

Headquarters
United States Forces Korea
Unit #15237
APO AP 96205-5237

United States Forces Korea
Regulation 190-6

6 November 2014

Military Police

**PROCESSING AND TRANSFERRING UNITED STATES FORCES CAPTURED DETAINEES TO
REPUBLIC OF KOREA CUSTODY**

***This regulation supersedes USFK regulation 190-6, dated 10 February 2012.**

FOR THE COMMANDER

MARK C. DILLON
Major General, USAF
Deputy Chief of Staff

OFFICIAL



GARRIE BARNES
Chief, Publications and
Records Management

Summary. This regulation establishes procedures for transferring United States (US) captured detainees to Republic of Korea custody.

Summary of Change. This revision includes the following changes:

- Removes USFK Provost Marshal's Office from developing and maintaining a USFK Detainee Accountability Database to track the status of all US captured detainees (throughout).
- Directs that all US captured detainees will be enrolled into the National Detainee Reporting Center's (NDRC) Detainee Reporting System within 14 days and prior to transferring over to ROK custody (Chapter 2, subparagraph 2-2).
- Replaces the words "The ROK Military Police Office of the Joint Chiefs of Staff" with "ROK Joint Chiefs of Staff" (throughout).

- Corrects typographical errors and updates minor administrative changes to publications (i.e.; references, forms, and regulations) (throughout).

Applicability. This regulation applies to all US Armed Forces personnel, or elements, who capture or become involved with handling US captured persons during an armed conflict in Korea.

Forms. USFK forms are available at <http://www.usfk.mil>.

Supplementation. Issue of further supplements to this regulation by subordinate commands is prohibited unless prior approval is obtained from United States Forces Korea (USFK) Provost Marshal Office (PMO), Unit #15750, APO AP 96205-5750.

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained and disposed of according to AR 25-400-2. Record titles and descriptions are available on the Army Records Information System website at: <https://www.arims.army.mil>.

Suggested Improvements. Users are invited to send comments and suggestions on a DA Form 2028 (Recommended Changes to Publications and Blank Forms) to USFK PMO, Unit #15750, APO AP 96205-5750.

Distribution. Electronic Media Only (EMO).

CONTENTS

Chapter 1

Introduction, page 1

- 1-1. Purpose
- 1-2. References
- 1-3. Explanation of Abbreviations and Terms
- 1-4. Responsibilities

Chapter 2

United States Forces Detainee Processing Procedures, page 3

- 2-1. Detainee Identification
- 2-2. Detainee Reporting System
- 2-3. Locations of US Detainee Reception and Processing Facilities
- 2-4. Processing Procedures
- 2-5. Administrative Processing
- 2-6. Detainee Management Records
- 2-7. Detainee Classification Records
- 2-8. Detainee Medical Support

Chapter 3

The ROK and USFK Transfer Agreement, page 3

- 3-1. Basis
- 3-2. Synopsis of the ROK and USFK Transfer Agreement

Chapter 4

Transfer Preparation Procedures, page 5

- 4-1. Detainees Eligible for Transfer
- 4-2. Determination of Transfer Availability
- 4-3. Size of Transfer Groups
- 4-4. Requesting Transfer Authorization
- 4-5. EPW/CI not to be Transferred

Chapter 5

Transfer Procedures, page 6

- 5-1. Personal Effects
- 5-2. Interrogation Records
- 5-3. Locations for Transfer
- 5-4. Documents Required for Transfer
- 5-5. Withholding Acceptance
- 5-6. Evacuation Responsibilities
- 5-7. Transfer Verification Procedures
- 5-8. Signatures
- 5-9. EPW/CI Transfer at Combined Military Interrogation Centers
- 5-10. Method of Internment
- 5-11. Reclassification
- 5-12. Release or Repatriation

CONTENTS (CONT')

5-13. Retransfer of EPW/CI

Chapter 6

Operation of US Liaison Teams, *page 8*

6-1. Establishment and Composition

6-2. Mission and Functions

6-3. Support and Limitation

Chapter 7

Reimbursement of Maintenance Costs, *page 9*

7-1. Basis for Reimbursement of Maintenance Costs

7-2. Reimbursable Costs

7-3. Computations of and Request for Reimbursable Costs

7-4. Reimbursement Procedures

Appendixes, *page 12*

A. References

B. Transcript of Memorandum of Agreement on the Transfer of Prisoners of War/Civilian Internees

C. The US Detainee Control Number System

D. Required Detainee Medical Support

E. Preparing Required Records and Forms Required for Transfer

Glossary, *page 27*

Chapter 1

Introduction

1-1. Purpose

This regulation prescribes policies, procedures, and responsibilities for processing detainees captured by US forces and for transferring US captured enemy prisoners of war (EPW) or civilian internees (CI) who have been or will be transferred to the custody of the Republic of Korea (ROK) armed forces. The basis for transfer is the Memorandum of Agreement (MOA) on the Transfer of Enemy Prisoners of War/Civilian Internees signed on 12 February 1982 by the Republic of Korea and the United States of America.

1-2. References

Required publications and required forms are listed in appendix A.

1-3. Explanation of Abbreviations and Terms

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

1-4. Responsibilities

a. Service Component Commanders will ensure that US forces comply with the Geneva Conventions for proper and humane treatment of US captured and US transferred persons.

b. The Combined Forces Command (CFC)/USFK PMO has primary staff responsibility for policies and procedures affecting US captured persons. The PMO will -

(1) Develop policies and procedures on US captured persons who are in US custody, following applicable higher headquarters and service component directives.

(2) Coordinate with the appropriate ROK Joint Chiefs of Staff (JCS) elements to develop mutual policies and procedures on US transferred persons, according to the applicable international conventions and higher headquarters directives.

(3) Provide necessary reports, coordination, technical advice, and staff assistance to US and ROK agencies.

(4) Ensure that US forces comply with the Geneva Conventions for proper and humane treatment of US captured and US transferred persons.

(5) Serve, initially, as the Theater Detainee Reporting Center (TDRC) for all detainees captured by US forces until a Military Police (MP) Command or Brigade assumes the role.

c. The Assistant Chief of Staff (ACofS), Resource Management, USFK (FKRM) is responsible for EPW/CI financial programs established by higher headquarters directives. FKRM also manages reimbursements to the ROK for maintaining US transferred persons, in accordance with paragraph 8 of the MOA (Appendix B, Chapters 2 and 7 of this regulation) and other applicable directives.

d. Eighth Army PMO will –

(1) Serve as the Chief of Detention Operations (CDO) until a CDO is appointed or designated.

