



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20350

SECNAVINST 3461.3
OP-601C2
30 April 1973

SECNAV INSTRUCTION 3461.3

From: Secretary of the Navy

Subj: Program for prisoners of war and other detainees

Ref: (a) Geneva Convention Relative to the Treatment of
Prisoners of War T.I.A.S. 3364
(b) Joint Chiefs of Staff Publication 3
(c) DOD Directive 5100.69 of 27 Dec 1972

1. Purpose. This directive provides policy guidance and assigns responsibilities within the Department of the Navy for a program to ensure the implementation of the Geneva Conventions for the Protection of War Victims of August 12, 1949, pertaining to enemy prisoners of war and other detainees (Reference (a)).

2. Applicability. This instruction is applicable throughout the Department of the Navy.

3. Policy

a. The United States is bound by the treaty provisions of The Geneva Conventions for the Protection of War Victims of August 12, 1949, and other requirements of international law pertaining to the conduct of enemy PW and Detainee programs.

b. Liaison with other Federal agencies, the International Committee of the Red Cross (ICRC), and the Protecting Powers will be accomplished in coordination with the SECDEF (Assistant Secretary of Defense (International Security Affairs)).

c. Current policy, and joint responsibilities and guidance on matters pertaining to Enemy PW/Detainee Program is set forth in references (b) and (c) and applicable Service directives.

4. Responsibilities. Reference (c) assigns the following responsibilities to the indicated officers:

a. The Assistant Secretary of Defense (International Security Affairs) exercises overall supervision within DOD for the Enemy PW/Detainee Program.

30 APR 1973

b. The Secretary of the Army acts as the executive agent for the Department of Defense in the planning, policy development, necessary coordination, and administration of the DOD Enemy PW/Detainee Program. These responsibilities include:

(1) Developing and providing policy guidance for the treatment, care, accountability, legal status and administrative procedures to be followed in the capture, detention, and release, and transfer or other disposition of personnel in the hands of the Armed Forces of the United States.

(2) Providing, in coordination with the Organization of the Joint Chiefs of Staff, specific guidance for unified and specified commanders concerning procedures for determining an appropriate legal status, treatment, necessary accountability, and other appropriate activities concerning enemy prisoners of war or other detained personnel.

(3) Providing for an enemy prisoner of war or civilian internee (EPW/CI) camp liaison and assistance program upon the transfer of EPW or CI captured or detained by the Armed Forces of the United States.

(4) Providing necessary review of the communications of enemy prisoners of war and civilian internees in accordance with the provisions of DOD Directive 5230.7.

(5) Designating a single point of contact in order to provide necessary advice, assistance, and reports to the SECDEF ASD(ISA).

(6) Maintaining a capability to operate a United States EPW/CI Information Center and branches thereof, as required by the 1949 GC upon the outbreak of an armed conflict, or when persons are captured or detained by the Armed Forces of the United States in the course of foreign military or related operations.

(7) Providing, in coordination with the ASD(ISA), appropriate reports to other Government agencies, or their components, relating to the DOD EPW/Detainee Program, to include information pertaining to the Protecting Powers, or delegate visits of the ICRC to EPW/detainee facilities.

c. The Chairman of the Joint Chiefs of Staff:

(1) Provides the review and update of plans, policies and programs of commanders of unified and specified commands, as required, to conform with the policies and procedures contained in this instruction.

(2) Ensures that a primary point of contact within the Organization of the Joint Chiefs of Staff is designated to handle actions concerning activities under the provisions of this instruction.

(3) Issues and reviews appropriate plans, policies and directives, as necessary, in consonance with reference (b).

d. The DOD General Counsel provides legal guidance within the Department of Defense pertaining to the DOD Enemy PW/Detainee Program, to include review of plans and policies developed in connection with the program and coordination of special legislative proposals and other legal matters with other Federal departments, agencies, or components concerned.

e. The Assistant Secretary of Defense (Public Affairs) monitors the public affairs aspects of the DOD EPW/Detainee Program and provides public affairs policy guidance, as appropriate, to include State Department coordination on matters of mutual public affairs concern.

f. The Director, Defense Intelligence Agency provides:

(1) Appropriate information from the intelligence community regarding policies and activities of foreign powers considering nationals in the custody of U.S. or allied forces.

(2) Evaluated analyses of enemy organization and policies designed to disrupt prisoner of war camp operations through acts of sedition or other attempts for disorder by enemy PW/CI interned or otherwise in U.S. forces custody.

(3) Evaluated analyses of enemy forces, actions of external threat to PW/CI camps or other facilities utilized to intern captured or detained personnel.

(4) Coordination of all intelligence and counter-intelligence aspects of the DOD PW/Detainee Program with other DOD components and Federal departments and agencies concerned.

5. Action. Within the Department of the Navy, the Chief of Naval Operations and Commandant of the Marine Corps are assigned responsibility for the establishment of programs to:

SECNAVINST 3461.3

3 APR 1973

a. Investigate, report and monitor alleged violations of the Geneva Conventions, pertaining to enemy prisoners of war (EPW) and other detained persons committed by members of their respective Services.

b. Provide internal instructions so that the principles of the Geneva Conventions will be known to the members of their respective Services.

c. Provide for the proper treatment, classification, administrative processing and custody of those prisoners of war or civilian internees captured or detained by their respective Services.

6. Reports. Any reports required under the provisions of this instruction will be identified by report symbol DD-ISA(AR)1099 (3461).



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