

RELEASED IN PART

B1, 1.4(D), B5

Interrogations and Army Regulations

- The Geneva Convention on Prisoners of War provides that "no physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind." (Art. 17). A comparable provision exists with respect to civilians under the Geneva Convention on the Protection of Civilians. (Art. 31).
- The Secretary of the Army has traditionally been the Executive Agent for administering POW programs pursuant to DoD Directives. Army Regulation 190-8 on "Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees" (a Military Police regulation) is the authoritative regulation that "implements international law, both customary and codified" relating to prisoners of war and civilians. It is a multi-service regulation applicable to the Navy, USMC, USAF, and the Reserves. The latest edition is dated 1 October 1997. It provides "policy, procedures, and responsibilities for the administration, treatment, employment, and compensation" of POWs and others in the custody of the U.S. Armed Forces.
- The regulation contains detailed rules on the treatment of persons in detention. It provides that the inhumane treatment of POWs and civilian detainees "is prohibited and is not justified by the stress of combat or with deep provocation." It expressly prohibits acts such as corporal punishment, bodily injury, insults, cruel and degrading treatment, and "sensory deprivation." (Para. 1-5, page 2.) [REDACTED]
- There are separate manuals on the law of war (e.g., FM 27-10) and on interrogations which are consistent with the Geneva Conventions and the Army regulations,
- These regulations have served the United States well historically and help account for the stellar record that the U.S. Army has had until recently in the treatment of POWs and civilians. [REDACTED]

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