(2) Conduct liaison with International Committee of the Red Cross (ICRC) representatives as necessary.

e. CFC/USFK Surgeon will -

(1) Through the Eighth Army Surgeon and 65th Medical Brigade Commander, develop procedures to classify detainees as Retained Persons (see the glossary) and to certify the medical proficiency of Retained Persons.

(2) Ensure the medical requirements within US detention facilities are consistent with Department of Defense Instruction 2310.08E, Medical Program Support for Detainee Operations, and its implementing orders and programs. Requirements are identified in appendix C.

f. CFC/USFK Chaplain will -

(1) Advise the USFK Commander on religious needs and practices of detainees.

(2) Develop procedures to classify detainees as Retained Persons (see the glossary).

g. CFC/USFK Judge Advocate will -

(1) Advise the commander and other personnel responsible for detention operations on all matters pertaining to compliance with applicable law and policy.

(2) Provide legal advice to the commander on all matters relating to law of armed conflict and international law, detainee misconduct, medical support, interrogation, collection of evidence necessary to prosecute detainees for criminal offenses, and investigation of suspected maltreatment or abuse of detainees or other violations of applicable law or policy.

(3) Coordinate assignment of Army Trial Defense Service attorneys in support of US captured personnel responsibilities, including counsel for Geneva Convention, Article 5 Tribunals.

(4) Exercise staff supervision of US military court actions involving US captured civilians in Korea.

(5) Support the USFK Provost Marshal with law of armed conflict and international law advice.

h. CFC/USFK Public Affairs Office (PAO) is responsible for understanding and fulfilling the information needs of service members, the military community, and the public in matters relating to detainees and the facility. In the interest of national security and the protection of detainees from public curiosity (pursuant to Article 13(2) of Geneva Convention III), detainees will not be photographed or interviewed by news media. All situations that may gain national or international media interest should be referred to USFK Public Affairs Office. The PAO will also -

(1) Serve as the command's spokesperson for all communication with external media.

(2) Facilitate media efforts to cover operations by expediting the flow of complete, accurate, and timely information.

(3) Be transparent and open with the media to build trust and goodwill among interested public while not jeopardizing operational security (OPSEC), tactics, techniques, and procedures (TTPs) or the inherent protections accorded to detainees.

Chapter 2

United States Forces Detainee Processing Procedures

2-1. Detainee Identification

US captured detainees will be identified by the capturing unit using DD Form 2745 (EPW Capture Tag) or ROKA Form 1-12-01-1 (Bilingual EPW Capture Tag) (Appendix E).

2-2. Detainee Reporting System

Captured detainees will be enrolled into the Detainee Reporting System IAW with appendix C and JP 3-63 (Detainee Operations) within 14 days and prior to transfer over to ROK custody.

2-3. Locations of US Detainee Reception and Processing Facilities

US detainee reception and processing facilities are established according to USFK and service component contingency plans. There may be one or more reception and processing facilities. The ICRC will have access to detainee facilities of US captured detainees.

2-4. Processing Procedures

In accordance with appendix B, the general processing and classification of detainees captured by the US shall be accomplished by the US prior to transfer to the ROK.

2-5. Administrative Processing

Administrative processing of detainees captured by the US, to include EPS or CI who may eventually be transferred to custody of the ROK will be processed using Biometric Identification Information (BII) in compliance with DODD 8521.01E. Necessary documentation for sharing can be rendered by BII.

2-6. Detainee Management Records

Records for detainee management will be completed as to nationality, sex, occupation, education, religion, enemy unit served, etc., within the capability of the unit preparing such records.

2-7. Detainee Classification Records

Detainees shall be classified in accordance with procedures of the Detainee Reporting System as identified in appendix C.

2-8. Detainee Medical Support

US detention facilities shall at a minimum provide to all detainees the treatment standards identified in appendix D.

Chapter 3

The ROK and USFK Transfer Agreement

3-1. Basis

Article 12, Geneva Conventions Relative to the Treatment of Prisoners of War, 12 August 1949, and Article 45, Geneva Conventions Relative to the Protection of Civilian Persons in Time of War, 12 August 1949, address the international transfer of detainees essentially as follows:

- a. Detainees may be transferred only to another cosignatory party of the Geneva Conventions.
- b. Detainees may be transferred only after the receiving nation assures the capturing nation that they will follow the provisions of the Geneva Conventions.
- c. The receiving nation is responsible for applying the provisions of the Geneva Conventions while the transferred detainees are in its custody. If the receiving nation fails to carry out the provisions of the Geneva Conventions, the capturing nation must take effective measures to correct the situation, or request the return of the detainees. The receiving nation must comply with such requests. The capturing nation is ultimately responsible for the treatment of transferred detainees, and may be held accountable by appropriate international tribunals.

3-2. Synopsis of the ROK and USFK Transfer Agreement (see appendix B for full text of agreement)

- a. Only US captured detainees classified as EPW or CI shall be transferred to the ROK.
- b. Actioning proponents are the ROK JCS and the CFC/USFK PMO.
- c. Evacuation and processing of US captured persons before transfer are the responsibilities of the US forces. ROKA forces may be requested to help with evacuation in certain circumstances.
- d. Transfer of US captured persons to ROKA custody can occur only after ISN assignment and processing through a US reception and processing facility. Transfer is a formal procedure requiring written receipt using USFK FL 5EK-R-E and Enclosure 1 to USFK FL 5EK-R-E (EPW/CI/RP Transfer Receipt and Roster) for the transferred persons. The transfer can only occur at facilities designated by the ROK JCS to the CFC/USFK PMO and will not preclude access by US interrogators to those transferred persons while under ROK control. The US, as the detaining power, when deciding whether to transfer a captured person, should take into account the interests of prisoner(s) being transferred (Geneva Convention III, Article 46(1) pertains). This includes the requirement of non-refoulement as indicated by Geneva Convention IV, Article 45.
- e. Key to the US meeting its responsibilities under the Geneva Conventions is irrevocably accounting for US captured persons. The only acceptable method of doing this is by processing people through a US reception and processing facility. The only US captured persons who will be transferred are those detainees formally classified as EPW or CI.
- f. Procedures for ordering the internment of CI, and medical or intelligence activities before transfer are not changed by the MOA or by this regulation.
- g. In accordance with widely accepted principles of international law, medical care must be provided by the US for US captured persons to the extent practicable, whether or not such persons are to be transferred. Precedence may be given to treating those persons whose medical condition is so severe as to preclude immediate transfer.
- h. There may be US liaison personnel at each ROKA facility handling US transferred persons, to include hospitals. Through coordination with the ROKA facility commanders, the US liaison teams will provide continuous accountability of US transferred persons.
- i. Reclassification, release, or repatriation of US transferred persons cannot occur without US consent. For release or repatriation, both the ROK and US must consent. All parties to hostilities will endeavor to release or repatriate as soon as practicable after the cessation of hostilities, in

accordance with Geneva Convention III, Article 118.

