

# OFFICE OF THE PROVOST MARSHAL GENERAL

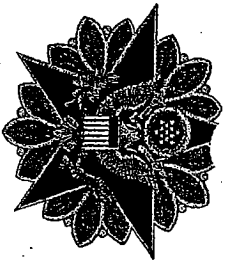
DODD 2310.1

## DOD Enemy Prisoner of War (EPOW) Detainee Program

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- DOD Policy—U.S. Military Services shall:
  - Comply with the principles, spirit, and intent of the international law of war, both customary and codified, to include the Geneva Conventions
  - Train personnel to ensure knowledge of obligations under the Geneva Conventions and DODD 5100.77 (DoD Law of War Program)
  - Accord an appropriate legal status under international law to captured or detained persons
  - Normally hand over for safeguarding captured or detained persons to U.S. Army Military Police (detainees may be interviewed for intelligence collection purposes at MP operated facilities)
- Program Objectives—U.S. Military Services shall:
  - Observe and enforce obligations and responsibilities
  - Ensure continuing policy development and planning for administration
  - Provide liaison and technical advice/assistance to allied powers
  - Ensure humane and efficient care and full accountability



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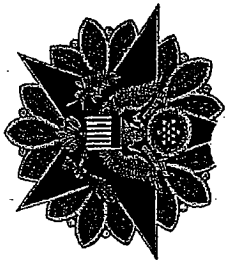


## DOD Enemy Prisoner of War (EPOW) Detainee Program

- Designates Secretary of the Army as the Executive Agent for Department of Defense for the administration of the DoD EPOW Detainee Program
- Secretary of the Army Responsibilities (as Executive Agent):
  - Develop and provide policy and planning guidance
  - Provide for an EPOW and CI camp liaison and assistance program on transfer of persons (i.e., to allied powers receiving transferred persons)
  - Plan for and operate EPOW/CI Information Center
  - Ensure a national-level information center exists that can fully serve to account for all persons who pass through U.S. care, custody, and control
  - Provide, in coordination with the ASD (ISA), appropriate report to OSD, Chairman of the Joint Chiefs of Staff, other U.S. Government Agencies, to include Congress, or the International Committee of the Red Cross
  - Designate a single point of contact to provide necessary advice and technical assistance to the ASD (ISA), Military Departments, Chairman of the Joint Chiefs of Staff
  - Ensure the Judge Advocate General of the Army provides legal advice and reviews plans and policies

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OPMG Document



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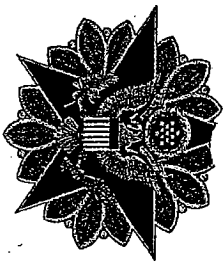
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## Dod Enemy Prisoner of War (EPOW) Detainee Program

- Additional Army Responsibilities:
  - Develop internal policies and procedures
  - Ensure appropriate training as required by DoD Directive 5100.77
  - Ensure suspected/alleged violations of the Geneva Conventions and other violations of the international law of war are reported to appropriate authorities and investigated in accordance with DoDD 5100.77
- DODD 5100.77 (DoD Law of War Program), related requirements:
  - Provide directives, publications, instructions, and training on the principles and rules of the law of war
  - Ensure programs are implemented to prevent violations of the law of war
  - Provide for prompt reporting and investigation of reportable incidents
  - Where appropriate, provide for disposition, under the Uniform Code of Military Justice, cases involving alleged violations of the law of war
  - Provide for the central collection of reports and investigations
  - U.S. Military Departments ensure all reports are forwarded to the Secretary of the Army as Executive Agent for reportable incidents



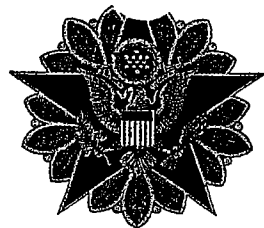
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## Meeting Army Requirements for DoD EPOW Detainee Program



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- Policies published in Army Regulation 190-8 (OPNAVINST 3461.6/AFJ 31-304/MCO 3461.1), 1 November 1997, "Enemy Prisoner of War, Retained Personnel, Civilian Internees and Other Detainees"
- Procedures published in Army Field Manual 3-19.40, "Military Police Internment/Resettlement Operations"
- Provost Marshal General serves as single point of contact for the DoD EPOW Detainee Program (replaced Deputy Chief of Staff, G-3)
- National Detainee Reporting Center (NDRC) maintains accountability and has provided all reports required by OSD and the ICRC
- OPMG provides technical assistance to Combatant Commanders conducting Detention Operations
- DCS, G-3 maintains well-established operational reporting system
- U.S. Army Criminal Investigations Command conducts felony investigations of violations of the law of war
- Reports and investigations maintained at the U.S. Army Crime Records Center



