

Training

**Code of
Conduct,
Survival,
Evasion,
Resistance, and
Escape (SERE)
Training**

Headquarters
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UNCLASSIFIED

SUMMARY of CHANGE

AR 350-30

Code of Conduct, Survival, Evasion, Resistance, and Escape (SERE) Training

This revision--

- o Adds responsibilities for maintaining records for levels B and C SERE training and for matters pertaining to U. S. military personnel in detention, hostage, or captivity situations (chap 1). Level B training and procedures have been changed for maintaining records for levels A, B, and c (paras 3-5 and 3-6).
- o Implements DOD Directive 1300.7 which changes the training guidance for Code of Conduct training (chap 4) to coincide with DOD Directive 1300.7, December 1984.
- o Adds chapter 5 to provide guidance for soldiers in captive, hostage, or detention situations.

Training

Code of Conduct, Survival, Evasion, Resistance, and Escape (SERE) Training

By Order of the Secretary of the Army:

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History. This UPDATE printing publishes a revision which is effective 10 December 1985. This publication has been reorganized to make it compatible with the Army electronic publishing database. No content has been changed.

Summary. This regulation prescribes Code of Conduct and survival, evasion, resistance,

and escape (SERE) responsibilities. It also explains the Code of Conduct, introduces training concepts, implements DOD Directive 1300.7, and provides training guidance and policy and guidance for peacetime conduct in hostage or detention situations.

Applicability. This regulation applies to the Active Army, the Army National Guard (ARNG), and the U.S. Army Reserve (USAR).

Proponent and exception authority. Not applicable

Army management control process. This regulation is subject to the requirements of AR 11–2. It contains internal control provisions but does not contain checklists for conducting internal control reviews. These checklists are being developed and will be published at a later date.

Supplementation. Supplementation of this regulation and establishment of forms other than DA forms are prohibited without prior

approval from HQDA(DAMO–TRF), WASH DC 20310–0450.

Interim changes. Interim changes to this regulation are not official unless they are authenticated by The Adjutant General. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

Suggested Improvements. The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Operations and Plans. Users are invited to send comments and suggested improvements on DA Form 2028(Recommended Changes to Publications and Blank Forms) directly to HQDA(DAMO–TRF), WASH DC 20310–0450.

Distribution. Active Army, ARNG, and USAR—A.

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Glossary

Chapter 1 Introduction

1-1. Purpose

a. This regulation sets forth responsibilities, policies, and procedures for training individual soldiers in support of the objectives of the Code of Conduct as explained in chapter 4. It covers the articles in the Code as well as training in survival, evasion, resistance, and escape (SERE). (See para 2-9.) It also provides policy and guidance for U.S. military personnel who are detained, captured, or taken hostage during peacetime. (See Chap 5.)

b. The objectives of the regulation are to—

(1) Ensure that soldiers are trained to fulfill those responsibilities under the Code of Conduct that relate to SERE.

(2) Ensure that soldiers are prepared and have confidence in their ability to accomplish SERE under conditions that may be encountered in carrying out their unit's mission.

(3) Provide individual soldiers with the skills and knowledges to oppose hostile forces, whether as a combatant or as a captive.

(4) Provide individual soldiers with policy and guidance to survive peacetime detention or captivity with honor.

1-2. References

Required and related publications and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1-4. Responsibilities

a. Deputy Chief of Staff for Operations and Plans (DCSOPS). The DCSOPS has Army Staff responsibility for training in the Code of Conduct and SERE.

b. Deputy Chief of Staff for Personnel (DCSPER). The DCSPER has Army Staff responsibility for—

(1) All matters pertaining to U.S. prisoners of war (PWs) and individuals missing in action (MIA).

(2) Notifying selected soldiers of the date of attendance for level C SERE training. Soldiers normally are sent to this training while en route to assignment.

(3) Guidance on the relationship of the Code of Conduct to military ethics.

(4) Prescribing policy and procedures for maintaining records for levels B and C SERE training.

(5) All matters pertaining to soldiers in detention, captivity, or hostage situations.

c. The Judge Advocate General (TJAG). TJAG has staff responsibility for—

(1) Guidance on the relationship between the Code of Conduct and the Uniform Code of Military Justice (UCMJ).

(2) Interpretation of the Geneva Convention of 1949, Relative to the Treatment of Prisoners of War (GPW), as applied to captured or detained soldiers (See AR 350-216.)

(3) Legal aspects of resistance, escape, and evasion.

(4) Providing TJAG Officers with level A SERE training.

(5) Other legal aspects of SERE such as negotiations with other countries regarding SERE matters.

(6) Guidance on The Hague Convention No. IV of 1907.

d. The Surgeon General (TSG). TSG has staff responsibility for—

(1) Guidance on the physical and psychological aspects of SERE in support of training.

(2) Providing medical officers with level A SERE training.

e. The Chief of Public Affairs (CPA). The CPA establishes policy regarding release of information to the media and the public relative to Code of Conduct and SERE training according to the Department of Defense (DOD) resistance training security classification guide and AR 360-5.

f. The Chief of Chaplains (CCH). The CCH will provide guidance to all chaplains regarding the status of chaplains under the GPW.

g. The Commanding General, U.S. Army Training and Doctrine Command (CG, TRADOC). The CG, TRADOC will—

(1) Act as the Department of the Army Executive Agent for Code of Conduct and SERE training and doctrine. The U.S. Army John F. Kennedy Special Warfare Center (USAJFKSWC) will act as the TRADOC proponent in all matters relating to Code of Conduct and SERE training.

(2) Incorporate training designed to achieve the objectives and policies outlined in this regulation within appropriate resident and nonresident courses of instruction.

(3) Assign responsibility for preparing and exercise-approving authority over all doctrinal training materials (such as literature and audiovisual aids) in support of the Code. The CG, TRADOC will take action to keep supporting material current as new experiences are gained in combat and other situations.

(4) Coordinate directly with the DOD Executive Agent Action Office for Code of Conduct training and the responsible commands and agencies of the U.S. Navy and U.S. Air Force. This will assure that experiences and expertise are shared during development of doctrine and programs of instruction for Code and SERE training. The missions, resources, and training situations of the armed services will vary for Code and SERE training.

(5) Provide level A SERE training for all enlisted personnel and officers managed by the Officer Personnel Management Directorate.

(6) Provide training assistance to commanders of major Army commands (MACOMs) as requested. (See para 3-6.)

h. Commanders of MACOMs. Commanders of MACOMs will—

(1) Ensure that members of their commands have a thorough knowledge of the Code of Conduct and understand its provisions.

(2) Conduct training in accordance with standards established by TRADOC.

(3) Select personnel for SERE training based on levels of training required.

1-5. Duties of the individual soldier

a. Soldiers who receive Code of Conduct and SERE training will ensure that they understand the contents and meaning of the Code of Conduct and SERE. Soldiers will adhere to these guidelines to the utmost of their ability.

b. It is the duty of individual soldiers who become isolated from their unit in the course of combat operations to continue to fight, evade capture, and regain contact with friendly forces.

c. If captured, individual soldiers must live, act, and speak in a manner that leaves no doubt that they adhere to—

(1) Traditions of the U.S. Army.

(2) Their mission of resisting enemy attempts at interrogation, indoctrination, and other exploitation.

d. Individual soldiers are held accountable for their actions even while isolated from friendly forces or while held by the enemy.

Chapter 2 Training Concepts

2-1. Initial training in the Code of Conduct

Training in the Code will begin upon entry into the U.S. Army. Code of Conduct training will be included in the program of instruction at the entry level (basic training and all courses of instruction designed to produce officers).

