

DEPARTMENT OF THE NAVY
Office of the Chief of Naval Operations
Washington, DC 20350-2000

W/CN

OPNAVINST 1000.24B
OP-112
12 May 1989

OPNAV INSTRUCTION 1000.24B

From: Chief of Naval Operations
To: All Ships and Stations (less Marine Corps field addressees not having Navy personnel attached)

Subj: CODE OF CONDUCT TRAINING

Ref: (a) U.S. Navy Regulations, Art. 1122
(b) OPNAVINST 3120.32B

Encl: (1) DOD Directive 1300.7 of
23 December 1988

1. **Purpose.** To reflect changes to the Code of
R) Conduct for Members of the Armed Forces
of the United States.

R) 2. **Cancellation.** OPNAVINST 1000.24A.

3. **Applicability.** As required by reference (a),
the provisions of this instruction apply to all
members of the U.S. Navy.

4. **Policy**

a. **Indoctrination.** Code of Conduct training shall be initiated without delay upon entry of members into the Navy and shall continue throughout their military careers, providing periodic and progressive training appropriate to risk of capture or exploitation.

b. **Wartime Application.** Code of Conduct training for wartime will be conducted as outlined in enclosure (2) to enclosure (1). The articles of the Code of Conduct addressed there examine situations and decision areas likely to be encountered by all prisoners of war (POWs). The degree of knowledge required by Navy personnel is dictated by the member's susceptibility to capture, sensitive information possessed by the captive and captor's assessment of the captive's usefulness and value.

c. **Peacetime Application.** Code of Conduct training for peacetime will be conducted as outlined in enclosure (3) to enclosure (1). The term "peacetime" means that armed conflict does not exist or where armed conflict does exist, the United States is not involved directly. Personnel captured or detained by hostile foreign governments or terrorists are usually exploited for purposes designed to assist the captors. Ransoms for captives, false confessions or information and propaganda efforts are examples of captor's methods designed to make either the captives or their governments appear weak or discredited. Personnel detained or held captive can be assured that the U.S. Government will make every good faith effort to obtain their earliest release. The degree of knowledge required by Navy personnel in peacetime depends upon their risk of detention or capture by a hostile government or terrorists.

d. **Training Levels.** Code of Conduct training for wartime and peacetime applications is focused on three levels:

(1) **Level A.** Represents the minimum (R)
level of understanding for all members of the Navy and is conducted during accession training and General Military Training (GMT).

(2) **Level B.** Represents the level of knowledge needed by Navy personnel whose assignments or specialties entail a moderate risk of detention or capture. Crews of naval vessels would be personnel requiring wartime application of Level B training. For peacetime application, personnel receiving Level B training would include those assigned shore duty in overseas activities where terrorism is a real threat, or personnel who are uniquely exploitable if detained or held captive anywhere in the world.

(3) **Level C.** Represents the training required for personnel whose assignments or specialties entail a high risk of capture or make

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them vulnerable to greater-than-average exploitation by a captor. Special forces personnel, aviators and military attaches are examples of those requiring Level C training.

e. All training programs will be conducted following enclosure (1). While realistic, stressful training is appropriate for all levels, it is authorized only for Level C and must be supervised closely to prevent abuse.

5. Responsibilities

a. Chief of Naval Operations

(1) The Deputy Chief of Naval Operations (Plans, Policy and Operations) (OP-06):

(a) Establishes Navy Code of Conduct Evasion, Resistance, Escape and Prisoner of War/Detainee policy.

(b) Coordinates overall Code of Conduct policy matters of the Navy.

(2) The Deputy Chief of Naval Operations (Manpower, Personnel and Training) (OP-01) :

(a) Monitors Navy Code of Conduct training programs and ensures consistency with other related training programs.

(b) Assesses new or modified training requirements for validity.

b. The Chief of Naval Education and Training

(1) Reviews Navy Code of Conduct training programs, including General Military Training, and materials for conformance with enclosure (1).

(2) Coordinates with Air Force, Executive Agent of the Department of Defense (DOD), to assure that adequate supplies of up-to-date DOD training materials are available to the Navy.

(3) Cooperates with Air Force and other military Departments in the development of new training programs and materials for training at all levels.

c. Officers in command of activities or units having Navy members shall:

(1) Comply with the provisions of reference (a) and enclosure (1) regarding the instruction of military personnel in the Code of Conduct for members of the Armed Forces of the United States and the conspicuous posting of the Code of Conduct in places readily accessible to such personnel.

(2) Ensure training record entries are made and maintained in accordance with paragraph 811 of reference (b). (R)

L. A. EDNEY
Vice Chief of Naval Operations

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Department of Defense
DIRECTIVE

OPNAVINST 1000.24B
12 MAY 1989

December 23, 1988
NUMBER 1300.7

ASD(FM&P)

SUBJECT: Training and Education Measures Necessary to Support the Code of Conduct

- References:
- (a) DoD Directive 1300.7, subject as above, December 19, 1984 (hereby canceled)
 - (b) Executive Order 10631, "Code of Conduct for Members of the Armed Forces of the United States," August 17, 1955, as amended
 - (c) "Report of the 1976 Defense Review Committee for the Code of Conduct," 1976
 - (d) DoD Instruction 5000.21, "Forms Management Program," December 5, 1973
 - (e) through (i), see enclosure 1

A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to:

1. Establish policies and procedures and provide guidance for the development and execution of training in furtherance of the aims and objectives of the Code of Conduct promulgated by reference (b) for members of the U.S. Armed Forces.
2. Provide training for members of the Armed Forces in support of the Code of Conduct (reference (b)).

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD) and the Military Departments. The term "Military Services," as used herein, refers to the Army, Navy, Air Force, Marine Corps, and, by agreement with the Department of Transportation, the Coast Guard.