j. Certain expenses incurred by the ROK for maintaining US transferred persons will be reimbursed by the US. Requests for reimbursement are to be submitted at least monthly by each interim station or facility interning US transferred persons. The USFK, ACofS, Resource Management, provides staff expertise on these issues and manages the reimbursement program (Chapter 7).

Chapter 4

Transfer Preparation Procedures

4-1. Detainees Eligible for Transfer

US captured persons who may be transferred to ROKA custody after processing are detainees classified as EPW or CI whose physical condition permits their transfer. EPW/CI eligible for transfer should be transferred at the earliest opportunity.

4-2. Determination of Transfer Availability

EPW/CI are ready for transfer when they have completed processing at the US reception and processing facility, are released by Military Intelligence (MI) personnel (ref: AR 381-10), and if there is no reason to preclude or delay transfer.

4-3. Size of Transfer Groups

Identify people in transfer groups by classification and gender within each classification. Groups should be as large as practical; limit size according to the US ability to control the group during movement and the ROKA interim station's capacity to process the personnel.

4-4. Requesting Transfer Authorization

a. When a transfer group has completed processing, the US reception and processing facility will send through command channels to the CFC/USFK PMO the following statistics:

(1) The number of males, females, and the sum of EPW.

(2) The number of males, females, and the sum of CI.

b. CFC/USFK PMO relays this information to the ROK JCS at least 72 hours before the requested date of transfer. The ROK JCS has 48 hours to notify CFC/USFK PMO with the time and location of the transfer. PMO will immediately convey this information to appropriate service component for relay to the reception and processing facility. Meanwhile, the reception and processing facility prepares the necessary documents, identified in Chapter 5-4, to accompany the movement for transfer.

4-5. EPW/CI not to be Transferred

EPW/CI exempted from timely transfer are as follows:

a. EPW/CI identified by US interrogators as intelligence sources. US interrogators must authorize the transfer of detainee intelligence sources. US interrogators must keep the number of people retained to a minimum. Interrogators must have substantial reason to believe that transfer will significantly reduce the person's value as an intelligence source and is detrimental to US interests.

b. EPW/CI whose physical condition does not permit their movement for transfer are retained until sufficiently recovered.

c. EPW/CI retained to help operate and maintain the reception and processing facility.

Chapter 5

Transfer Procedures

5-1. Personal Effects

IAW AR 190-8 and Geneva Convention III, Article 18, detainees retain their authorized personal effects during transfer. US detainee reception and processing facility personnel will inventory all detainees' impounded articles and money on Department of the Army (DA) Form 4237-R (Detainee Personnel Record) or DA Form 4137 (Evidence/Property Custody Document) if war crimes or prosecutable offenses are suspected. Prior to the transfer of any EPW/CI the information on the DA Form 4237-R will be transferred to ROKA Form 1-12-03-1 (EPW/CI RP Personnel Record). The impounded items and ROKA Form 1-12-03-1 will accompany the transferred EPW/CI and will be turned over to the ROK interim station commander or designated representative by the US escort guard at the time of transfer. Confiscated items, to include those items and monies seized in accordance with Geneva Convention III, Article 18, will be handled IAW AR 190-8 (Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees) and illegal monies will be confiscated and handled per the guidelines in FM 3-63 (Detainee Operations) and DFAS Regulation 37-1.

5-2. Interrogation Records

Information obtained by the US during Interrogation of EPW/CI scheduled for transfer that may pertain to the national interests of the ROK shall be provided to the ROK at the time of transfer to ROK custody.

5-3. Locations for Transfer

Transfer of EPW and CI by the US shall normally take place at ROK Temporary EPW Camps designated by the ROK.

5-4. Documents Required for Transfer

The following documents shall be required for transfers (see Appendix E for records and forms information).

a. USFK FL 5EK-R-E and Enclosure 1 (EPW/CI/RP Transfer Receipt and Roster) by classification, name, rank, sex, control number, and nationality.

b. ROKA Form 1-12-03-1 (EPW/CI/RP Personnel Record).

c. ROKA Form 1-12-04-1 (EPW/CI/RP Personnel Record – Part II).

d. ROKA Form 1-12-05-01 (Fingerprint Card).

e. ROKA Form 1-12-06-01 (EPW Identity Card).

f. Interrogation records in accordance with paragraph 5-2.

g. ROKA Form 1-12-08-01 (Certification Questionnaire for Officer EPW/CI/RP) or ROKA Form 1-12-09-01 (Questionnaire for Enlisted EPW/CI/RP) as needed.

h. Other documents that may be mutually agreed upon.

5-5. Withholding Acceptance

The ROK may withhold or refuse to accept custody of US captured EPW or CI who have contracted communicable disease or who are contagious, for reasons of possible spread of the disease or accommodation problems.

5-6. Evacuation Responsibilities

It shall be the responsibility of US Armed Forces to evacuate EPW/CI scheduled for transfer until formal transfer to ROK forces is completed. Evacuation operations will include appropriate transportation and guards. Further guarding and evacuation of transferred EPWs shall be the responsibility of the ROK. Depending on transfer situations requiring increased transportation requirements and guard capabilities for evacuation, requests for assistance may be made and such assistance may be provided by the ROK.

5-7. Transfer Verification Procedures

To transfer EPW/CI, the senior US member of the escort guard, the designated representative of the ROK facility commander accepting the EPW/CI, and a member of the US liaison team located at the facility will jointly verify the accuracy of the number of EPW/CI and accuracy of the transfer receipt and roster and other required documents. The transfer will be completed when the transfer receipt and roster is signed by the ROK representative.

5-8. Signatures

After verifying the forms and ensuring proper accountability, the senior US member of the escort guard completes the date, place, and transfer acknowledgment portions on all copies of Enclosure 1 to USFK FL 5EK-R-E. Then the ROK detainee facility commander or his representative writes the date and place in Hangul and completes the acknowledgment of receipt portion on all copies of the form.