2-2. Role and responsibilities of the United States toward PWs

Training in the Code will assure that every soldier understands the following responsibilities of the United States toward PWs:

a. Each PW continues to be of special concern to the United

States. The rights to which a PW is entitled (promotion status, pay and allowances, and dependent care) continue during captivity.

b. Every available means will be used to establish contact with and to gain release of a PW.

c. During the PW's captivity, every available means will be used to ensure that the PW is given protection and rights under the provisions of the GPW. (See AR 350-216.)

2-3. Standardized training

To provide standardized training and to reduce the possibility of incorrectly interpreting the meaning of the Code, only the instructional materials and instructors approved, provided, or trained by TRADOC for Code-related training will be used. (See para 3-6.)

2-4. Use of historical examples

Defeatist treaties, writings, and materials will not be used in training programs. On the contrary, the many examples of successful resistance will be the focal points of instruction and training. Such examples should be taken mainly from our country's history and current situations and events.

2-5. Integration of training

The principles of the Code will be integrated to the maximum extent possible in all other related subjects.

2-6. Content of training programs

All training programs in support of the Code must impress the following upon soldiers:

a. A clear and uniform understanding of the continuing obligations, responsibilities, and the behavior expected of the soldier in combat or while a PW.

b. A positive acceptance of the Code and the recognition that observing its guidelines is a military obligation. Acceptance and recognition of the Code should include an understanding of the mutually supporting relationship between the Code of Conduct and the UCMJ. (See para 2-8.)

c. An unqualified determination and belief in soldier's ability to effectively oppose all enemy efforts against them, their fellow soldiers, and their country during peacetime, combat, or captivity.

d. A confidence in the soldier's knowledge of what to expect if captured. An increased ability by individual soldiers to deny information and to resist, to the utmost of his or her ability, enemy interrogation, exploitation, and indoctrination.

e. An understanding that PW compounds are in many ways an extension of the battlefield. In a PW camp, a positive attitude toward personal duty is fundamental in keeping faith with fellow PWs and resisting enemy attempts at exploitation. Training programs will impress on individual soldiers the responsibility to maintain the following while in a PW camp:

- (1) Rank and leadership.
- (2) Military bearing.
- (3) Order and discipline.
- (4) Teamwork and devotion to fellow soldiers.
- (5) The duty to defeat enemies of our country at all times.

2-7. Relationship of the Code of Conduct to the GPW

a. The GPW relating to PWs and to the sick and wounded on the battlefield was drafted to cover the rights and responsibilities of captors and PWs plus the unique status of medical personnel and chaplains. The intent of the GPW is to provide for the protection, health, and welfare of PWs and other noncombatants while awaiting repatriation. Captors are required to treat PWs humanely. Captors are also prohibited from coercing PWs to provide information or to take action supporting the captor's war efforts. PWs are not required by the GPW to give a captor any information beyond name, rank, identification number, and date of birth.

b. Unfortunately, in recent experience, captors of American personnel have not treated PWs in accordance with the spirit or the letter of the GPW. Instead, captors have attempted to exploit PWs by using—

- (1) Psychological pressure.

(2) Physical mistreatment.

(3) Medical neglect to obtain information, propaganda statements, or other support for their war effort.

c. In response to the enemy methods in b above, the Code was developed to provide the basis of mental and spiritual defense for PWs to use in resisting illegal enemy PW management practices. The Code supports the intent of the GPW in that PWs may not be used or forced to further the enemy war effort.

2-8. Relationship of the Code of Conduct to the UCMJ

a. The Code and the UCMJ mutually support one another. The Code is a positive mission statement providing guidelines for behavior. The UCMJ is a statement of punitive law, a part of which can be used for serious violations of the Code. Nothing in the Code conflicts with the UCMJ.

b. The UCMJ prescribes minimum standards of conduct for all personnel. The UCMJ authorizes punishment for misbehavior before the enemy, aiding the enemy, and misconduct as a prisoner. Prisoners accused of misconduct, aiding, or misbehavior will be judged in light of all the surrounding circumstances, the Code, and the customs of the Service.

2-9. SERE training

a. Training. SERE training will be—

(1) Commensurate with the required training levels. (See para 3-1.)

(2) Conducted under the guidelines and programs of instruction- (POIs) established by TRADOC.

(3) Integrated to the maximum extent possible into related subjects and field exercises.

(4) Designed to emphasize the practical application of SERE techniques as influenced by local conditions when appropriate.

(5) Guided by the principles set forth in the Code of Conduct, the Geneva Convention of 1949, Relative to the Treatment of Prisoners of War, and the Hague Convention No. IV of 1907. (See AR 350-216.)

b. Security.

(1) An individual soldier who returns to U.S. control following capture (a returnee) should remember that the following is classified military information and will be divulged only in a debriefing conducted by designated military officials:

(a) Information regarding means and methods of evasion and escape.

(b) Details of capture and imprisonment.

(c) Release from internment or captivity.

(d) Details of repatriation.

(2) SERE training will include instruction emphasizing the requirement for safeguarding the information in (1) above. Permission for a returnee to release or discuss evasion, captivity, escape, or repatriation information must be granted by proper authority. (See AR 380-5.)

2-10. Emphasis of SERE training

SERE training will emphasize the following:

a. Physical and psychological aspects of SERE.

b. Characteristics of representative climatic and geographical areas.

c. Cross-cultural communications and the role of ethnic groups in SERE.

d. Survival situations and individual needs.

e. Survival aids and hazards with respect to plants, wildlife, climate, and terrain.

f. Identification of sources of food and water.

g. Means of obtaining and preparing food.

h. Purification of water.

i. Preservation of food for future use.

j. Recognition of and possible courses of action in dealing with mental or emotional problems.

k. Early recognition and self-treatment of injuries and illnesses in survival, evasion, or PW environments.

l. Sanitation and personal hygiene.

- m. Construction of proper shelters.
- n. Building of suitable fires.
- o. Improvising clothing, equipment, and weapons.
- p. Principles and techniques of evasion.
- q. Techniques for traversing obstacles, both natural and manmade.
- r. Land navigation and terrain analysis in different climatic and geographical environments during both night and day.
- s. Use of standard signaling devices and techniques.
- t. Improvisation of signaling devices.
- u. The Code of Conduct.
- v. Legal aspects of a resistance and escape.
- w. Provisions of the Geneva Convention of 1949, Relative to the Treatment of Prisoners of War, and the Hague Convention No. IV of 1907. (See AR 350–216.)
- x. Communist prisoner of war management techniques to include—
 - (1) Interrogation and indoctrination methods, techniques, and goals.
 - (2) Physical and psychological stresses.
 - (3) Pavlovian and respondent conditioning.
- y. Methods of resisting enemy interrogation, indoctrination, and exploitation.
- z. Effective leadership and organizational techniques required within PW camps to facilitate survival, resistance, and escape.
 - aa. Clandestine communication techniques.
 - ab. Techniques of planning and executing escape.
 - ac. Methods of finding and passing friendly lines.
 - ad. Survival techniques, capabilities, and equipment available in other Services for use in joint Service survival and rescue situations.
 - ae. Reporting information concerning the enemy and terrain observed during the time spent behind enemy lines.
 - af. The functioning of evasion and escape mechanisms.
 - ag. Safeguarding SERE information by returnees.