¹ Available from Director, Legislation and Legal Policy, Office of the Deputy Assistant Secretary of Defense, Military Manpower and Personnel Policy (DASD(MM&PP)), Room 3D823, The Pentagon, Washington, D.C. 20301-4000.

Enclosure (1)

C. POLICY

1. DoD personnel who plan, schedule, commit, or control the use of the Armed Forces shall fully understand the Code of Conduct (reference (b)) and ensure that personnel have the training and education necessary to support it. Reference (b) and this Directive are the basic training and education policy documents.
2. Examples, statements, writings, and materials of a defeatist nature shall not be used in training programs, except when directed towards positive learning outcomes.
3. Indoctrination in the Code of Conduct (reference (b)) shall begin without delay on the entry of members into the Armed Forces, and shall continue throughout their military careers.
4. While realistic, stressful training is appropriate and is authorized, it must be supervised closely to prevent abuse.
5. Training related to the Code of Conduct (reference (b)) shall be conducted at three levels for the following categories of personnel:
 - a. Level A. All members of the Armed Forces.
 - b. Level B. Personnel whose military role entails moderate risk of capture.
 - c. Level C. Personnel whose roles entail a relatively high risk of capture or make them vulnerable to greater-than-average exploitation by a captor.
6. Detailed training policy guidance for instruction in support of the Code of Conduct (reference (b)) is prescribed in enclosure 2.
7. Guidance for peacetime conduct of U.S. military personnel in detention, captive, or hostage situations is set forth in enclosure 3.
8. Training related to peacetime conduct of U.S. military personnel must be consistent with the threat and must be conducted at three levels, as related in subsection C.5., above.
9. General training objectives under this Directive are set forth in enclosure 4.

D. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)) shall:
 - a. Ensure that the military training programs related to the Code of Conduct (reference (b)) are adequate, appropriately uniform, and consistent with this Directive and the "Report of the 1976 Defense Review Committee for the Code of Conduct" (reference (c)).

b. Serve as the central point of contact within OSD for training matters related to the Code of Conduct (reference (b)).

c. Serve as the OSD focal point for the annual Military Service evaluations of training related to the Code of Conduct (reference (b)).

d. Maintain cognizance of the Executive Agent's performance of mission assigned in subsection D.3., below.

e. Review Military Service-level implementing instructions for training related to the Code of Conduct (reference (b)) to ensure conformity to this Directive. To assist in that function, the Assistant Secretary of Defense for International Security Affairs (ASD(ISA)) and the General Counsel, Department of Defense (GC, DoD), shall participate to ensure compliance with policies of the Department of State (DoS) and other Agencies of the executive branch.

f. Investigate, or cause to be investigated by the Interservice Training Review Organization (ITRO), the feasibility of the future establishment of a joint-Service school for all high-risk-of-capture personnel of the Armed Forces.

2. The Assistant Secretary of Defense (Public Affairs) (ASD(PA)) shall provide joint-Service information materials in support of the Code of Conduct for dissemination within the Military Departments. While such material is not prescribed specifically for training and education use, it is intended to augment the Military Service member's understanding and appreciation of the Code of Conduct (reference (b)). Material prepared for this purpose shall be coordinated with the Executive Agent.

3. The Secretary of the Air Force, as Executive Agent, shall:

a. Develop, in coordination with the other Military Departments, and distribute multimedia training materials to support training related to the Code of Conduct (reference (b)) throughout the Armed Forces. Materials shall include guidance on the application of realistic, well-monitored training.

b. Conduct research, develop appropriate training programs when necessary, and modify existing programs in the areas of combat survival, evasion, captivity, and escape, to ensure adequate and appropriately uniform training throughout the Department of Defense.

c. Establish clear, expeditious lines of communication between the Executive Agent and training facilities throughout the Armed Forces.

d. Ensure that:

(1) Training materials conform to this Directive and the "Report of the 1976 Defense Review Committee for the Code of Conduct" (reference (c)) and clearly identify Military Service-unique training requirements.

(2) Doctrinal materials allow sufficient flexibility in interpretation and implementation to meet Military Service-unique training needs.

e. Perform the function of historian or librarian in all Code of Conduct (reference (b)) matters and provide for the identification, collection, and control of copies of all documentation extant or produced in the future on the Code of Conduct (reference (b)) and related topics.

(1) Documentation shall include, but not be limited to, reference (c), Code of Conduct (reference (b)) training materials (manuals, pamphlets, and audiovisual presentations), reports, scholarly papers, and other publications or manuscripts.

(2) Those materials shall be available for use, review, and research by the Military Services and other Agencies.

f. Monitor and evaluate ongoing training programs for the ASD(FM&P) to achieve and maintain adequacy and appropriate uniformity of Military Service implementation documents and training programs related to the Code of Conduct (reference (b)).

g. Coordinate with the Military Services to achieve adequate and appropriately uniform training among the Military Services.

h. Establish and disseminate policies, procedures, and guidance for the ASD(FM&P) relevant to training in support of the Code of Conduct (reference (b)) and specialized related programs within the Military Services.

i. Keep the ASD(FM&P) informed of all significant Executive Agent initiatives, accomplishments, and difficulties.

4. The Secretaries of the Military Departments shall:

a. Conduct Code of Conduct (reference (b)) training, using qualified instructors and any materials provided by the Executive Agent, to ensure that all personnel have appropriate knowledge prescribed in enclosures 2 and 3. Service training shall conform to the policies and training guidance in this Directive.

b. Forward for resolution by the ASD(FM&P) doctrinal or training issues that are not resolved in coordination with the Executive Agent.

c. Use existing Military Service inspection programs to conduct scheduled evaluations to ensure that training programs related to the Code of Conduct (reference (b)) meet the requirements established in this Directive. Ensure that the Military Services provide inspection results to the ASD(FM&P) and to the Executive Agent within 30 days of the close of each calendar year.

d. Support the Executive Agent.