5-9. EPW/CI Transfer at Combined Military Interrogation Centers

Transfer of US captured EPWs to the ROK at a Combined Military Interrogation Center shall be accomplished according to regulations for such centers.

5-10. Method of Internment

The EPW/CI transferred by the US should be interned in separate enclosures established in the EPW facilities operated by the ROK, and should be segregated according to the Geneva Conventions. Geneva Convention IV, Article 84 pertains.

5-11. Reclassification

In accordance with the MOA, reclassification of US transferred EPW/CI by the ROK shall require the consent of the US. When a justifiable reason for reclassification arises, the ROK JCS will request such action to the CFC/USFK PMO who will respond in writing.

5-12. Release or Repatriation

Written recommendations for release or repatriation of EPW/CI shall be made between the ROK JCS and the CFC/USFK PMO. After coordination with other concerned agencies, written responses shall be made between ROK JCS and CFC/USFK PMO. Mutual consent is required.

5-13. Retransfer of EPW/CI

When it is necessary for the US to request the retransfer from ROK custody to US custody of certain persons -

- a. The CFC/USFK PMO will be the central agency for coordinating retransfers. The CFC/USFK PMO will arrange retransfers with the ROK JCS.
- b. Requests for retransfers will be forwarded to or initiated by the CFC/USFK PMO and will include the following information:
 - (1) Person's name, nationality, rank, classification, sex, and Internment Serial Number (ISN).
 - (2) Reason for request.
- c. Forms for retransfer will be the same as those for transfer. Modify as necessary USFK FL 5EK-R-E and EPW/CI/RP Transfer Receipt and Roster.
- d. EPW/CIs shall be retransferred to US control within 72 hours from the time ROK JCS receives the request, or sooner to the maximum extent possible.

Chapter 6

Operation of US Liaison Teams

6-1. Establishment and Composition

- a. US liaison teams shall be organized and operated under the control of the US to conduct liaison activities for support of and coordination on the US transferred detainees interned and maintained by the ROK.
- b. US liaison teams may be located at ROK facilities where US transferred detainees are temporarily or permanently interned, and shall consist of the combination and number of such liaison personnel necessary to carry out the duties.

6-2. Mission and Functions

Missions and functions of US liaison teams operated in accordance with the MOA shall be as follows:

- a. Maintenance of records and collection of information on US transferred detainees.
- b. Detainee accountability, using US and ROKA Internment Serial Numbers (ISNs), and monitoring of changes.
- c. Being present at ROK and US interrogations, conducting and arranging US interrogations, and having access to records of ROK interrogations on US transferred persons.
- d. Receiving and certifying requests for reimbursement and performing logistic and administrative liaison.
- e. Controlling US access by validating or denying access to the ROK facility by US personnel desiring access to perform liaison functions. Validation or denial shall be based on identification data such as military orders, military identification cards, and credentials issued by the US Government or MP, investigative, or intelligence agencies. The US liaison team will verify US visitors' identification to ROK security personnel. Visitors will be limited to those areas authorized

to the US liaison team.

f. Requesting to receive and verify ROK notification of changes to US transferred detainees. Notifications from the ROK are preferred in writing in Hangul and English for the following EPW/CI circumstances as follows:

(1) Relocation. Request notice of intent to change the location of EPW/CI be given to the US liaison team 72 hours in advance or more to the maximum extent possible by the commander of the ROK facility. EPW/CI will not be relocated without prior coordination and concurrence of both ROK and US.

(2) Change in physical condition. Request notification of change in physical condition caused by injury or sickness of EPW/CI, except death, be given to the US liaison team within 24 hours by the commander of the ROK facility.

(3) Death. Request notification of the death of an EPW be given to the US liaison team, using DA Form 2669 (Certificate of Death)/ROKA Form 1-8-49 (Certificate of Death) within 24 hours by the commander of the ROK facility.

(4) Place or change in place of burial. Request that notification of place of burial of an EPW/CI be given to the US liaison team within 24 hours by the commander of the ROK facility.

(5) Escape and recapture. Request that notification of escape of an EPW/CI be made within 12 hours after the escape is discovered, and notification of recapture be made within 48 hours after recapture to the US liaison team by the commander of the ROK facility.

6-3. Support and Limitation

a. Support. The commander of the ROK facility shall, as may be requested or required, provide the US liaison team with logistic support including office and billet space and furnishings, meals, and with communications equipment, or shall permit installation of such equipment.

b. Limitation. Access allowed for the US liaison team personnel shall be limited to the enclosures where US transferred detainees are housed and engaged in activities. Access and visit to other areas of the ROK facility shall require approval of the ROK facility commander.

Chapter 7

Reimbursement of Maintenance Costs

7-1. Basis for Reimbursement of Maintenance Costs

The US shall reimburse the ROK upon written requests for the actual costs involved in maintaining US transferred EPW in accordance with the MOA. Subcosts shall include direct, indirect, and other maintenance costs.

7-2. Reimbursable Costs

a. Direct maintenance costs.

(1) Subsistence.

(2) Medical.

(3) Clothing.

(4) Toilet articles (tooth brushes, razor blades, soap, etc.).

(5) Advances of pay to US transferred EPW.

b. Indirect maintenance costs. Indirect maintenance costs shall be reimbursed on a pro rata share basis of the US transferred detainees to the ROK interned detainees, and shall include the following:

(1) Costs relating to construction and upkeep of internment facilities.

(2) Costs relating to payment made for labor performed at the request of the US

c. Other maintenance costs. These include costs for subsistence provided by the ROK to US liaison teams.

7-3. Computations of and Requests for Reimbursable Costs

a. Computations of the actual additional costs involved in internment and maintaining US transferred detainees shall be based on the standard rate as mutually agreed upon by the ROK and the US. Requests for reimbursement, prepared as of the end of each month, including detailed itemization of costs claimed, shall be submitted to the US liaison team.

b. Additional costs are costs that would not have been necessary if there were no US transferred persons to maintain in an internment facility.

c. Only expenses agreed upon by the FCRM with the ROKA, and provided through USFK to service components for dissemination to US liaison teams may be used to request reimbursement. All other billings are exempt from reimbursement.