Chapter 3 Training Guidance

3–1. Levels of training

a. *Guidelines.* The following general guidelines explain the three levels of Code of Conduct training:

(1) *Level A.* Level A training is initial entry level training included in the program of instruction at basic training and at all courses of instruction designed for officers.

(2) *Level B.* Level B training is for officer and enlisted personnel or any military occupational specialty (MOS) operating (or anticipated to operate) forward of the division rear boundary and up to the forward line of own troops (FLOT).

(3) *Level C.*

(a) Level C training is for soldiers whose wartime position, MOS, or assignment has a high risk of capture and whose position, rank, or seniority make them vulnerable to greater than average exploitation efforts by a captor. Examples include personnel who operate forward of the FLOT such as special forces, pathfinders, selected aviators, flying crew members, and members of ranger battalions.

(b) Peacetime level C personnel are those who, due to assignment or mission, have a high risk of being taken hostage by terrorists or being detained by a hostile government in a peacetime environment. Examples include special forces, selected military attaches and members of ranger battalions, and anyone in special support missions near conflict areas.

b. *Determination of levels*

(1) Experience has demonstrated that the training required in the Code by individual soldiers is based on the following three factors:

(a) Risk of capture.

(b) Risk of exploitation for information of intelligence value and propaganda purposes.

(c) Captor's or detaining power's assessment of the captive's usefulness and value.

(2) It is possible to have level B training requirements for soldiers assigned to units anticipating operation forward of the FLOT. It is also possible to have level C training requirements for individuals assigned to units that usually qualify for level B training. Training level status can also change with MOS, unit assignment, rank, or clearance level. Training must reflect the changes.

c. *Selection of personnel for training in units.* MACOM commanders will select personnel for training at the appropriate level (level B or C). MACOM commanders may delegate authority to commanders of divisions and separate brigades to select personnel for training.

d. *Assignment of personnel by DCSPER.* DCSPER should consider level C training requirements before assigning an individual to an operational unit. This includes soldiers who will be assigned to special forces, ranger, and pathfinder units. It also includes soldiers assuming flying status whose positions require level C training.

3–2. Topics of instruction for level A training

The following topics will be included as part of level A training.

a. Code of Conduct training. (See chap 4.)

b. Developing a knowledge and appreciation of national, Army, and unit history and traditions.

c. Receiving education in the strengths and advantages of the Nation's democratic institutions so as to develop resistance to enemy political and economic indoctrination.

d. Understanding the mutually supporting relationship between the Code and the UCMJ.

e. Achieving a full understanding of the Code, its purpose, and its meaning.

f. Peacetime conduct of U.S. military personnel in detention, captive, or hostage situations. (See chap 5.)

3–3. Topics of instruction for level B training

The following topics will be included as part of level B training:

a. Code of Conduct training. (See chap 4.)

b. Hostage situation training. (See chap 5.)

c. How to avoid capture, evade detection, survive when operating in enemy territory, and use methods of recovery employed by combat search and rescue forces.

d. Understanding of enemy PW management practices, interrogation, indoctrination techniques, and captor goals. The instruction should include—

(1) An explanation of the adverse physical and mental conditions under which these methods and techniques are conducted.

(2) Information concerning resistance under the varying interrogation techniques and degrees of coercion used by an enemy.

(3) Making soldiers aware that even under extremes of coercion they must avoid aiding the enemy to the best of their ability.

(4) Countermeasures that can be used against enemy exploitation attempts. These include the following:

(a) Application of leadership principles, discipline, and the chain of command.

(b) Development of group and individual loyalties.

(c) Creation of special systems of organization.

(d) Understanding enemy ethnic traits and how they apply to the captivity situation.

(e) Employment of skills in sanitation, first aid, personal hygiene, and emergency self-treatment of typical PW camp illnesses using primitive materials.

(f) Use of religious and personal convictions to combat the stresses of captivity.

(5) Ensuring that individual soldiers understand that personal affairs are to be put in order prior to commitment to a combat theater.

3–4. Topics of instruction for level C training

Level C has more detailed information and problem-solving aspects than levels A and B. The topics in level C will include—

a. Code of Conduct training. (See chap 4.)

b. Legal aspects of the Code and UCMJ.

- c. Relationship of the Code to International Law.
- d. Specific ruses and stratagems needed to defeat enemy interrogation.
- e. Organization and operation of a chain of command in a PW camp.
- f. Covert communications and clandestine organization.
- g. Responsibilities of a senior ranking officer.
- h. Persuasive leadership.
- i. Group dynamics.
- j. Procedures and techniques of rescue by search and recovery forces.
- k. Procedures for properly using specified evasion destinations.
- l. Confidence building through practical experience in properly using ruses and stratagems designed to thwart interrogation.
- m. Ways to plan techniques and methods of escape.

3-5. Procedures applicable to the training base.

a. *Level A.* Level A training will be conducted during initial entry training and officer basic training with materials provided by TRADOC. The training will follow the guidelines in paragraph 3-2. The individual's personnel records (DA Form 2, Personnel Qualification Record-Part I, or DA Form 2-1, Personnel Qualification Record-Part II) will be annotated upon completion of this training.

b. *Level C.* Level C training will be conducted only at the Resistance Training Laboratory operated by the USAJFKSWC. The training will follow the guidelines in paragraph 3-4. The individual's personnel records (DA Form 2 or DA Form 2-1) will be annotated upon completion of this training.

3-6. Procedures applicable to Active Component(AC) and Reserve Component (RC) units

a. *Level B training.* Level B training will be given on a one-time basis to those individuals considered vulnerable to exploitation (para 3-1). It will be conducted at units of assignment by qualified instructors trained by TRADOC and will follow the guidelines in paragraph 3-3. Individual personnel records (DA Form 2 or DA Form 2-1) will be annotated to indicate completion of the training. Commanders will coordinate with the servicing military personnel office (MILPO) to determine the personnel who have not had the training. This will normally occur as part of the Battalion Training Management System (BTMS) planning phase, conducted annually.

b. *Level B instructors.* Commanders should attempt to retain a qualified level B instructor at the battalion or separate company level to conduct the level B instruction. Pending formalization of an additional skill identifier for the SERE instructor, the following can be used for instructor support:

(1) The SERE Instructor Qualification Course conducted at the USAJFKSWC is designed to qualify instructors to teach level B training in all environments.

(2) In addition, the USAJFKSWC can provide the level B Instructor Qualification Course to remote sites with mobile training teams (MTTs). TRADOC will certify instructors through resident instruction and MTTs. TRADOC will also support instructors through exported training packages and MTTs. MACOM commanders will request support for MTTs from TRADOC to meet instructor training requirements.

3-7. Procedures for integrated training in units

a. *Unit training.* The guidance in paragraph 3-3 applies to the training of individuals located in units. Field commanders should adapt level B training to the specific needs of their unit. This can be done in concentrated periods or over a training year. A suggested approach to training would be to give classroom instruction before the field training. The appropriate subjects would then be integrated into field training exercises and Army Training and Evaluation Programs (ARTEPs). In addition, unit training programs and field exercises will provide opportunities for integrated practical application of SERE training by rescue forces. Maximum combat realism will be applied to tactical exercises consistent with good safety

practices. The use of PW compounds and resistance training laboratories by other than USAJFKSWC to teach Code of Conduct and SERE training is prohibited.

b. *Permission training.* During area-oriented readiness training, current missions and contingency plans (including anticipated geographical areas of deployment) will be used. This will allow inclusion in the training of the specific characteristics of a country such as—

- (1) Appropriate cultural information.
- (2) Potential enemy PW management practices.
- (3) Special aspects of survival and evasion peculiar to the environment and geographic location.

c. *Isolated units.* The tactical need for dispersion in warfare requires that units train to operate while isolated. Units must also develop standing operating procedures for such situations. The pessimism associated with the concept of a "cutoff" unit should be eliminated by appropriate training. Units should be able to accept temporary isolation on the battlefield as normal to combat. Units will be taught to rely on their own firepower and fighting ability and to continue their combat mission. As part of individual unit training, troops will be trained to obtain food and water from the local environment. Troops will also be trained to operate with confidence despite being isolated. This training is considered especially important for units such as airborne, special forces, and rangers whose mission requires operating with little or no outside support.

d. *Treatment of simulated prisoners during peacetime maneuvers.* During training, capturing forces or units will treat simulated prisoners exactly according to the GPW. Under no circumstances does this paragraph authorize use of PW compounds during field exercises for instruction in the Code of Conduct.