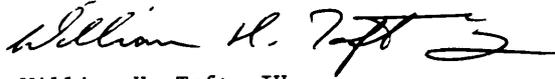
E. INFORMATION REQUIREMENTS

Records shall be maintained by the Military Services to indicate completion by individual personnel of instruction related to the Code of Conduct (reference (b)). All information requirements shall be consistent with procedures established in DoD Instruction 5000.21 (reference (d)) and DoD Directive 5000.11 (reference (e)).

Dec 23, 88
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F. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.



William H. Taft, IV
Deputy Secretary of Defense

Enclosures - 3

1. References
2. Guidance for Instruction in Support of the Code of Conduct
3. Guidance for Instruction to Assist U.S. Military Personnel in Captivity or Hostile Detention During Peacetime
4. Objectives

REFERENCES, continued

- (e) DoD Directive 5000.11, "Data Elements and Data Codes Standardization Program," December 7, 1964
- (f) Executive Order 12017, "Amending the Code of Conduct for Members of the Armed Forces of the United States," November 3, 1977
- (g) Executive Order 12633, "Amending the Code of Conduct for Members of the Armed Forces of the United States," March 28, 1988
- (h) Geneva Conventions of 1949
- (i) Title 10, United States Code, Chapter 47, "Uniform Code of Military Justice (UCMJ)"

GUIDANCE FOR INSTRUCTION IN SUPPORT OF
THE CODE OF CONDUCT

A. INSTRUCTIONAL REQUIREMENT

1. The Code of Conduct, as promulgated by E.O. 10631 (reference (b)), and as amended by E.O. 12017 (reference (f)) and E.O. 12633 (reference (g)), outlines basic responsibilities and obligations of members of the U.S. Armed Forces. All members of the Armed Forces are expected to measure up to the standards embodied in the Code of Conduct (reference (b)). Although designed for prisoner of war (POW) situations, the spirit and intent of the Code of Conduct (reference (b)) is applicable to Service members subjected to other hostile detention, and such Service members should conduct themselves, consistently, in a manner that shall avoid discrediting themselves and their country.

2. The Code of Conduct (reference (b)), in six brief Articles, addresses those situations and decision areas that, to some degree, shall be encountered by all personnel. It includes basic information useful to U.S. POWs, in their tasks of surviving honorably while resisting their captor's efforts to exploit them to the advantage of the enemies' cause and the disadvantage of their own. Such survival and resistance requires varying degrees of knowledge of the meaning of the six Articles of the Code of Conduct (reference (b)).

3. The degree of knowledge required by members of the Armed Forces is dictated by the Service member's susceptibility to capture, the amount of sensitive information possessed by the Service member, and the potential captor's or detaining power's likely assessment of the Service member's usefulness and value.

a. Consequently, the military jobs, specialties, assignments, levels of position, rank, and seniority of some individuals require detailed training in the principles, procedures, and techniques of evasion, captivity survival, and resistance to exploitation. For others, basic explanations of the problems, duties, and obligations of the captive shall suffice.

b. The complex circumstances of detention that are not incident to an armed conflict by a foreign power require special instructions (enclosure 3).

c. The degrees of knowledge required by individual Service members may change with changes in job assignment and levels of responsibility. New information may become available on potential enemies' POW management techniques. Supplementary training shall be provided, as required.

d. As a convenience to training managers, trainers, and those being trained, required levels of understanding are provided based on knowledge needed. Designation of personnel to these levels shall be determined by the Military Service concerned.

4. To facilitate such designation and training, section B., below, of this enclosure is outlined for each Article of the Code of Conduct (reference (b)), as follows:

- a. Statement of the Article of the Code of Conduct (reference (b)).
- b. Basic explanatory material on that Article.
- c. Training guidance for:

(1) Level A. Represents the minimum level of understanding for all members of the Armed Forces, to be imparted during entry training of all personnel.

(2) Level B. Minimum level of understanding for Military Service members whose military jobs, specialties, or assignments entail moderate risk of capture, such as members of ground combat units and crews of naval vessels. Training shall be conducted for such Service members as soon as their assumption of duty makes them eligible.

(3) Level C. Minimum level of understanding for Military Service members whose military jobs, specialties, or assignments entail significant or high risk of capture and whose position, rank, or seniority make them vulnerable to greater-than-average exploitation efforts by a captor. Examples include aircrews and special mission forces such as Navy special warfare combat swimmers, Army special forces and rangers, Marine Corps force reconnaissance units, Air Force pararescue teams, and military attaches. Training shall be conducted for those Service members as soon as assumption of such duties or responsibilities makes them eligible.

5. The intent in providing subject matter guidance for use in ascending levels of understanding is to direct the Military Services to increase each Service member's depth of knowledge depending on his or her needs, not to provide a checklist of topics or number of hours of instruction required. Training at Levels B and C should include more detailed information on coping skills and more complex problem-solving on leadership and command topics than were first introduced to the Service member during Level A training.

B. ARTICLE OF THE CODE OF CONDUCT (E.O. 10631, REFERENCE (B)) AND IMPLEMENTING INSTRUCTIONS

1. Article I. I AM AN AMERICAN, FIGHTING IN THE FORCES WHICH GUARD MY COUNTRY AND OUR WAY OF LIFE. I AM PREPARED TO GIVE MY LIFE IN THEIR DEFENSE.

a. Explanation

(1) Article I of the Code of Conduct (reference (b)) applies to all Service members at all times. A member of the Armed Forces has a duty to support U.S. interests and oppose U.S. enemies regardless of the circumstances, whether in active participation in combat or in captivity.