7-4. Reimbursement Procedures

a. US liaison teams are responsible for ensuring that all submitted reimbursement requests conform to the requirements identified in this policy document. Items on approved bills must be reasonable expenses, incurred by the ROK in the maintenance of US transferred detainees.

b. In the event a billed expense is not clearly reimbursable, the US liaison team will request through the service component to FCRM for advice.

c. On receiving a bill, the US liaison team will verify its accuracy.

d. Once verified, the US liaison team prepares five copies of Standard Form (SF) 1034 (Public Voucher for Purchases and Services other than Personal) and approves the reimbursable amount. The approving official is the senior MP member of the team. A DD Form 577 (Appointment/Termination Record - Authorized Signature) must be on file with the office of the Assistant Chief of Staff, Resource Management (FCRM) for persons authorized to approve SF 1034 detainee vouchers. The PURPOSE block of the signature card should state: "Receipt for services provided by ROK SF 1034 detainee vouchers."

e. The ROK bill will be attached to the SF 1034 and forwarded through the Service Component

and CFC/USFK PMO. USFK PMO reviews the voucher, completes the accounting classification, and certifies that the voucher is correct. A DD Form 577 must be on file with FKRM for persons authorized to certify EPW vouchers for payment. The PURPOSE block of the signature card should state: "Certify SF 1034 detainee vouchers for payment."

Appendix A References

Section I. Required Publications

The ROK/US MOA, Transfer of Prisoners of War/Civilian Internees.

The Geneva Conventions:

- Geneva Conventions, Convention I, Common Article 3. 12 Aug 1949.
- Geneva Conventions, Convention I. *For the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field*, Geneva. 12 Aug 1949.
- Geneva Conventions, Convention II. *Geneva Convention II for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members at Sea*, Geneva. 12 Aug 1949.
- Geneva Convention, Convention III. *Relative to the Treatment of Prisoners of War*, Geneva. 12 Aug 1949.
- Geneva Convention, Convention IV. *Relative to the Protection of Civilian Persons*, Geneva. 12 Aug 1949.
- Geneva Conventions, Protocol I. *Additional to the Geneva Convention of 12 Aug 1949, and Relating to the Protection of Victims of International Armed Conflict, 8 Jun 1977.*
- Geneva Conventions, Protocol II. *Additional to the Geneva Convention of 12 Aug 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts, 8 Jun 1977.*

Detainee Treatment Act of 2005. 30 Dec 2005

DFAS-IN 37-1 Regulation, CH 26, Enemy Prisoners of War and Civilian Internees, 21 November 2014.

DHE-M, 3301.001, Defense Human Intelligence Enterprise Manual.

DoD Directive 2310.01E, Department of Defense Detainee Program.

DoD Directive 2311.01E, Department of Defense Law of War Program.

DoD Directive 8521.01E, Department of Defense Biometrics.

DoD Instruction 2310.08E, Medical Program Support for Detainee Operations.

DoD Directive 3115.09, Department of Defense Intelligence Interrogations, Detainee Debriefings, and Tactical Questioning.

JP 3-63, Detainee Operations.

AR 190-8, Enemy Prisoner of War Retained Personnel, Civilian Internees and other Detainees.

FM 3-63, Detainee Operations.

FM 27-10, The Law of Land Warfare.

Section II. Related Publications

Hague Conventions.

JP 2-0, Joint Intelligence.

JP 3-34, Joint Engineer Operations.

AR 40-3, Medical, Dental, and Veterinary Care.

AR 40-5, Preventive Medicine.

AR 40-66, Medical Record Administration and Health Care Documentation.

AR 40-400, Patient Administration.

AR 190-45, Law Enforcement Reporting.

AR 190-51, Security of Unclassified Army Property (Sensitive and Non sensitive).

AR 381-10, US Army Intelligence Activities.

AR 385-10, The Army Safety Program.

AR 638-2, Care and Disposition of Remains and Disposition of Personal Effects.

AR 735-5, Property Accountability Policies.

DIAM 58-12, The Department of Defense HUMINT Management System.

FM 2-0, Intelligence Operations.

FM 3-19.4, Military Police Leaders' Handbook.

FM 3-39, Military Police Operations.

ADP 3-0, Unified Land Operations.

ATP 3-39.32, Physical Security.

ATP 3-39.33, Civil Disturbance.

ATP 4-02.46, Army Health System Support to Detainee Operations.

Manual for Courts-Martial, United States

Section III. Referenced Forms

DA Form 2662-R, EPW Identity Card.

DA Form 2663-R, Finger Print Card.

DA Form 2664-R, Weight Register.

DA Form 2665-R, Capture Card for Prisoner of War.

DA Form 2666-R, Prisoner of War Notification of Address.

DA Form 2668, Prisoner of War Mail.

DA Form 2669, Certificate of Death.

DA Form 2670-R, Mixed Medical Commission Certificate for EPW.

DA Form 2671-R, Certificate for Direct Repatriation for EPW.

DA Form 2672-R, Classification Questionnaire for Officer Retained Personnel.

DA Form 2673-R, Classification Questionnaire for Enlisted Retained Personnel.

DA Form 2675-R, Certificate of Work Incurred Injury or Disability.

DA Form 2677-R, Civilian Internee Identity Card.

DA Form 2679-R, Civilian Internee Letter.

DA Form 2684-R, Cemetery Operations - Utilization of Gravesites.

DA Form 4137, Evidence/Property Custody Document.

DA Form 4237-R, Detainee Personnel Record.

DD Form 577, Appointment/Termination Record - Authorized Signature.

DD Form 2064, Certificate of Death (overseas).

DD Form 2745, Enemy Prisoner of War (EPW) Capture Tag

ROKA FORM 1-12-01-1, EPW Capture Tag.

ROKA FORM 1-12-03-1, EPW/CI/ RP Personnel Record.

ROKA FORM 1-12-04-1, EPW/CI/ RP Personnel Record – Part II.

ROKA FORM 1-12-05-01, Fingerprint Card.

ROKA FORM 1-12-06-01, EPW Identity Card.

ROKA FORM 1-12-07-1, Civilian Internee Card.

ROKA FORM 1-12-08-01, Certification Questionnaire for Officer Grade EPW/CI/RP.

ROKA FORM 1-12-09-01, Certification Questionnaire for Enlisted Grade EPW/CI/RP.

ROKA FORM 1-12-10-01, Certificate of Death.

SF Form 1034, Public Voucher for Purchases and Services other than Personal.

USFK FL 5EK-R-E, EPW/CI/RP Transfer Receipt and Roster.