Chapter 4 Explanation of and Training Guidance for the Code of Conduct

4-1. Background

a. The six articles of the Code of Conduct (app B) are explained in this chapter. Training guidance is also provided with each article. The explanation and guidance provide the basis for training in support of the Code as well as guidelines for behavior of soldiers who are captured. The explanations are based on experience with captors who have violated the GPW.

b. Recent captors of U.S. personnel have attempted to—

(1) Eliminate or frustrate the functioning of PW organizations. This was done by interrupting communications between PWs and isolating known PW leaders.

(2) Divide the loyalties and reduce the team efforts of PWs. This was done by creating and building feelings of helplessness, hopelessness, and guilt among PWs.

(3) Force PWs to assist the enemy war effort by taking away or giving basic necessities such as food, clothing, shelter, human contact, and medical care.

c. The practices in b(1) through (3) above are forbidden by the GPW. However, if soldiers are subjected to the misfortune and shock of capture, they must immediately realize that they may become the object of intense exploitation. The period of captivity may last for several years before successful escape or release. The PW must face this as a reality. The best way for PWs to keep faith with their country, fellow PWs, and themselves is to remember that the enemy's purpose is to exploit the PW. Therefore, the PW should provide the enemy with as little information or assistance as possible.

4-2. Article I

a. The term "fighting man" in Article I refers to all soldiers. Article I also applies to each soldier whether in combat or in captivity. Soldiers are, therefore, duty bound to support the interest of the United States and to oppose its enemies.

b. Medical personnel and chaplains are given special "retained

status” by the 1949 Geneva Convention including the GPW. The GPW requires that medical personnel and chaplains be allowed to perform their professional duties while captured. However, the captors control the degree to which these duties can be performed. But, even while performing limited professional duties, medical personnel and chaplains are held accountable for all their actions.

c. Recent experience has shown that captors have disregarded the GPW. All confined personnel have been subjected to the same coercive PW management practices. Therefore, all soldiers should be aware of the behavior standards of the Code and should receive training in its application.

4-3. Training guidance for Article I, levels A, B, and C
Familiarity with the wording and basic meaning of Article I is necessary to understand the following:

a. Past experience of captured Americans reveals that honorable survival of captivity requires that a member possess a high degree of dedication and motivation. Maintaining these qualities requires—

(1) Knowledge of and a strong belief in the advantages of this country’s democratic institutions and concepts.

(2) Love of and faith in this country and a conviction that this country’s cause is just.

(3) Faith in and loyalty to fellow prisoners.

b. When prisoners possess the dedication and motivation fostered by a(1) through (3) above, they are better able to survive long, stressful periods of captivity and return to country and family honorably and with their self-esteem intact.

4-4. Article II

a. Article II means that soldiers may never voluntarily surrender. Even where isolated and no longer able to inflict casualties on the enemy or otherwise defend themselves, it is the duty of a soldier to avoid capture and rejoin the nearest friendly forces.

b. The means to evade is considered exhausted when escape is impossible. The means to resist is considered exhausted when further fighting would lead to the soldier’s death with no significant loss to the enemy.

c. The responsibility and authority of a commander never includes surrendering the command while isolated, cut off, or surrounded, as long as the unit has the power to resist, break out, or evade to rejoin friendly forces.

d. The key words of Article II are “of my own free will.” In most cases, there will be a means to resist or escape. In extreme situations, the means to resist or evade might be exhausted. For example, a soldier may be isolated, low on ammunition (or without an operable weapon), and surrounded by enemy troops with loaded weapons.

e. Medical personnel and chaplains may have an occasion to remain with the sick and wounded. If captured, such actions are not considered voluntary surrender under the terms of Article II.

4-5. Training guidance for Article II, levels A, B, and C

a. Levels A, B, and C training should ensure that each individual is familiar with the wording and basic meaning of the Article.

b. Levels B and C training should expand the discussion to include the following:

(1) Members must understand that when cut off, shot down, or otherwise isolated in enemy-controlled territory, they must make every effort to avoid capture. The courses of action available include concealment until recovered by friendly rescue forces, evasive travel to a friendly or neutral territory, and evasive travel to other prebriefed areas.

(2) Each member must understand that capture does not constitute a dishonorable act if all reasonable means of avoiding it have been exhausted and the only alternative is certain death.

c. Level C training should ensure that members understand and have confidence in the procedures and techniques of rescue by search and recovery forces, and the procedures for properly using specified evasion destinations.

4-6. Article III

a. Article III requires that individual soldiers continue to resist enemy exploitation even if captured.

b. The PW command has been considered by recent captors as an extension of the battlefield, and the enemy has used a variety of tactics to exploit PWs in disregard of the GPW. These efforts have included physical and mental harassment, general mistreatment and torture, medical neglect, and political indoctrination.

c. Special favors or privileges have been offered to PWs in return for statements, information, and pledges or agreements not to try to escape. Soldiers must not seek special privileges or accept favors at the expense of fellow PWs.

d. Under the guidance of the senior military person and the PW organization, soldiers must take advantage of escape opportunities whenever they arise.

e. Soldiers are prohibited from signing any parole agreements. Parole agreements are promises given the captor by a PW to get special privileges or release from captivity.

f. Medical personnel and chaplains who are captured must assert their right as “retained personnel” to perform their medical and religious duties for the benefit of PWs. They must take every opportunity to do so.

g. If medical personnel and chaplains are not treated as “retained personnel,” they have a duty to resist and escape. However, if they are treated as “retained personnel” they are not obligated to resist and escape.

h. If medical personnel and chaplains are treated as “retained personnel,” they must not perform any actions that could be detrimental to PWs or other interests of the United States.

i. If the enemy fully honors and implements the agreements of the Geneva Conventions and does not attempt to exploit PWs, soldiers must not interfere with the proper, humanitarian administration of the PW camp.

j. Individuals who are recaptured after an escape attempt are protected by Articles 91 through 94 of the GPW. The GPW states that punishment will be for the escape attempt only, provided that—

(1) PWs have committed offenses for the sole purpose of aiding their escape.

(2) Offenses committed do not involve violence against life or limb.

k. Under the GPW, captured medical personnel and chaplains are to be returned to their own forces when they are no longer needed to perform their duties.

l. Soldiers will not bargain with the enemy for their own early release ahead of fellow PWs because this would be a failure to keep faith. (See Article IV.)

m. The senior military PW should control and supervise release of PWs if the enemy permits. The GPW intends that PWs be released in the following order:

(1) Seriously sick and wounded as soon as their medical condition permits movement.