(2) Medical personnel and chaplains are granted, by virtue of their special retained status under the Geneva Conventions (reference (h)), certain latitude under the Code of Conduct (reference (b)). That flexibility is directly related to the policies of the captors as to whether they adhere to the requirement of the Geneva Conventions (reference (h)) to let medical personnel and chaplains perform their professional duties. All personnel should understand the latitude and limits of this flexibility (see section C., below, of this enclosure).

b. Training Guidance for Levels A, B, and C. Familiarity with the wording and basic meaning of Article I is necessary to understand that:

(1) Past experience of captured Americans reveals that honorable survival in captivity requires that a Service member possess a high degree of dedication and motivation. Maintaining these qualities requires knowledge of and a strong belief in the following:

(a) The advantages of American democratic institutions and concepts.

(b) Love of and faith in the United States and a conviction that the U.S. cause is just.

(c) Faith in and loyalty to fellow POWs.

(2) Possessing the dedication and motivation fostered by such beliefs and trust shall enable POWs to survive long and stressful periods of captivity, and return to their country and families honorably with self-esteem intact.

2. Article II. I WILL NEVER SURRENDER OF MY OWN FREE WILL. IF IN COMMAND, I WILL NEVER SURRENDER THE MEMBERS OF MY COMMAND WHILE THEY STILL HAVE THE MEANS TO RESIST.

a. Explanation. Members of the Armed Forces may never surrender voluntarily. Even when isolated and no longer able to inflict casualties on the enemy or otherwise defend themselves, it is their duty to evade capture and rejoin the nearest friendly force.

(1) It is only when evasion by Service members is impossible and further fighting would lead to their death with no significant loss to the enemy that the means to resist or evade might be considered exhausted.

(2) The responsibility and authority of a commander never extends to the surrender of command, even if isolated, cut off, or surrounded, while the unit has the power to resist, break out, or evade to rejoin friendly forces.

b. Training Guidance

(1) Levels A, B, and C. Training should ensure that each individual is familiar with the wording and basic meaning of Article II, as stated in paragraph B.2.a., above.

(2) Levels B and C. Training should be oriented toward additional depth of knowledge on the following topics. Specifically, Service members must:

(a) Understand that when they are 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.

(b) Understand that capture does not constitute a dishonorable act if all reasonable means of avoiding it have been exhausted and the only alternative is death.

(3) Level C. Training should ensure that Service members shall understand and have confidence in the procedures and techniques of rescue by search and recovery forces and the procedures for properly utilizing specified evasion destinations.

3. Article 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.

a. Explanation. The duty of a member of the Armed Forces to continue resistance to enemy exploitation by all means available is not lessened by the misfortune of capture. Contrary to the 1949 Geneva Conventions (reference (h)), enemies whom U.S. forces have engaged since 1949 have regarded the POW compound as an extension of the battlefield. The POW must be prepared for this fact.

(1) In disregard of the Geneva Conventions (reference (h)), the enemy has used a variety of tactics to exploit POWs for propaganda purposes or to obtain military information. Resistance to captor exploitation efforts is required by the Code of Conduct (reference (b)). Physical and mental harassment, general mistreatment, torture, medical neglect, and political indoctrination have all been used against POWs in the past.

(2) The enemy has tried to tempt POWs to accept special favors or privileges not given to other POWs in return for statements or information desired by the enemy or for a pledge by the POW not to attempt escape.

(3) A POW must not seek special privileges or accept special favors at the expense of fellow POWs.

(4) The Geneva Conventions (reference (h)) recognize that the regulations of a POW's country may impose the duty to escape and that POWs may attempt to escape. Under the guidance and supervision of the senior military person and POW organization, POWs must be prepared to take advantage of escape opportunities whenever they arise. In communal detention, the welfare of the POWs who remain behind must be considered. A POW must "think escape," must try to escape if able to do so, and must assist others to escape.

(5) The Geneva Conventions (reference (h)) authorize the release of POWs on parole only to the extent authorized by the POW's country, and prohibit compelling a POW to accept parole. Parole agreements are promises given the captor by a POW to fulfill stated conditions, such as not to bear arms or not to escape, in consideration of special privileges, such as release from captivity or lessened restraint. The United States does not authorize any Military Service member to sign or enter into any such parole agreement.

b. Training Guidance

(1) Levels A, B, and C. Training should ensure that Service members are familiar with the wording and basic meaning of Article III, as stated in paragraph B.3.a., above.

(2) Levels B and C. Training should be oriented toward an additional depth of knowledge on the following topics. Specifically, Service members must:

(a) Understand that captivity is a situation involving continuous control by a captor who may attempt to use the POW as a source of military information, for political purposes, and as a potential subject for political indoctrination.

(b) Be familiar with the rights and obligations of both the POW and the captor under the Geneva Conventions of 1949 (reference (h)) and be aware of the increased significance of resistance should the captor refuse to abide by the provisions of the Geneva Conventions (reference (h)). Be aware that the resistance required by the Code of Conduct (reference (b)) is directed at captor exploitation efforts, because such efforts violate the Geneva Conventions (reference (h)). Understand that resistance beyond that identified above subjects the POW to possible punishment by the captor for order and discipline violations or criminal offenses against the detaining power.

(c) Be familiar with, and prepared for, the implications of the Communist Block Reservation to Article 85 of the Geneva Conventions (reference (h)). Article 85 offers protection to a POW legally convicted of a crime committed before capture. Understand that Communist captors often threaten to use their reservation to Article 85 as a basis for adjudging all members of opposing armed forces as "war criminals." As a result, POWs may find themselves accused of being "war criminals" simply because they waged war against their Communist captors before capture. The U.S. Government does not recognize the validity of this argument.