Enclosure 1 to USFK-FL 5EK-R-E, EPW/CI/RP Transfer Receipt and Roster.

Section IV. Web Sites

Joint Electronic Library Website: www.dtic.mil/doctrine/new_pubs/jointput.htm

Army Publishing Directorate Website: www.apd.army.mil

USFK Regulations and Forms are available at: <http://www.usfk.mil>

USFK 190-6 ROK/US EPW Forms are available at:

<https://8a.korea.army.mil/sites/USFK/CMDR%20Staff/provostmarshal/Pages/Default.aspx>

ICRC Humanitarian Law Database (includes Geneva Conventions):
<http://www.icrc.org/ihl>

Appendix B Transcript of Memorandum of Agreement on the Transfer of Prisoners of War/Civilian Internees

The following language is the verbatim transcript from the original Memorandum of Agreement:

Whereas, the United States of America (USA) and the Republic of Korea (ROK) are signatories to the 1949 Geneva Conventions for the protection of war victims; and

Whereas, Article 12 of the Convention Relative to the Treatment of Prisoners of War and Article 45 of the Convention Relative to the Protection of Civilian Persons in Time of War indicate that prisoners of war and civilian internees may be transferred among parties to those conventions; and

Whereas, the USA and the ROK have declared their common determination to defend themselves against external armed attack in accordance with the provisions of the Mutual Defense Treaty 1 October 1953; and considering that, should hostilities recur in Korea, mutual defense would be assisted by transferring enemy prisoners of war and civilian internees (EPW/CI) captured by the armed forces of the USA to the armed forces of the ROK;

Therefore, the military authorities of the USA and the ROK shall observe the following agreement regarding enemy prisoners of war and civilian internees captured by the US armed forces:

1. The armed forces of both parties undertake to treat all enemy prisoners of war and civilian internees in accordance with the provisions of the Geneva Conventions of 1949.
2. The armed forces of the ROK will accept and will be responsible for maintaining and safeguarding EPW/CI whose custody has been transferred to them by the armed forces of the USA.
3. The armed forces of the USA will process and classify EPW/CI prior to transfer. EPW/CI will not be reclassified by the ROK armed forces without the consent of US Armed Forces. However, the armed forces of the USA will give serious consideration to properly justified requests for reclassification.
4. Accurate accountability for all personnel turned over to the armed forces of the ROK shall be the separate responsibility of both the USA and the ROK. The ROK will notify the US side of any change in location, change in physical condition, death or place of burial of US transferred EPW/CI.
5. US liaison officers may be assigned and/or will have access to each internment facility for the purpose of logistic and administrative cooperation and also for the purposes of collecting information on facilities, personnel and records on US transferred EPW/CI and will be permitted to conduct interrogations of such EPW/CI.
6. The ROK shall return to USA control any specified USA captured EPW/CI when requested by USA.
7. Release or repatriation of any USA transferred EPW/CI shall be made upon mutual agreement by the military authorities of both parties.
8. The USA shall reimburse the ROK upon request for the actual cost involved in maintaining USA captured EPW/CI which were transferred to ROK custody pursuant to this agreement.

9. The USA and the ROK shall promulgate directives implementing this agreement within six months after this agreement is signed by both parties. The directives shall identify specific logistic support and outline transfer procedures as determined by mutual agreement.

10. This agreement, and agreed revisions thereof, shall be in English and Korean. Both texts shall have equal authenticity.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Seoul this *12th* day of *February* 1982.

For the United States of America

For the Republic of Korea

 /S/
JOSEPH T. PALASTRA, JR.
Major General, Chief of Staff
United States Forces Korea

 /S/
AHN, PIL JOON
Major General, ACofS, G-1
Republic of Korea Army

REPUBLIC OF KOREA

Prisoner Transfer: War/Civilian Internees

Memorandum of agreement signed at Seoul February 12, 1982;
Entered into force February 12, 1982.

(1173)

TIAS 10406

MEMORANDUM OF AGREEMENT ON THE TRANSFER OF PRISONERS OF WAR AND CIVILIAN INTERNEES

Whereas, the United States of America (USA) and the Republic of Korea (ROK) are signatories to the 1949 Geneva Conventions for the protection of war victims; [1] and

Whereas, Article 12 of the Convention Relative to the Treatment of Prisoners of War and Article 45 of the Convention Relative to the Protection of Civilian Persons in Time of War indicate that prisoners of war and civilian internees may be transferred among parties to those conventions; and

Whereas, the USA and the ROK have declared their common determination to defend themselves against external armed attack in accordance with the provisions of the Mutual Defense Treaty of October 1953; [2] and considering that, should hostilities recur in Korea, mutual defense would be assisted by transferring enemy prisoners of war and civilian internees (EPW/CI) captured by the armed forces of the USA to the armed forces of the ROK;

Therefore, the military authorities of the USA and the ROK shall observe the following agreement regarding enemy prisoners of war and civilian internees captured by the US armed forces:

1. The armed forces of both parties undertake to treat all enemy prisoners of war and civilian internees in accordance with the provisions of the Geneva Conventions of 1949.

¹TIAS 3362, 3363, 3364, 3365; 6 UST 3114, 3217, 3316, 3516.

²TIAS 3097; 5 UST 2368.

10:44

P. 04

34 UST] Korea, Rep. of--Prisoner Transfer--Feb. 12, 1982

1175

2. The armed forces of the ROK will accept and will be responsible for maintaining and safeguarding EPW/CI whose custody has been transferred to them by the armed forces of the USA.
3. The armed forces of the USA will process and classify EPW/CI prior to transfer. EPW/CI will not be reclassified by the ROK armed forces without the consent of US Armed Forces. However, the armed forces of the USA will give serious consideration to properly justified requests for reclassification.
4. Accurate accountability for all personnel turned over to the armed forces of the ROK shall be the separate responsibility of both the USA and the ROK. The ROK will notify the US side of any change in location, change in physical condition, death or place of burial of US transferred EPW/CI.
5. US liaison officers may be assigned and/or will have access to each internment facility for the purpose of logistic and administrative cooperation and also for the purposes of collecting information on facilities, personnel and records on US transferred EPW/CI and will be permitted to conduct interrogations of such EPW/CI.
6. The ROK shall return to USA control any specified USA captured EPW/CI when requested by the USA.
7. Release or repatriation of any USA transferred EPW/CI shall be made upon mutual agreement by the military authorities of both parties.