(2) Other PWs on a first-captured-first-released basis.

n. Enemy release policies that differ from the GPW should be regarded with suspicion. (See *m* above.)

4-7. Training guidance for Article III, levels A, B, and C

Training should ensure that members are familiar with the wording and basic meaning of Article III.

4-8. Training guidance for Article III, levels B and C

a. Members must understand that captivity is a situation involving continuous control by a captor who may attempt to use the PW as a source of military information, for political purposes, and as a potential subject for political indoctrination.

b. Members must be familiar with the rights and obligations of both the PW and the captor under the provisions of the GPW and be aware of the increased significance of resistance should the captor refuse to abide by the provisions of the Geneva Conventions. Members must also be aware that the resistance required by the Code of Conduct pertains to PW resistance to captor exploitation efforts and not to PW harassment of the captor. PW harassment of the captor

may violate the Geneva Conventions and can subject the PW to possible punishment. This punishment can be as severe as the punishment for serious offenses against order and discipline or criminal offenses against the captor.

c. Members must be familiar with, and prepared for, the implications of the Communist Block reservation to Article 85 of the Geneva Conventions. Article 85 mandates that PWs prosecuted and convicted under the laws of the detaining powers for acts committed prior to capture shall retain the benefits of the GPW. Members must understand that Communist captors often threaten to use their reservations to Article 85 as a basis for adjudging all members of opposing armed forces as "war criminals." As a result, PWs may find themselves accused of being "war criminals" simply because they waged war against their communist captors prior to capture. The U.S. Government does not recognize the validity of this argument. Soldiers must know they are to follow the law of land warfare prescribed in FM 27-10 and the Code in spite of the captor's probable ignorance of GPW.

d. Members must do the following concerning escape from captivity:

(1) Understand the advantages of early escape in that members of the ground forces are usually relatively near friendly forces. An early escape attempt is more likely to succeed because the initial captors are usually not trained guards, the security system is relatively lax, and the prisoner is not yet in a debilitated physical condition.

(2) Be familiar with the complications of escape after arrival at an established PW camp. These complications include the following: secure facilities and experienced guard systems, usually located far from friendly forces; debilitated physical condition of prisoners; psychological factors that reduce escape motivation ("barbed-wire syndrome"); and, the often differing ethnic characteristics of escapees and the enemy population.

(3) Understand the importance of being alert for escape opportunities immediately after capture or when confined alone.

(4) Understand the command supervisory role of the senior military person and the PW organization in escapes from established PW camps. Understand the responsibilities of escapees to their fellow prisoners.

(5) Understand that acceptance of parole means a PW has agreed not to engage in a specified act (such as to escape or to bear arms) in exchange for a stated privilege, and that U.S. policy forbids a PW to accept a parole.

(6) Understand the effects on prisoner organization and morale, as well as the possible legal consequences, of accepting a favor from the enemy that results in gaining benefits or privileges not available to all prisoners. Such benefits and privileges include acceptance of release prior to the release of sick or wounded prisoners or those who have been in captivity longer. Special favors include improved food, recreation, and living conditions not available to other PWs.

4-9. Training guidance for Article III, level C

Level C training should expand on the guidance in paragraph 4-8 and include understanding the necessity for and the mechanics of covert organizations in captivity. These organizations serve the captive's ends, to include effecting escape.

4-10. Article IV

a. Article IV requires that officers and noncommissioned officers continue to carry out their responsibilities and to exercise their authority in captivity.

b. Strong leadership is essential to discipline. Without discipline, camp organization, resistance, and even survival may be impossible.

c. Informing on fellow PWs is forbidden. PWs must especially avoid helping the enemy to identify fellow PWs who have information that is of value to the enemy. These PWs may be made to suffer coercive interrogation because of their knowledge.

d. Personal hygiene, camp sanitation, and care of the sick and wounded are imperative.

e. The senior person (whether officer or enlisted) within the PW camp or with a group of PWs will assume command according to rank without regard to Service. A chain of command will be designated and communicated to all PWs. The chain of command will represent PWs in dealing with enemy authorities. The responsibility of subordinates to obey the lawful orders of ranking American military personnel remains unchanged in captivity.

f. The GPW indicates that in PW camps with enlisted personnel only, a prisoner's representative will be elected. However, it is U.S. policy that the prisoner's representative does not have command unless the representative is also the senior military person regardless of Service. The senior military person will assume and retain actual command covertly if necessary.

g. Maintaining communication is one of the most important ways that PWs can aid one another. Communication breaks down the barrier of isolation (constructed by the enemy) and helps strengthen the PW's will to resist. Immediately upon capture, each PW will try to make contact with fellow PWs by any means available and will actively continue to communicate and participate as part of the PW organization.

h. Medical personnel are generally prohibited from assuming command over nonmedical personnel.

i. Chaplains are generally prohibited from assuming command over military personnel of any branch.

j. Military service regulations which restrict the eligibility of medical personnel and chaplains for command will be explained to personnel of all Services so there will be no confusion in a PW camp.

k. If the enemy does not permit a military command structure to be formed or to function, an organization of elected representatives as provided for in the GPW may be established. However, in such a case, the senior person will continue to exercise authority over all PW matters, covertly if necessary.

4-11. Training guidance for Article IV, levels A, B and C

a. Training should ensure that members are familiar with the wording and basic meaning of Article IV, as stated above.

b. Members should also understand the following:

(1) Leadership and obedience to those in command are essential to the discipline required to organize successfully against captor exploitation. In captivity situations involving two or more prisoners, the senior ranking prisoner will assume command; all others will obey the orders and abide by the decisions of the senior military person regardless of differences in Service affiliations. Failure to do so will result in the weakening of organization, a lowering of resistance, and, after repatriation, may result in legal proceedings under the UCMJ.

(2) Faith, trust, and individual group loyalties have great value in establishing and maintaining an effective prisoner of war organization.

(3) A volunteer informer or collaborator is a traitor to fellow prisoners and country and, after repatriation, is subject to punishment under the UCMJ.

4-12. Training guidance for Article IV, levels B and C

a. Training should expand on the guidance in paragraph 4-11. Members must do the following regarding the captivity situation:

(1) Be familiar with the principles of hygiene, sanitation, health maintenance, first aid, physical conditioning, and food utilization. This includes recognition and emergency self-treatment of typical PW camp illnesses by use of primitive materials and available substances (for example, toothpaste, salt, and charcoal). Such knowledge exerts an important influence on prisoner ability to resist and assists in maintaining an effective PW organization.

(2) Understand the importance of and the basic procedures for establishing secure communications between separated individuals and groups of prisoners attempting to establish and maintain an effective organization.

(3) Be familiar with the major ethnic, racial, and national characteristics of the enemy that can affect prisoner-captor relationships to the detriment of individual prisoners and prisoner organizations.

b. Members must further understand the following concerning collaborators:

(1) An informer or collaborator should be insulated from sensitive information concerning PW organization, but continuing efforts should be made by members of the PW organization to encourage and persuade the collaborator to cease such activities.

(2) Welcoming a repentant collaborator "back to the fold" is generally a more effective PW organization resistance technique than continued isolation, which may only encourage the collaborator to continue such treasonous conduct.

(3) There is a significant difference between the collaborator who must be persuaded to return and the resistant who, having been physically or mentally tortured into complying with a captor's improper demand (such as information or propaganda statement), should be helped to gather strength and return to resistance.

c. Members must further understand that, in situations where military and civilian personnel are imprisoned together, the senior military prisoner should make every effort to persuade civilian prisoners that the military member's assuming overall command leadership of the entire prisoner group is advantageous to the entire prisoner community.