(d) Understand that a successful escape by a POW causes the enemy to divert forces that might otherwise be fighting, provides the United States valuable information about the enemy and other POWs in captivity, and serves as a positive example to all members of the Armed Forces.

(e) Understand the advantages of early escape in that members of the ground forces are usually relatively near friendly forces. For all captured individuals, an early escape attempt takes advantage of the fact that the initial captors are usually not trained guards, that the security system is relatively lax, and that the POW is not yet in a debilitated physical condition.

(f) Be familiar with the complications of escape after arrival at an established POW camp, including secure facilities and an experienced guard system, increased distance from friendly forces, debilitated physical condition of prisoners, psychological factors that reduce escape motivation ("barbed-wire syndrome"), and the often differing ethnic characteristics of the escapee and the enemy population.

(g) Understand the importance of being alert for escape opportunities, especially for POWs immediately after capture, or when confined alone.

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

(i) Understand that acceptance of parole means a POW 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 POW to accept such parole.

(j) Understand the effects on POW 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 POWs. Such benefits and privileges include acceptance of release before the release of sick or wounded POWs or those who have been in captivity longer. Special favors include improved food, recreation, and living conditions not available to other POWs.

(3) Level C. Training should be oriented toward additional details on the topics set forth in subparagraph B.3.b.2., above, as well as understanding the necessity for and the mechanics of covert organizations in captivity. Those organizations serve the captive ends, such as effecting escape.

4. Article IV. IF I BECOME A PRISONER OF WAR, I WILL KEEP FAITH WITH MY FELLOW PRISONERS. I WILL GIVE NO INFORMATION OR 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.

a. Explanation. Officers and noncommissioned officers shall continue to carry out their responsibilities and exercise their authority in captivity.

(1) Informing, or any other action detrimental to a fellow POW, is despicable and is expressly forbidden. POWs especially must avoid helping the enemy to identify fellow POWs who may have knowledge of value to the enemy and who may be made to suffer coercive interrogation.

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

(3) Personal hygiene, camp sanitation, and care of the sick and wounded are imperative.

(4) Wherever located, POWs, for their own benefit, should organize in a military manner under the senior military POW eligible for command. The senior POW (whether officer or enlisted) in the POW camp or among a group of POWs shall assume command according to rank without regard to Military Service. That responsibility and accountability may not be evaded. (See section C, below, of this enclosure.)

(5) When taking command, the senior POW shall inform the other POWs and shall designate the chain of command. If the senior POW is incapacitated, or is otherwise unable to act for any reason, command shall be assumed by the next senior POW. Every effort shall be made to inform all POWs in

the camp (or group) of the members of the chain of command who shall represent them in dealing with enemy authorities. The responsibility of subordinates to obey the lawful orders of ranking American military personnel remains unchanged in captivity.

(6) U.S. policy on POW camp organization requires that the senior military POW shall assume command. The Geneva Conventions (reference (h)) on POWs provide additional guidance to the effect that in POW camps containing enlisted personnel only, a prisoners' representative will be elected. POWs should understand that such a representative is regarded by U.S. policy only as a spokesperson for the senior POW. The prisoners' representative does not have command, unless the POWs elect the senior POW to be the prisoners' representative. The senior POW shall assume and retain actual command, covertly if necessary.

(7) Maintaining communications is one of the most important ways that POWs may aid one another. Communication breaks down the barriers of isolation that an enemy may attempt to construct and helps strengthen a POW's will to resist. Each POW, immediately upon capture, shall try to make contact with fellow POWs by any means available and, thereafter, shall continue to communicate and participate vigorously as part of the POW organization.

(8) As with other provisions of the Code of Conduct, E.O. 10631, (reference (b)), common sense and the conditions in the POW camp will determine the way in which the senior POW and the other POWs structure their organization and carry out their responsibilities. It is important that:

(a) The senior POW establish an organization.

(b) The POWs in that organization understand their duties and know to whom they are responsible.

b. Training Guidance

(1) Levels A, B, and C. Training should ensure that Service members are familiar with the wording and basic meaning of Article IV, as stated in paragraph B.4.a., above, and understand that:

(a) Leadership and obedience to those in command are essential to the discipline required to effect successful organization against captor exploitation. In captivity situations involving two or more POWs, the senior ranking POW shall assume command; all others shall obey the orders and abide by the decisions of the senior POW regardless of differences in Military Service affiliations. Failure to do so shall result in the weakening of organization, a lowering of resistance, and, after repatriation, may result in legal proceedings under the UCMJ (reference (i)).

(b) Faith, trust, and individual group loyalties have great value in establishing and maintaining an effective POW organization.

(c) A POW who voluntarily informs or collaborates with the captor is a traitor to the United States and fellow POWs and, after repatriation, is subject to punishment under the UCMJ (reference (i)) for such actions.

(2) Levels B and C. Training should be oriented toward additional depth of knowledge on the following topics. Specifically, Service members must:

(a) Be familiar with the principles of hygiene, sanitation, health maintenance, first aid, physical conditioning, and food utilization, including recognition and emergency self-treatment of typical POW camp illnesses by emergency use of primitive materials and available substances (e.g., toothpaste, salt, and charcoal). Such knowledge exerts an important influence on POW ability to resist and assists an effective POW organization.

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

(c) Be familiar with the major ethnic, racial, and national characteristics of the enemy that may affect POW-captor relationships to the detriment of individual POWs and the POW organization.

(d) Further understand that:

1 An informer or collaborator should be insulated from sensitive information on POW organization, but that continuing efforts should be made by members of the POW 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 POW organization resistance technique than continued isolation, which only may 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 resister who, having been physically or mentally tortured into complying with a captor's improper demand (such as to provide information or a propaganda statement), should be helped to gather strength and resume resistance.

