.* The following disciplinary punishments are authorized:

(1) Discontinuance of privileges granted over and above the treatment provided for by this regulation.

(2) Confinement.

(3) A fine not to exceed one-half of the wages that the CI may receive during a period of not more than 30 days.

(4) Extra fatigue duties, not exceeding 2 hours daily, in connection with maintaining the internment camp.

d. *Duration of disciplinary punishment.*

(1) The duration of any single disciplinary punishment will not exceed 30 consecutive days. The maximum of 30 days will not be exceeded even if the CI is answerable for several breaches of discipline, whether related or not, at the time when punishment is imposed.

(2) The period elapsing between the pronouncing of the disciplinary punishment and the completion of its execution will not exceed 30 days.

(3) After imposition of disciplinary punishment on the CI, further discipline will not be imposed on the same CI until at least 3 days have elapsed between the execution of any two of the punishments if the duration on one of the two punishments is 10 days or more.

e. *Escape and connected offenses.*

(1) The CI who are recaptured after having escaped or when attempting to escape will be liable to disciplinary punishment with respect to this act only, even if it is a repeated offense.

(2) The CI punished as a result of escape or attempt to escape may be subjected to special surveillance that does not affect the state of their health, when the punishment is exercised in a CI camp and if it does not violate any of the provisions of this regulation.

(3) The CI who aid and abet an escape or an attempt to escape, if no injury is done to a person, will be liable to disciplinary punishment only.

(4) Escape, or attempt to escape, even if it is a repeated offense, will not be deemed an aggravating circumstance in cases where the CI is prosecuted for offenses committed incidental to or during his or her escape or attempt to escape.

(5) The CI is liable to prosecution for an escape or attempted escape that results in a death or serious bodily injury to another person.

f. *Confinement pending hearing.*

(1) The CI accused of an offense for which disciplinary punishment is contemplated will not be confined pending a disciplinary hearing unless it is essential to the interest of camp order and discipline. Its duration will in any case be deducted from any sentence of confinement.

(2) Any period spent by the CI in confinement awaiting a hearing will be reduced to an absolute minimum. For offenses entailing disciplinary punishment only, it will not exceed 14 days.

g. *Confinement facilities.* CI confined as disciplinary punishment will undergo their punishment in a CI camp stockade.

h. *Confinement benefits.* In addition to the benefits provided by paragraph 6-11 b of this regulation, the CI placed in confinement in connection with disciplinary proceedings will be allowed to send and receive letters, cards, and telegrams in accordance with the

Glossary**Section II
Abbreviations****Section 1
Abbreviations****ADP**
Automated Data Processing**APO**
Army Post Office**Cdr**
Commander**CI**
Civilian Internee(s)**COD**
Cash on Delivery**CONUS**
Continental U.S.**CTA**
Central Tracing Agency**DA**
Department of the Army**DAR**
Defense Acquisition Regulation**DCSINT**
Deputy Chief of Staff for Intelligence**DCSLOG**
Deputy Chief of Staff for Logistics**DCSOPS**
Deputy Chief of Staff for Operations and Plans**DCSPER**
Deputy Chief of Staff for Personnel**DOD**
Department of Defense**DRMO**
Defense Reutilization and Marketing Office**EDCSA**
Effective Date of Change of Strength Accountability**EPW**
Enemy Prisoner(s) of War**FAO**
Finance and accounting officer**FBI**
Federal Bureau of Investigation**FORSCOM**
Forces Command**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**GWS SEA**
Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea**HQDA**
Headquarters, Department of the Army**HSC**
U.S. Army Health Services Command**ICRC**
International Committee of the Red Cross**ISN**
Internment Serial Number**JCS**
Joint Chiefs of Staff**MPMIS**
Military Police Management Information Systems**NCO**
noncommissioned Officer**OD**
Other Detainees**OSD**
Office of the Secretary of Defense**NPWIC**
National Prisoner of War Information Center**PP**
Protected Person**PSYOP**
Psychological Operations**PWIC**
Prisoner of War Information Center**RP**
Retained Personnel**ROK**
Republic of Korea**SJA**
Staff Judge Advocate**TJAG**
The Judge Advocate General**TRADOC**
U.S. Army Training and Doctrine Command**TSG**
The Surgeon General**TST**
Tuberculin Skin Test**UCMJ**
Uniform Code of Military Justice**USAFAC**
U.S. Army Finance and Accounting Center**USFK**
U.S. Armed Forces, Korea**Section II
Terms****Canteen**
A facility set up for the sale of authorized services and items of merchandise.**Central Tracing Agency**
Centralizes tracing requests concerning all persons reported missing during the conflict. Requests are either forwarded by centralized information bureaus or submitted by families via their respective National Red Cross or Red Crescent Societies. The Central Tracing Agency (CTA) then passes them on for processing to the appropriate authorities and forwards replies to the requesters.**Civilian Internee(s)**
A civilian who is interned during armed conflict or occupation for security reasons or for protection or because he has committed an offense against the detaining power.**Civilian Internee Account**
Accounts established and records maintained under control of the disbursing officer. Deposit Fund Account 21X6015.**Civilian Internee Branch Camp**
A subsidiary camp under the supervision and administration of a civilian internee camp.**Civilian Internee Camp**
An installation established for the internment and administration of civilian internees.**Civilian Internee Compound**
A subdivision of a CI enclosure.**Civilian Internee Enclosure**
A subdivision of a CI camp.**Contract Employer**
Any person, corporation, association, State or municipal government agency, and other employer (except DOD) that contracts for work to be done.