4-13. Training guidance for Article IV, level C

In addition to the guidance cited in paragraphs 4-11 and 4-12, members must understand the need for and the mechanics of establishing an effective covert organization in situations where the captor attempts to prevent or frustrate a properly constituted organization.

4-14. Article V

a. Article V requires that, when questioned, a PW must give name, rank, service number, and date of birth. Under the GPW, the enemy may not force a PW to provide any additional information. However, it is unrealistic to expect a PW to remain confined for years reciting only name, rank, identification number, and date of birth. There are many PW camp situations in which certain types of conversation with the enemy are permitted. For example, a PW is allowed but not required by the Code of Conduct, UCMJ, or GPW to—

- (1) Fill out a Geneva Convention capture card.
- (2) Write letters home.
- (3) Communicate with captors on matters of health and welfare.

b. The senior military prisoner is required to represent the prisoners in matters of camp administration, work details, health, welfare, and grievances. However, it must be constantly borne in mind that the enemy has often viewed PWs as valuable sources of military information and of propaganda that can be used to further the enemy's war effort.

c. Each PW must exercise great caution when filling out a capture card, communicating with the captor, and writing letters. A PW must resist, avoid, or evade, even when physically or mentally coerced, all enemy efforts to secure statements or actions that will further the enemy's cause. Such statements or actions constitute giving the enemy unauthorized information. Examples include—

- (1) Oral or written confessions.
- (2) Questionnaires.
- (3) Personal history statements.
- (4) Propaganda recordings and broadcast appeals to other PWs to comply with improper captor demands.
- (5) Appeals for surrender or parole.
- (6) Self-criticisms.
- (7) Oral or written statements or communications helpful to the enemy or harmful to the United States, its allies, the Armed Forces, or other PWs.

d. A PW should recognize that any confession signed or any statement made may be used by the enemy as part of a false accusation that the captive is a war criminal rather than a PW. Moreover, certain countries qualify their acceptance of the GPW, stating that a war crimes conviction has the effect of depriving the convicted individual of PW status. This action may remove

the PW from protection under the GPW and lead to a loss of the right to repatriation until a prison sentence is served.

e. If a PW finds that, under intense coercion, unauthorized information was unwillingly or accidentally disclosed, the PW should develop a fresh mental defense to recover control and develop a new line of resistance.

f. Experience has shown that although enemy interrogation sessions can be harsh and cruel, it is possible to resist when a will to resist exists.

g. The best way for PWs to keep faith with their country, fellow PWs, and themselves is to provide the enemy with as little information as possible.

h. Article V and its explanation applies equally to medical personnel and chaplains (retained personnel). These personnel are required to communicate with a captor in connection with their professional responsibilities, but are subject to the restraints discussed in paragraphs 4-2 and 4-18.

4-15. Training guidance for Article V, levels A, B, and C

Training should ensure that members are familiar with the wording and basic meaning of the article, as explained in paragraph 4-14 above.

4-16. Training guidance for Article V, levels B and C

a. Levels B and C training will include the material in paragraph 4-14.

b. Additional training will be given members who must—

(1) Be familiar with the various aspects of the interrogation process; its phases; the procedures, methods, and techniques of interrogation; and the interrogator's goals, strengths, and weaknesses.

(2) Understand that a PW is required by the Geneva Convention and the Code of Conduct to disclose name, rank, service number, and date of birth, when questioned and that answering further questions must be avoided. A prisoner is encouraged to limit further disclosure by use of such resistance techniques as claiming inability to furnish additional information because of previous orders, poor memory, ignorance of answer, or lack of comprehension. The prisoner may never willingly give the captor additional information, but must resist doing so even if it involves withstanding mental and physical duress.

(3) Understand that, short of death, it is unlikely that a PW can prevent a skilled enemy interrogator, using all available psychological and physical methods of coercion, from obtaining some degree of compliance by the PW with captor demands. However, if taken past the point of maximum endurance by the captor, the PW must recover as quickly as possible and resist each successive captor exploitation effort to the utmost. The PW must understand that a forced answer on one point does not authorize continued compliance. Even the same answer must be resisted again at the next interrogation session.

(4) Understand that a prisoner is authorized by the Code of Conduct to communicate with the captor on individual health or welfare matters and, when appropriate, on routine matters of camp administration. Conversations on these matters are not considered to be giving unauthorized information as defined in paragraph 4-14c.

(5) Understand that the PW may furnish limited information concerning family status and address in filling out a Geneva Conventions card; that a prisoner may write personal correspondence; and that the captor will have full access to both the information on the capture card and the contents of personal correspondence.

(6) Be familiar with the captor's reasons for and methods of attempting to involve prisoners in both internal and external propaganda activities. Understand that a prisoner must use every means available to avoid participation in such activities and must not make oral or written statements disloyal to country and allies, or detrimental to fellow prisoners of war.

(7) Be familiar with captor's reasons for and methods of attempting to indoctrinate prisoners politically. Be familiar with the methods of resisting such indoctrination.

4-17. Training guidance for Article V, level C.

a. Level C training will expand on the training in paragraph 4-16.

b. Members should specifically—

(1) Understand that, even when coerced beyond name, rank, service number, date of birth, and claims of incapacities, it is possible to thwart an interrogator's efforts to obtain useful information by the use of certain additional ruses and stratagems.

(2) Understand and develop confidence in the ability to use properly the ruses and stratagems designed to thwart interrogation.

4-18. Article VI

a. Article VI is designed to help soldiers fulfill their responsibilities and to survive captivity with honor and dignity. Soldiers remain responsible for their actions at all times. The UCMJ continues to apply to each soldier during captivity or other hostile detention.

b. Upon repatriation, PWs can expect their actions to be subject to review, both as to circumstances of capture and to conduct during detention. The purpose of such reviews is to recognize meritorious performance as well as to investigate any allegations of misconduct. Such reviews will be conducted considering the rights of the individual and the conditions of captivity.

c. A member of the Armed Forces who is captured has a continuing obligation to resist all attempts at indoctrination and to remain loyal to country, Service, and unit.

d. The life of a PW can be very hard. PWs who stand firm and united against enemy pressures will aid one another immeasurably in surviving this ordeal.

4-19. Training guidance for Article VI, levels A, B, and C

a. Training should ensure that members are familiar with the wording and basic meaning of Article VI as stated in paragraph 4-18.

b. Additionally, the training should teach members to—

(1) Understand the relationship between the UCMJ and the Code of Conduct (para 2-8), and realize that failure to follow the guidance in the Code of Conduct may result in violation of the provisions of the UCMJ. Every member of the Armed Forces of the United States should understand that members can be held legally accountable for personal actions while detained.

(2) Be knowledgeable of national policy concerning the Code of Conduct according to DOD Directive 1300.7. Specifically, the directive states— "No American prisoner of war will be forgotten by the United States. Every available means will be employed by our Government to establish contact with, to support, and to obtain the release of all of our prisoners of war. Furthermore, the laws of the United States provide for the support and care of dependents of the Armed Forces including those who become prisoners of war. I assure dependents of such prisoners that these laws will continue to provide for their welfare."

(3) Understand that both the PW and dependents will be taken care of by the Armed Forces and that pay and allowances, eligibility and procedures for promotion, and benefits for dependents continue while the PW is detained.

(4) Understand the importance of keeping personal and family matters current and in order prior to being exposed to risk of capture. This is accomplished through actions such as discussions with family members, counseling from legal personnel, and filing of appropriate documents. Examples of these matters include pay, powers of attorney, wills, car payments, and children's schooling.