[Handwritten signature]
 Major General, ACF, C.
 Republic of Korea Army

TIAS 10406

1176

U.S. Treaties and Other International Agreements

[34 UST

8. The USA shall reimburse the ROK upon request for the actual cost involved in maintaining USA captured EPN/CI which were transferred to ROK custody pursuant to this agreement.

9. The USA and the ROK shall promulgate directives implementing this agreement within six months after this agreement is signed by both parties. The directives shall identify specific logistic support and outline transfer procedures as determined by mutual agreement.

10. This agreement, and agreed revisions thereof, shall be in English and Korean. Both texts shall have equal authenticity.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Seoul this 12th day of February 1982.

For the United States of America

For the Republic of Korea

Joseph T. Palastra, Jr.

Pil Joon

JOSEPH T. PALASTRA, JR.
Major General, Chief of Staff
United States Forces Korea

PIL JOON
Major General, ACofS, G-1
Republic of Korea Army

TIAS 10406

Appendix C

The US Detainee Control Number System

C-1. Internment Serial Number (ISN)

An ISN is the DoD identification number used to maintain accountability of detainees. All detainees under DoD control will be registered promptly. Once an ISN is assigned, all further documentation, to include medical records, will use only this number (no other numbering system will be used). The ISN is generated by the Detainee Reporting System (DRS). DRS is the mandated detainee accountability database for all DoD agencies. The ISN is comprised of five components:

a. First component shall be the two-digit alpha character code representing the capturing power. Only country codes found within DHE-M 3301.001, Defense Human Intelligence (HUMINT) Enterprise Manual, Volume: Collection Requirement, Reporting, and Evaluation Procedures, or its successor, will be used.

(Note: GWOT ISNs continue to use country codes from the superseded (DIAM) 58-12. At the conclusion of current GWOT detention Operations all DRS will use DHE 3301.001).

b. Second component shall be the single digit designation of the command/theater under which the detainee came into the custody of the US. [PACOM theater designator code is: 3]

c. Third component shall be the two-digit alpha character code representing the detainee's power served/nationality. Where applicable, country codes found within US DHE-M 3301.001 (Defense HUMINT Enterprise Manual Volume) or its successor will be used.

d. Fourth component shall be a unique six-digit number assigned exclusively to an individual detainee. The DRS will assign these sequentially. This component is commonly referred to as the "sequence number." Not even in the event of a detainee death, release, repatriation, transfer or escape shall a sequence number be reissued during the course of a single conflict. If a detainee is ever issued two sequence numbers the latter number will be voided and the National Detainee Reporting Center (NDRC) will be notified.

e. Fifth component shall be a two or three-digit alpha character code representing the detainee's classification. Current classifications are:

- (1) EPW-enemy prisoner of war.
- (2) CI-civilian internee.
- (3) RP-retained personnel.
- (4) OD-other detainee.
- (5) EC-enemy combatant.

C-2. ISN Reporting

The ISN, once issued, is reported through the TDRC, to the NDRC. Once the DRS has created the ISN, no component may be changed or corrected at the theater level without approval from the NDRC. All changes to an ISN must be requested in writing and approved by the NDRC.

C-3. International Commission of the Red Cross (ICRC) Reporting

When required by law and/or policy, the NDRC provides detainee information to the ICRC to satisfy US Geneva Convention obligations, this includes visits by the ICRC in furtherance of Geneva Convention III, Article 126 and Geneva Convention IV, Article 143. The ICRC uses this information to provide notice of the status of the detained individual to his or her government. The US must be vigilant in executing all obligations to account for detainees and issue detainees an ISN when required by law and/or policy. Commanders should make every effort to standardize tracking detainees from point of capture through the issuance of an ISN.

C-4. Tracking of Detainees

The unique capture tag number that is found on Department of Defense (DD) Form 2745 (Enemy Prisoner of War (EPW) Capture Tag), or allied equivalent are the only authorized tracking numbers that may be used prior to the assignment of an ISN. After the ISN is assigned, previously generated documents should be annotated with the ISN. For example, medical channels should use the capture tag number and then use an ISN once that is issued to a detainee to track a detainee through the medical facilities and back to the detention facility. If thorough data entry practices are followed, DRS can cross reference US ISN to foreign ISN to Capture Tag Number to ICRC Number (if provided by ICRC Delegate). *Note:* Deaths, Escapes, Transfers, Releases and Repatriation actions must all use DRS generated orders and the completion of such actions confirmed in DRS upon completion.

Appendix D Required Detainee Medical Support

D-1. Through Eighth Army Surgeon and 65th Medical Brigade Commander, the CFC/USFK Surgeon is responsible for ensuring the medical treatment standards within US detention facilities are consistent with Department of Defense Instruction 2310.08E (Medical Program Support for Detainee Operations).

D-2. At a minimum US detention facilities shall provide the following treatment standards for all detainees.

- a. Examination and documentation of detainees' physical condition upon initiation of detention.
- b. Monthly recording of detainees' weight.
- c. Monitoring of general cleanliness of the facility (latrines, showers, and wash stations).
- d. Examination of detainees for contagious diseases.
- e. Providing for detainee access to medical care including sick call.
- f. Coordination for preventive medicine inspections of the facility.
- g. Coordination for preventive medicine inspection of food sources.
- h. Providing for caloric content and detainee ration suitability advice.
- i. When directed, develop pre-post interrogation medical screening criteria.
- j. In support of Geneva Convention III, Article 121 and Geneva Convention IV, Article 131, upon death of a detainee the body will not be released from US custody without written authorization from the US Army Criminal Investigation Command or another appropriate military criminal investigative organization. The investigating military criminal investigative organization will contact the Office of the Armed Forces Medical Examiner, which will determine whether an autopsy will be performed. In the case of detainee's death, it is presumed that an autopsy will be performed, unless an alternative determination is made by the Office of the Armed Forces Medical Examiner. Medical determination of the cause and manner of a detainee's death is the sole responsibility of the Office of the Armed Forces Medical Examiner or another physician designated by the Office of the Armed Forces Medical Examiner.