(e) Understand that, in situations where military and civilian personnel are imprisoned together, the senior military POW should make every effort to persuade civilian prisoners that the Military Service member's assuming overall command leadership of the entire prisoner group, based upon experience and specific training, is advantageous to the entire prisoner community.

(3) Level C. 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.

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5. Article 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.

a. Explanation. When questioned, a POW is required by the Geneva Conventions (reference (h)) and the Code of Conduct, E.O. 10631 (reference (b)), and is permitted by the UCMJ (reference (i)), to give name, rank, Service number, and date of birth. Under the Geneva Conventions (reference (h)), the enemy has no right to try to force a POW to provide any additional information. However, it is unrealistic to expect a POW to remain confined for years reciting only name, rank, Service number, and date of birth. There are many POW camp situations in which certain types of conversation with the enemy are permitted. For example, a POW is allowed, but not required by the Code of Conduct, the UCMJ, or the Geneva Conventions (references (b), (i), and (h)), to fill out a Geneva Conventions "capture card," to write letters home, and to communicate with captors on matters of health and welfare. (A

(1) The senior POW is required to represent fellow POWs in matters of camp administration, health, welfare, and grievances. However, it must be borne constantly in mind that the enemy has often viewed POWs as valuable sources of military information and propaganda that may be used to further the enemy's war effort.

(2) Accordingly, each POW must exercise great caution when filling out a "capture card," when engaging in authorized communication with the captor, and when writing letters. A POW must resist, avoid, or evade, even when physically and mentally coerced, all enemy efforts to secure statements or actions that may further the enemy's cause.

(3) Examples of statements or actions POWs should resist include giving oral or written confessions, answering questionnaires, providing personal history statements, making propaganda recordings and broadcast appeals to other POWs to comply with improper captor demands, appealing for U.S. surrender or parole, engaging in self-criticisms, or providing oral or written statements or communications on behalf of the enemy or harmful to the United States, its allies, the Armed Forces, or other POWs.

(4) A POW should recognize that any confession or statement may be used by the enemy as part of a false accusation that the captive is a war criminal rather than a POW. Moreover, certain countries have made reservations to the Geneva Conventions (reference (h)) in which they assert that a war criminal conviction has the effect of depriving the convicted individual of POW status, thus removing the POW from protection under the Geneva Conventions (reference (h)). The right to repatriation is thus revoked until a prison sentence is served.

(5) If a POW finds that, under intense coercion, unauthorized information was unwillingly or accidentally disclosed, the Service member should attempt to recover and resist with a fresh line of mental defense.

(a) Experience has shown that, although enemy interrogation sessions may be harsh and cruel, it is usually possible to resist, if there is a will to resist.

(b) The best way for a POW to keep faith with the United States, fellow POWs, and oneself is to provide the enemy with as little information as possible.

b. Training Guidance

(1) Levels A, B, and C. Training should ensure that Service members are familiar with the wording and basic meaning of Article V, as stated in paragraph B.5.a., above.

(2) Levels B and C. Additional understanding of the following topics should be acquired at Levels B and C. Specifically, Service members must:

(a) 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.

(b) Understand that a POW is required by the Geneva Conventions and the Code of Conduct (references (h) and (b)) to disclose name, rank, Service number, and date of birth, when questioned. Understand that answering further questions must be avoided. A POW 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, or lack of comprehension. The POW may never willingly give the captor additional information, but must resist doing so even if it involves withstanding mental and physical duress.

(c) Understand that, short of death, it is unlikely that a POW may prevent a skilled enemy interrogator, using all available psychological and physical methods of coercion, from obtaining some degree of compliance by the POW with captor demands. However, understand that if taken past the point of maximum endurance by the captor, the POW must recover as quickly as possible and resist each successive captor exploitation effort to the utmost. 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.

(d) Understand that a POW is authorized by the Code of Conduct (reference (b)) to communicate with the captor on individual health or welfare matters and, when appropriate, on routine matters of camp administration. Conversations on those matters are not considered to be giving unauthorized information, as defined in subparagraph B.5.a.(3), above.

(e) Understand that the POW may furnish limited information on family status and address in filling out a Geneva Conventions (reference (h)) capture card. Be aware that a POW may write personal correspondence. Be aware that the captor shall have full access to both the information on the capture card and the contents of personal correspondence.

(f) Be familiar with the captor's reasons for and methods of attempting to involve POWs in both internal and external propaganda activities. Understand that a POW must utilize every means available to avoid participation in such activities and must not make oral or written statements disloyal to the United States or its allies, or detrimental to fellow POWs.

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

(3) Level C. Training should provide additional details, and Service members specifically should:

(a) 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.

(b) Understand and develop confidence in the ability to use properly the ruses and stratagems designed to prevent successful interrogation.

6. Article VI. I WILL NEVER FORGET THAT I AM AN AMERICAN, FIGHTING FOR FREEDOM, 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.

a. Explanation. A member of the Armed Forces remains responsible for personal actions at all times. Article VI is designed to assist members of the Armed Forces to fulfill their responsibilities and survive captivity with honor. The Code of Conduct, E.O. 10631 (reference (b)), does not conflict with the UCMJ (reference (i)), and the latter continues to apply to each military member during captivity or other hostile detention.

(1) When repatriated, POWs can expect their actions to be subject to review, both as to circumstances of capture and as to conduct during detention. The purpose of such review is to recognize meritorious performance and, if necessary, investigate any allegations of misconduct.

(2) Such reviews will be conducted with due regard for the rights of the individual and consideration for the conditions of captivity.

(3) A member of the Armed Forces who is captured has a continuing obligation to resist all attempts at indoctrination and remain loyal to the United States.