(5) Understand that failure to accomplish the actions in (4) above has resulted in an almost overwhelming sense of guilt on the part of PWs and has placed unnecessary hardship on family members.

Chapter 5 Policy and Guidance for Peacetime Conduct of Soldiers in Detention, Captive, or Hostage Situations

5-1. General

a. Soldiers captured or detained by hostile foreign governments or terrorists while on active status, temporary duty, or on leave, often are held for purposes of exploitation of the detainees or captives, the U.S. Government, or for both reasons. This exploitation can take many forms, but each form of exploitation is designed to assist the foreign government or the terrorist captors. In the past, detainees have been exploited for information and propaganda efforts, including confessions to crimes never committed, all of which assisted or lent credibility to the detainer. Governments also have been exploited in such situations to make damaging statements about themselves or to force them to appear weak in relations to other governments. In the past, ransoms for captives of terrorists have been paid by governments. Such payments have improved terrorist finances, supplies, status, and operations, often prolonging the terror carried on by such groups.

b. Soldiers, whether detainees or captives, can be assured that the U.S. Government will make every effort to obtain their earliest release. Faith in one's country and its way of life, faith in fellow detainees or captives, and faith in one's self are critical to surviving with honor and resisting exploitation. Resisting exploitation and having faith in these areas are the responsibility of all Americans. On the other hand, the destruction of such faith must be the assumed goal of all captors determined to maximize their gains from a detention or captive situation.

5-2. Objectives

a. The objective of this policy and guidance is to assist U.S. military personnel who find themselves isolated from U.S. control in peacetime or in a situation not related specifically to the Code of Conduct.

b. The guidance has been developed to help soldiers survive peacetime detention by unfriendly governments or captivity by terrorist groups with honor. It neither constitutes a means of judgment nor replaces the UCMJ as a vehicle for enforcement of proper conduct.

5-3. Policy

a. Every reasonable step must be taken by soldiers to prevent exploitation of themselves and the U.S. Government. If exploitation cannot be prevented completely, every step must be taken to limit exploitation as much as possible. In a sense, detained soldiers often are catalysts for their own release, based upon their ability to become unattractive sources of exploitation. That is, one who resists successfully may expect detainers to lose interest in further exploitation attempts. Detainees or captives very often must make their own judgments as to which actions will increase their chances of returning home with honor and dignity. Without exception, the soldier who can say honestly that he or she has done his or her utmost in a detention or captive situation to resist exploitation upholds national policy, the founding principles of the United States, and the highest traditions of military service.

b. Regardless of the type of detention or captivity or harshness of treatment, soldiers will maintain their military bearing. They should make every effort to remain calm and courteous and project personal dignity. This is particularly important during the process of capture and the early stages of internment when the captor may be uncertain of his or her control over the captives. Discourteous behavior seldom serves the long-term interest of a detainee, captive, or hostage. Additionally, it often results in unnecessary punishment, which serves no useful purpose. Such behavior, in some situations, can jeopardize survival and severely complicate efforts to gain release of the detained, captured, or hostage-held soldier.

c. There are no circumstances in which a detainee or captive should voluntarily give classified information or materials to unauthorized persons. To the utmost of their ability, soldiers held as

detainees, captives, or hostages will protect all classified information. An unauthorized disclosure of classified information, for whatever reason, does not justify further disclosures. Detainees, captives, and hostages must resist, to the utmost of their ability, each and every attempt by their captor to obtain such information.

d. In group detention, captivity, or hostage situations, military detainees, captives, or hostages will organize, to the fullest extent possible, in a military manner under the senior military member present (regardless of service) who has authority to command. (See para 4–6 for “retained personnel.”) The importance of such organization cannot be overemphasized. Historically, in both peacetime and wartime, establishment of a military chain of command has been a tremendous source of strength for all captives. Every effort will be made to establish and sustain communications with other detainees, captives, or hostages. Military detainees, captives, or hostages will encourage civilians being held with them to participate in the military organization and accept the authority of the senior military member. In some circumstances, such as embassy duty, military members may be under the direction of a senior U.S. civilian official. Notwithstanding such circumstances, the senior military member still is obligated to establish, as an entity, a military organization and to ensure that the guidelines in support of the DOD policy to survive with honor are not compromised.

5–4. Guidance for personnel when detained by governments

Once in the custody of a hostile government, regardless of the circumstances that preceded the detention situation, detainees are subject to the laws of that government. In light of this, detainees will maintain military bearing and should avoid any aggressive, combative, or illegal behavior. The latter could complicate their situation, their legal status, and any efforts to negotiate a rapid release.

a. As American citizens, detainees should be allowed to be placed in contact with U.S. or friendly embassy personnel. Thus, detainees should ask immediately and continually to see U.S. embassy personnel or a representative of an allied or neutral government.

b. Soldiers who become lost or isolated in a hostile foreign country during peacetime will not act as combatants during evasion attempts. Since a state of armed conflict does not exist, there is no protection afforded under the Geneva Conventions. The civil laws of that country apply. Soldiers are therefore encouraged to contact local authorities as soon as possible in these situations. However, delays in contacting local authorities can be caused by—

- (1) Injuries affecting the soldier’s mobility.
- (2) Disorientation.
- (3) Fear of captivity.
- (4) A desire to see if a rescue attempt could be made.

c. Since the detainer’s goals may be maximum political exploitation, soldiers who are detained must be extremely cautious in everything they say and do. In addition to asking for a U.S. representative, detainees should provide name, rank and social security number, date of birth, and the innocent circumstances leading to their detention. Further discussions should be limited to and revolve around health and welfare matters, conditions of their fellow detainees, and going home.

d. Historically, detainers have attempted to engage military captives in what may be called a “battle of wits” about seemingly innocent and useless topics as well as provocative issues. To engage any detainer in such useless, if not dangerous, dialogue only enables a captor to spend more time with the detainee. The detainee should consider dealings with his or her captives as a “battle of wills.” This would entail the will to restrict discussion to those items that relate to the detainee’s treatment and return home against the detainer’s will to discuss topics of importance to the detainer.

e. As there is no reason to sign any form or document in peacetime detention, detainees will avoid signing any document or making any statement, oral or otherwise. If a detainee is forced to make a statement or sign documents, he or she must provide as little

information as possible and then continue to resist to the utmost of his or her ability. If a detainee writes or signs anything, such action should be measured against how it reflects upon the United States and the individual as a member of the military, or how it could be misused by the detainer to further the detainer’s ends.

f. Detainees cannot earn their release by cooperation. Release will be gained by the soldier doing his or her best to resist exploitation, thereby reducing his or her value to a detainer, and, thus, prompting a hostile government to negotiate seriously with the U.S. Government.

g. Soldiers should not refuse to accept release unless doing so requires them to compromise their honor or cause damage to the U.S. Government or its allies. Persons in charge of detained soldiers will authorize release of any personnel under almost all circumstances.

h. Escape attempts will be made only after careful consideration of the risk of violence, chance of success, and detrimental effects on detainees remaining behind. Jailbreak in most countries is a crime; thus, escape attempts—

(1) Would provide the detainer with further justification to prolong detention by charging additional violations of its criminal or civil law.

(2) May result in bodily harm or even death to the detainees.