Appendix E

Preparing Required Records and Forms Required for Transfer

E-1. General

Records and forms required for transferring detainees are available at

<https://8a.korea.army.mil/sites/USFK/CMDR%20Staff/provostmarshal/Pages/Default.aspx>

E-2. Preparing Transfer Records and Forms

a. Prepare USFK FL 5EK-R-E and Enclosure 1 to USFK-FL 5EK-R-E in triplicate and forward with the transferring group.

b. Prepare a separate USFK FL 5EK-R-E and Enclosure 1 for each classification of transferred persons; line through the non applicable classifications. For example, if a transfer group includes both EPW and RP, prepare one set of forms for the EPW and another set for the RP. For EPW, the subject line and form title would read "EPW Transfer Receipt and Roster" with appropriate line-outs.

c. Organize line entries on Enclosure 1 to USFK FL 5EK-R-E numerically by ISN, starting with the lowest number. Keep in mind, the internment serial numbers of a group to be transferred are not likely to be consecutive.

d. Consecutively number the line entries on Enclosure 1 to USFK FL 5EK-R-E for each classification of transferred persons. For example, if the transfer group includes 27 EPW and 5 RP, the EPW form letter states, "a total of 27 name(s) on 2 page(s)." The EPW transfer receipt and roster form would have two pages with entries numbered 1 through 27. The form letter for RP will reflect "a total of 5 name(s) on 1 page(s)." The RP form has one page with entries numbered 1 through 5.

e. Consecutively number each page of Enclosure 1 to USFK FL 5EK-R-E used in a transfer in the spaces provided.

f. When the transfer is complete, sign and date the appropriate blocks of Enclosure 1 to USFK FL 5EK-R-E. Fill in the place and other entries required in the ACKNOWLEDGMENT OF TRANSFER and ACKNOWLEDGMENT OF RECEIPT blocks.

E-3. Utilize ROKA Forms in lieu of DA Forms for transfers due to ROKA Forms being bilingual which will expedite the transfer process

a. ROKA FORM 1-12-03-1 (EPW/CI/RP Personnel Record) - This bilingual form is used in lieu of DA Form 4237-R (Detainee Personnel Record). Use the same codes and procedures to complete the ROKA form.

b. ROKA FORM 1-12-06-01 (EPW Identity Card) - This bilingual form is used in lieu of DA Form 2662-R (EPW Identity Card). Use the same codes and procedures to complete the ROKA form except a block must be added to identify gender.

c. ROKA FORM 1-12-07-1 (Civilian Internee Card) - This bilingual form is used in lieu of DA Form 2677-R (Civilian Internee Identity Card) except The NOTICE section on the reverse of the card now states, "This card is issued to US captured (prisoners of war/civilian internees) in the custody of the Republic of Korea Army." Use the same codes and procedures to complete these forms.

d. ROKA FORM 1-12-05-01 (Finger Print Card) - This bilingual form is used in lieu of DA Form 2663-R (Finger Print Card). Use the same codes and procedures to complete this form.

e. ROKA FORM 1-12-08-01 (Certification Questionnaire for Officer Grade EPW/CI/RP) - This bilingual form is used in lieu of DA Form 2672-R (Classification Questionnaire for Officer Retained Personnel). Use the same codes and procedures to complete the form except a block must be added to identify gender.

f. ROKA FORM 1-12-09-01 (Certification Questionnaire for Enlisted Grade EPW/CI/RP) - This bilingual form is used in lieu of DA Form 2673-R (Classification Questionnaire for Enlisted Retained Personnel). Use the same codes and procedures to complete the form except a block must be added to identify gender.

g. ROKA FORM 1-12-10-01 (Certificate of Death) - This bilingual form is used in lieu of DA Form 2669 (Certificate of Death). Use the same codes and procedures to complete the form.

Glossary

Section I. Abbreviations

ACofS	Assistant Chief of Staff
CFC	Combined Forces Command
CI	Civilian Internee(s)
DA	Department of the Army
DoD	Department of Defense
DRS	Detainee Reporting System
EPW	Enemy Prisoner(s) of War
HQ	Headquarters
ISN	Internment Serial Number
JCS	Joint Chiefs of Staff
MI	Military Intelligence
MOA	Memorandum of Agreement
MP	Military Police
NDRC	National Detainee Reporting Center
OPMG	Office of the Provost Marshal General
PMO	Provost Marshal Office
RP	Retained Person(s)
ROK	Republic of Korea
ROKA	Republic of Korea Army
SJA	Staff Judge Advocate
US	United States (of America)
USFK	United States Forces Korea

Section II. Terms

Control number. An identifier assigned to a detainee to assist in maintaining accountability.

Civilian Internee. A civilian who is interned during armed conflict, occupation, or other military operation for security reasons, for protection, or because he or she committed an offense against the detaining power.

Detainee. A term used to refer to any person captured or otherwise restrained by an armed force.

Enemy Combatant. In general, a person engaged in hostilities against the United States or its coalition partners during an armed conflict.

Enemy Prisoner of War. An individual under the custody and/or control of the DoD who meets the qualifications set out in Articles 4 and 5 of the Geneva Convention Relative to the Treatment of Prisoners of War.

Medical Processing. Medical processing for each detainee includes Lindane dusting, immunizations (initial), and physical inspection.

Physical Processing. Physical processing for each detainee includes a haircut, and issue of clean clothing, toilet articles, mess equipment, and a blanket.

Retained Personnel. Enemy medical personnel and medical staff administrators who are exclusively engaged in either the search for, collection, transport, or treatment of the wounded or sick, or the prevention of disease; chaplains attached to enemy armed forces; and, staff of National Red Cross Societies and that of other volunteer aid societies, duly recognized and authorized by their governments to assist medical service personnel of their own armed forces, provided they are exclusively engaged in the search for, or the collection, transport or treatment of wounded or sick, or in the prevention of disease, and provided that the staff of such societies are subject to military laws and regulations.

Reclassification. Changing from one to another the formal classifications of EPW, CI, or RP assigned to a US transferred person.

ROK Facility. A ROK establishment for the processing or holding of US transferred detainees.

ROK Internment Camp (or facility). A ROK establishment for the internment rather than processing of US transferred detainees.

Transfer. Transfer refers to the international transfer of custody of US captured persons between the ROK and the US armed forces.

Unprivileged Belligerent-UB. An individual who is not entitled to the distinct privileges of combatant status, (e.g., combatant immunity), but who by engaging in hostilities has incurred the corresponding liabilities of combatant status. The term “unlawful enemy combatant” used in other DOD regulations is synonymous with the term “unprivileged belligerent.”

US Captured Persons. EPW, CI, RP, and suspected enemy combatants captured by members of US armed forces.

US Transferred Persons. Include EPW, CI, and RP captured by US forces and transferred to ROK control.