Dependent Child Internee

A child who on request of the interned parents, for compassionate reasons, is accommodated in a CI internment camp with the interned parents.

Detainee

A term used to refer to any person captured or otherwise detained by an armed force.

Domestic Service

Such normal household duties as preparing and serving food and the care and repair of clothing.

Enemy Prisoner of War

A detained person as defined in Articles 4 and 5 of the Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949. In particular, one who, while engaged in combat under orders of his or her government, is captured by the armed forces of the enemy. As such, he or she is entitled to the combatant's privilege of immunity from the municipal law of the capturing state for warlike acts which do not amount to breaches of the law of armed conflict. For example, a prisoner of war may be, but is not limited to, any person belonging to one of the following categories who has fallen into the power of the enemy: a member of the armed forces, organized militia or volunteer corps; a person who accompanies the armed forces without actually being a member thereof; a member of a merchant marine or civilian aircraft crew not qualifying for more favorable treatment; or individuals who, on the approach of the enemy, spontaneously take up arms to resist invading forces.

Enlisted EPW

Enlisted EPW and civilian EPW entitled to be treated as enlisted EPW.

EPW Branch Camp

A subsidiary camp under supervision and administration of the main EPW camp.

EPW Camp

A camp set up by the U.S. Army for the separate internment and complete administration of EPW.

EPW Compound

A subdivision of an EPW enclosure.

EPW Enclosure

A subdivision of an EPW camp. Internment Serial Number Unique, controlled identification number assigned an EPW upon capture and entry into the Prisoner of War Information System.

Military Nature

Term that applies to those items or those types of construction that are used exclusively by members of the Armed Forces for operational purposes (e.g., arms, helmets). The purposes are in contrast to items or structures that may be used either by civilian

or military personnel (e.g., food, soap, buildings, public roads, or railroads).

Military Purpose

Activities intended primarily or exclusively for military operations as contrasted with activities intended primarily or exclusively for other purposes.

Noncommissioned Officer EPW

Enlisted EPW and civilian EPW entitled to be treated as a Noncommissioned Officer EPW.

Other Detainee (OD)

Persons in the custody of the U.S. Armed Forces who have not been classified as an EPW (article 4, GPW), RP (article 33, GPW), or CI (article 78, GC), shall be treated as EPWs until a legal status is ascertained by competent authority.

Personal Effects

Personal effects the EPW may retain include the following:

- a. Clothing.
- b. Mess equipment (knives and forks excluded).
- c. Badges of rank and nationality.
- d. Decorations.
- e. Identification cards or tags.
- f. Religious literature.
- g. Articles that are of a personal use or have a sentimental value to the person.
- h. Protective mask.

Prisoner of War Information System

A computer information system designed to assist military police in the field, the Branch PWIC and the National PWIC to manage enemy prisoners of war by providing automated support for the policies and procedures established by regulation.

Prisoner of War Information Center (PWIC)

A TOE organization established to collect information pertaining to EPW, RP and CI and to transmit such information to the National Prisoner of War Information Center.

Protected Person

Persons protected by the Geneva Convention who find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals.

Retained Personnel

Enemy personnel who come within any of

the categories below are eligible to be certified as retained personnel (RP).

- a. Medical personnel who are members of the medical service of their armed forces.
- b. Medical personnel exclusively engaged in the—
 - (1) Search for, collection, transport, or treatment of, the wounded or sick.
 - (2) Prevention of disease.
 - (3) Staff administration of medical units and establishments exclusively.
- c. Chaplains attached to enemy armed forces.
- d. Staff of National Red Cross societies and other voluntary aid societies duly recognized and authorized by their governments. The staffs of such societies must be subject to military laws and regulations.

Section III**Special Abbreviations and Terms**

This section contains no entries.