5–5. Guidance for soldiers when in terrorist captivity

a. Capture by terrorists is generally the least predictable and structured form of peacetime captivity. The captor qualifies as an international criminal. The possible forms of captivity vary from spontaneous hijacking to a carefully planned kidnapping. In such captivities, hostages play a greater role in determining their own fate since the terrorists in many instances expect or receive no rewards for providing good treatment or releasing victims unharmed. If soldiers are uncertain whether captors are actual terrorists or surrogates of government, they should assume that they are terrorists who do not represent their government.

b. If assigned in or traveling through areas of known terrorist activity, soldiers should exercise prudent antiterrorist measures to reduce their vulnerability to capture. During the process of capture and initial internment, they should remain calm and courteous, since most casualties among hostages occur during this phase.

c. Surviving in some terrorist detentions may depend on hostages conveying a personal dignity and apparent sincerity to the captors. Hostages, therefore, may discuss nonsubstantive topics such as sports, family, and clothing, to convey to the terrorists the captive’s personal dignity and human qualities. They will make every effort to avoid embarrassing the United States and the host government. The purpose of this dialogue is for the hostage to become a “person” in the captor’s eyes, rather than a mere symbol of his or her ideological hatred. Such a dialogue also should strengthen the hostage’s determination to survive and resist. A hostage also may listen attentively to the terrorist’s feelings about his or her cause to support the hostage’s desire to be a “person” to the terrorist; however, he or she should never pander to, praise, participate in, or debate the terrorist’s cause with him or her.

d. Soldiers held hostage by terrorists should accept release using guidance in paragraph 5–4g above. Soldiers must keep faith with their fellow hostages and conduct themselves according to the guidelines of this regulation. Hostages and kidnap victims who consider escape to be their only hope are authorized to make such attempts. Each situation will be different, and the hostage must weigh carefully every aspect of a decision to attempt to escape.

Appendix A References

Section I Required Publications

AR 350-216

The Geneva Conventions of 1949 and Hague Convention No. IV of 1907. (Cited in paras 1-4c(2), 2-2c.)

AR 360-5

Public Information. (Cited in para 1-4e.)

AR 380-5

Department of the Army Information Security Program. (Cited in para 2-9b(2).)

FM 27-10

The Law of Land Warfare. (Cited in para 4-8c.)

Resistance Training in Support of the Code of Conduct Security Classification Guide.

(Cited in para 1-4e.) (Obtain from HQ AFIS/INU, FT Belvoir, VA 22060-5788.)

Section II Related Publications

A related publication is merely a source of additional information. The user does not have to read it to understand this regulation.

AR 11-2

Internal Control Systems.

AR 34-4

Army Standardization Policy.

AR 350-1

Army Training.

FM 21-76

Survival, Evasion, and Escape.

(S) FM 21-77A

Joint World Wide Evasion and Escape Manual (U).

FM 21-78

Prisoner of War Resistance.

DA Pam 27-1

Treaties Governing Land Warfare.

DOD Directive 1300.7

Training and Education Measures Necessary to Support the Code of Conduct.

Section III Prescribed Forms

DA Form 2

Personnel Qualification Record—Part I.

DA Form 2-1

Personnel Qualification Record—Part II.

**Appendix B
Executive Order 10631, Code of Conduct for
Members of the Armed Forces of the United
States—As Amended by Executive Order 12017,
November 3, 1977**

By virtue of the authority vested in me as President of the United States, and as Commander in Chief of the armed forces of the United States, I hereby prescribe the Code of Conduct for Members of the Armed Forces of the United States which is attached to this order and hereby made a part thereof.

Every member of the armed forces of the United States is expected to measure up to the standards embodied in this Code of Conduct while he is in combat or in captivity. To ensure achievement of these standards, each member of the armed forces liable to capture shall be provided with specific training and instruction designed to better equip him to counter and withstand all enemy efforts against him, and shall be fully instructed as to the behavior and obligations expected of him during combat or captivity.

The Secretary of Defense (and the Secretary of the Treasury with respect to the Coast Guard except when it is serving as part of the Navy) shall take such actions as is deemed necessary to implement this order and to disseminate and make the said Code known to all members of the armed forces of the United States.

THE WHITE HOUSE
DWIGHT D. EISENHOWER
August 17, 1955

**Code of Conduct for Members of the United States Armed
Forces**

I

I am an American fighting man, I serve in the forces which guard my country and our way of life. I am prepared to give my life in their defense.

II

I will never surrender of my own free will. If in command I will never surrender my men while they still have the means to resist.

III

If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favors from the enemy.

IV

If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information nor take part in any action which might be harmful to my comrades. If I am senior I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way.

V

When questioned, should I become a prisoner of war, I am required to give name, rank, service number, and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

VI

I will never forget that I am an American fighting man, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America.

Glossary

Section I Abbreviations

ARTEP

Army Training and Evaluation Program

BTMS

Battalion Training Management System

CCH

Chief of Chaplains

CPA

Chief of Public Affairs

DA

Department of the Army

DCSOPS

Deputy Chief of Staff for Operations and Plans

DCSPER

Deputy Chief of Staff for Personnel

FLOT

forward line of own troops

GPW

Geneva Convention of 1949 Relative to the Treatment of Prisoners of War

MACOM

major Army command

MIA

missing in action

MILPO

military personnel office

MOS

military occupational specialty

MTT

mobile training team

POI

program of instruction

PW

prisoner of war

SERE

survival, evasion, resistance, and escape

TJAG

The Judge Advocate General

TRADOC

U.S. Army Training and Doctrine Command

TSG

The Surgeon General

UCMJ

Uniform Code of Military Justice

USAJFKSWC

U.S. Army John F. Kennedy Special Warfare Center

Section II Terms

Enemy state

A state, recognized or unrecognized, which is at war with the United States or engaged in armed conflict with the United States.

Escape

The act of removing oneself from enemy control once captured. This includes escaping from any enemy PW compound or temporary holding facility, or escaping during transit. Once the escapee has been removed from enemy control, the escapee is back in an evasion situation. The term escape and evasion are not synonymous.

Escapee

Any person who has been physically captured by the enemy and succeeds in regaining freedom.

Evader

Any person who has become isolated in hostile or unfriendly territory and eludes capture.

Evasion

The act of returning to friendly control (moving through enemy controlled terrain) once separated from a friendly unit or after escaping from enemy control.

Evasion and escape mechanism

Individuals or groups of individuals or organizations, together with material and facilities, that are either in position or can be placed in position by appropriate allied or U.S. agencies to accomplish or support evasion and escape operations.

Peacetime

A situation where armed conflict does not exist or where armed conflict does exist, but the United States is not directly involved.

Prisoner of war

All members of the Armed Forces of the United States who are forcibly detained by a foreign state or entity. Under international law, persons defined in the GPW, Article 4, have a right to PW status.

Recovery area

An area from which evaders and escapees are evacuated.

Resistance

Mental defense against enemy attempts to coerce PWs by interrogation, indoctrination, and exploitation through propaganda or other means so as to further the enemy's war effort. This includes the use of mental and physical techniques to withstand the effects of enemy imposed psychological pressure, physical mistreatment, dietary deficiencies, or medical neglect during captivity.

Survival

The act of living through a period of hardship such as evading the enemy, being interned as a PW, or handling a passive survival situation with slight or no risk of detection by the enemy. This includes the use of fieldcraft techniques to live off the land, retention of physical health and mental vigor under adverse conditions, and development of the individual's will to survive. This also includes a combination of these factors which results in positive actions taken by isolated individuals or PWs to return to friendly control with health, dignity, and honor as soon as possible.

Section III Special Abbreviations and Terms

There are no special terms.

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