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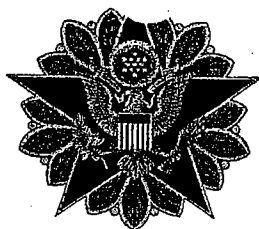


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## BACK UP SLIDES

OPMG Document

DOD-048696



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## National Detainee Reporting Center

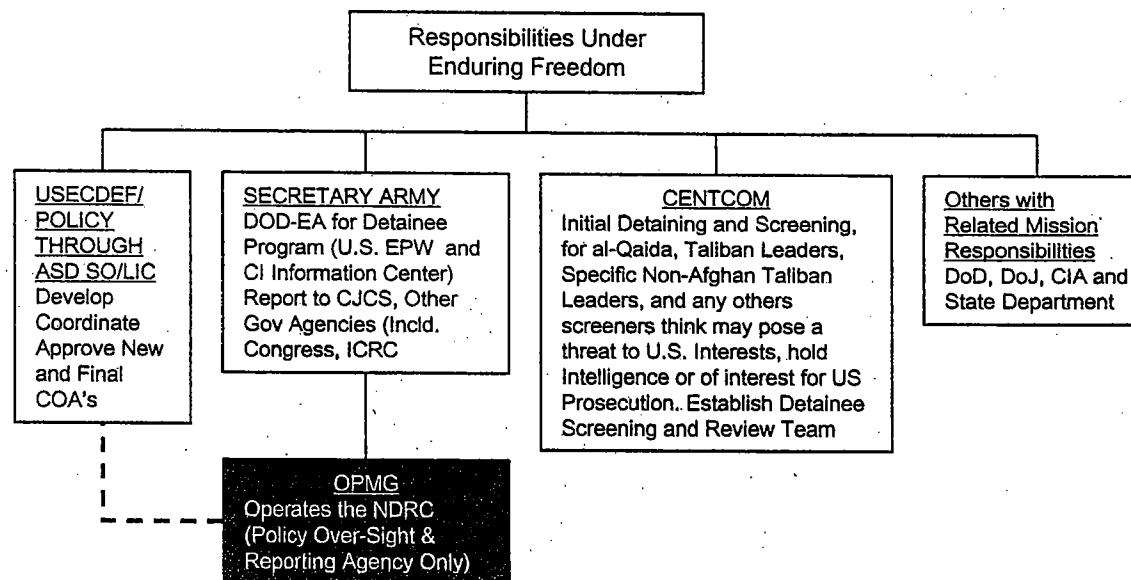


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### Current Actions:

1. DAMO-ODL received activation notice from ASD/ISA on 21DEC 01.
2. 6 JAN 02, USECDEF authorizes SECARMY to assume the responsibility for activating the National Detainee Reporting Center to collect, store and process information on Detainees in regards to Operation Enduring Freedom.
3. Mobilized the NDRC Cell (DCSOPS-ODL), 7 JAN 02.
4. 17 JAN 02, ASD SO/LIC assumes responsibility for overall development, coordination, approval and promulgation of major DoD policies and plans related to persons detained in association with Global War on Terrorism.
5. Includes development, coordination, approval and promulgation of major DoD policies, and new courses of action with DoD components and other Federal Agencies as necessary.
6. Reporting Agency and Operational Over-site for Detainee Operations (Policy/Fed Statues).
7. Resource Units with Automation Equipment for Reporting Requirements.
8. Coordinate with Legal (Army JAG, GC, & DOD General Counsel).
9. April 2004, ASD SO/LIC assumes responsibility for Detainee Program in association with Operation IRAQI FREEDOM.



### REQUIRED REPORTS

REPORT	OPERATION	RECEIVING AGENCY	FREQUENCY
Detainee Summary	OEF	ASD SO/LIC	Daily
GTMO Population	OEF	ASD SO/LIC	Monthly
Detainee Movement	OEF	ASD SO/LIC	As needed
ICRC Report	OIF	ICRC	Weekly

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