(4) The life of a POW may be very hard. POWs who stand firm and united against enemy pressures shall aid one another immeasurably in surviving this ordeal.

b. Training Guidance for Levels A, B, and C. Training should ensure that members are familiar with the wording and basic meaning of Article VI, and:

(1) Understand the relationship between the UCMJ and the Code of Conduct, E.O. 10631 (references (i) and (b)), and realize that failure to follow the guidance of the Code of Conduct (reference (b)) may result in violation of reference (i). Every member of the Armed Forces of the United States should understand that Service members legally may be held accountable for personal actions while detained.

(2) Be knowledgeable of the national policy expressed by the President in reference (b) promulgating the Code of Conduct:

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 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 POW and dependents shall 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 POW is detained.

(4) Understand the importance of military members ensuring that their personal affairs and family matters (pay, powers of attorney, will, car payments, and childrens' schooling) are kept current through discussion, counseling or filing of documents before being exposed to risk of capture.

(5) Understand that failure to accomplish the matters set forth in subparagraph B.6.b.(4), above, has resulted in an almost overwhelming sense of guilt on the part of the POWs and has placed unnecessary hardship on family members.

C. SPECIAL ALLOWANCES FOR MEDICAL PERSONNEL AND CHAPLAINS

The additional flexibility afforded medical personnel and chaplains under the circumstance cited in the explanation to Article I is further clarified, as follows:

1. Article I

a. Medical personnel and chaplains are granted, by virtue of their special retained status under the Geneva Conventions (reference (h)), certain latitude under the Code of Conduct (reference (b)) if the policies of the captors adhere to the requirement of the Geneva Conventions (reference (h)) permitting those personnel to perform their professional duties.

b. If the captors allow medical personnel and chaplains to perform their professional duties, those personnel may exercise a degree of flexibility with regard to some of the specific provisions of the Code of Conduct (reference (b)) to perform their professional duties.

c. This degree of flexibility only may be employed if it is in the best interests of the medical and spiritual needs of fellow POWs and the United States. Like all members of the Armed Forces, medical personnel and chaplains are accountable for their actions.

2. Article II. No additional flexibility.

3. Article III. Under the Geneva Conventions (reference (h)), medical personnel and chaplains who fall into the hands of the enemy are entitled to be considered "retained personnel" and are not to be considered POWs. The enemy is required by the Geneva Conventions (reference (h)) to allow such persons to continue to perform their medical or religious duties, preferably for POWs of their own country. When the services of those "retained personnel" are no longer needed for these duties, the enemy is obligated to return them to their own forces.

a. The medical personnel and chaplains of the U.S. Armed Forces, who fall into the hands of the enemy, must assert their rights as "retained personnel" to perform their medical and religious duties for the benefit of the POWs and must take every opportunity to do so.

b. If the captor permits medical personnel and chaplains to perform their professional functions for the welfare of the POW community, special latitude is authorized those personnel under the Code of Conduct, E.O. 10631 (reference (b)), as it applies to escape.

c. Medical personnel and chaplains, as individuals, do not have a duty to escape or to actively aid others in escaping as long as they are treated as "retained personnel" by the enemy. U.S. experience since 1949, when the Geneva Conventions (reference (h)) were written, reflects no compliance by captors of U.S. personnel with those provisions of the Geneva Conventions (reference (h)). U.S. medical and chaplain personnel must be prepared to be subjected to the same treatment as other POWs.

d. If the captor does not permit medical personnel and chaplains to perform their professional functions, they are considered identical to all other POWs with respect to their responsibilities under the Code of Conduct (reference (b)). Under no circumstances shall the latitude granted medical personnel and chaplains be interpreted to authorize any actions or conduct detrimental to the POWs or the interests of the United States.

4. Article IV. Medical personnel generally are prohibited from assuming command over nonmedical personnel and chaplains generally are prohibited from assuming command over military personnel of any branch. Military Service regulations that restrict eligibility of those personnel for command shall be explained to all personnel at an appropriate level of understanding to preclude later confusion in a POW camp.

5. Article V. This Article and its explanation also apply to medical personnel and chaplains ("retained personnel"). They are required to communicate with a captor in connection with their professional responsibilities, subject to the restraints discussed in Articles I, above, and VI, below.

6. Article VI. No additional flexibility.

GUIDANCE FOR INSTRUCTION TO ASSIST
U.S. MILITARY PERSONNEL IN
CAPTIVITY OR HOSTILE DETENTION DURING PEACETIME

A. POLICY

This policy on the conduct of U.S. military personnel, isolated from U.S. control, applies at all times. U.S. military personnel finding themselves isolated from U.S. control are required to do everything in their power to follow DoD policy. The DoD policy in this situation is to survive with honor.

B. SCOPE

The Code of Conduct, E.O. 10631 (reference (b)) is a moral guide designed to assist military personnel in combat or being held as POWs to live up to the ideals in the DoD policy. The guidance in this enclosure shall assist U.S. military personnel who find themselves isolated from U.S. control in peacetime, or in a situation not related specifically in the Code of Conduct (reference (b)). This enclosure is the special guidance referred to in paragraph A.3.b. of enclosure 2. Procedures shall be established by the Military Departments to ensure that all U.S. military personnel under their control are made aware of the guidance in this enclosure. Dissemination procedures should parallel those used to ensure proper education and training in support of the Code of Conduct (reference (b)) throughout the Department of Defense.

C. RATIONALE

U.S. military personnel, because of their wide range of activities, are subject to peacetime detention by unfriendly governments or captivity by terrorist groups. The guidance in this enclosure seeks to help U.S. military personnel survive those situations with honor and does not constitute a means for judgment or replace the UCMJ (reference (i)) as a vehicle for enforcement of proper conduct. The guidance in this enclosure, although exactly the same as the Code of Conduct (reference (b)) in some areas, applies only during peacetime. The term "peacetime" means that armed conflict does not exist or where armed conflict does exist, but the United States is not involved directly. For specific missions or in areas of assignment where U.S. military personnel may have a high risk of peacetime detention or terrorist captivity, the Military Services are obligated to provide training and detailed guidance to such personnel to ensure their adequate preparation for the situation. Training shall be reviewed and monitored for adequacy and consistency with this guidance by the Executive Agent for the ASD(FM&P).

D. GENERAL

U.S. military personnel captured or detained by hostile foreign governments or terrorists often are held for exploitation of the captives, or the U.S. Government, or both. That exploitation may 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 relation to other governments. Ransoms for captives of terrorists have been paid by governments, and such payments have improved terrorist finances, supplies, status, and operations, often prolonging the terror carried on by such groups.

E. RESPONSIBILITY

U.S. military personnel, whether detainees or captives, may be assured that the U.S. Government shall make every good faith 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.

F. GOAL

Every reasonable step must be taken by U.S. military personnel to prevent exploitation of themselves and the U.S. Government. If exploitation may not be prevented completely, every step must be taken to limit exploitation as much as possible. Detained U.S. military personnel often are catalysts for their own release, based on their ability to become unattractive sources of exploitation; i.e., 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 shall increase their chances of returning home with honor and dignity. Without exception, the military member who may say honestly that he or she has done his or her utmost in a detention or captive situation to resist exploitation upholds DoD policy, the founding principles of the United States, and the highest traditions of military service.

G. MILITARY BEARING AND COURTESY

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

H. CLASSIFIED INFORMATION

There are no circumstances in which a detainee, or captive, should voluntarily give classified information or materials to those who are unauthorized to receive them. To the utmost of their ability, U.S. military personnel held as detainees, captives, or hostages shall 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.

I. CHAIN OF COMMAND

In group detention, captivity, or hostage situations, military detainees, captives, or hostages shall organize, to the fullest extent possible, in a military manner under the senior military member present and eligible to command. The importance of such organization may not 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 shall be made to establish and sustain communications with other detainees, captives, or hostages. Military detainees, captives, or hostages shall 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.

J. GUIDANCE FOR DETENTION 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. Detainees shall maintain military bearing and should avoid any aggressive, combative, or illegal behavior. The latter might complicate their situation, their legal status, and any efforts to negotiate a rapid release.

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

2. U.S. military personnel who become lost or isolated in a hostile foreign country during peacetime shall 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 (reference (h)). The civil laws of that country apply. Delays in contacting local authorities may be caused by injuries affecting the military member's mobility, disorientation, fear of captivity, or a desire to see if a rescue attempt might be made.

3. Since the detainer's goals may be maximum political exploitation, U.S. military personnel who are detained must be extremely cautious of their captors in everything they say and do. In addition to asking for a U.S. representative, detainees should provide name, rank, social security account 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.

a. Historically, the 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 captors as a "battle of wills;" 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 irrelevant, if not dangerous, topics.

b. As there is no reason to sign any form or document in peacetime detention, detainees shall 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 on 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.

c. Detainees are not likely to earn their release by cooperation. Release may be gained by the military member 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.

4. U.S. military detainees 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 U.S. military personnel shall authorize release of any personnel under almost all circumstances.

5. Escape attempts shall 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. Escape attempts would provide the detainer with further justification to prolong detention by charging additional violations of its criminal or civil law and might result in bodily harm or even death to the detainee.

K. GUIDANCE FOR CAPTIVITY BY TERRORISTS

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 U.S. military personnel are uncertain whether captors are genuine terrorists or surrogates of government, they should assume that they are terrorists.

1. If assigned in, or traveling through, areas of known terrorist activity, U.S. military personnel shall exercise prudent antiterrorism 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.

2. Surviving in some terrorist detentions may depend on hostages conveying a personal dignity and apparent sincerity to the captors. Hostages may discuss nonsubstantive topics such as sports, family, and clothing, to convey to the terrorists the captive's personal dignity and human qualities.

They shall make every effort to avoid embarrassing the United States and the host government. The purpose of that 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 actively to the terrorist's feeling 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, praise, participate, or debate the terrorist's cause with him or her.

3. U.S. military personnel held hostage by terrorists should accept release using guidance in subsection J.4., above. U.S. military personnel must keep faith with their fellow hostages and conduct themselves according to the guidelines of this enclosure. Hostages and kidnap victims who consider escape to be their only hope are authorized to make such attempts. The hostage must weigh carefully the unique circumstances of the terrorist situation and all aspects of a decision to attempt escape.

OBJECTIVES

The objectives of this Directive are to ensure that:

1. The Military Departments maintain energetic, uniform, and continuing training programs in support of the Code of Conduct (reference (b)), including instruction in the methods of survival, evasion, escape, and resistance under varying degrees of hostile exploitation.
2. The meaning and interpretation of the Code of Conduct (reference (b)) are uniform at all stages of training, and that such training develops in each participant the levels of learning indicated in enclosures 2 and 3.
3. There is consistency in all DoD Code of Conduct (reference (b)) training programs, materials, and instructional information.
4. Instructional material related to the Code of Conduct (reference (b)) develops in all members of the Armed Forces a uniform, positive attitude that they have the ability to and must resist captor efforts to exploit them to the disadvantage of themselves, their fellow POWs, and their country. The theme of all instruction shall encourage this positive attitude.
5. Training programs impress on all trainees that the inherent responsibilities of rank, leadership, military bearing, military discipline, teamwork, devotion to fellow members, and the duty to resist the enemy are not lessened by capture.