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Documents on Prisoners of War

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DOCUMENT NO. 39

**GENERAL ORDERS NO. 106, GENERAL HEADQUARTERS
AMERICAN EXPEDITIONARY FORCES, FRANCE
(1 July 1918)**

SOURCE

16 United States Army in the World War, 1917-1919, at 367

NOTE

The contrast between the chivalrous spirit which motivated the belligerents generally in their treatment of prisoners of war during World War I (1914-1918) (see, for example, DOCUMENT NO. 37 and DOCUMENT NO. 42) and the maltreatment received by so many of them during World War II (1939-1945) (see, for example, DOCUMENT NO. 85 and DOCUMENT NO. 101) and in Korea (1950-1953) (see, for example, DOCUMENT NO. 131 and DOCUMENT 134) is probably nowhere so clearly demonstrated as in this order issued by General Pershing's headquarters during World War I.

EXTRACTS

I. PRISONERS OF WAR

1. Places of confinement for prisoners of war will be established from time to time as may be necessary, and shall be known as Prisoners of War Enclosures — the abbreviation of which shall be P. W. E.

2. Prisoners of war will be under the control of the P. M. G. (Department) for the purpose of maintenance and discipline from the time that they are delivered to the Division P. W. E. by the combatant troops. Such Division and Central P. W. E.'s will be established as become necessary. Prisoners of war will be forwarded from Division P. W. E. to the Central P. W. E. as promptly as the exigencies of the service permit. The necessary officers and guards for Division P. W. E. will be provided by division commanders when required.

3. The general staffs of divisions, corps or army or their authorized representatives shall at all times have access to prisoners for the purpose of examination. With this exception no person except the escort on duty will be allowed to enter any part of P. W. E. or to converse with prisoners.

4. Prisoners who may be required by the General Staff for the purpose of a special examination will be sent to headquarters at their request. If retained at headquarters a receipt will be given to the officer commanding the company or P. W. E. and the prisoners returned as soon as practicable.

5. The importance of speedy evacuation of prisoners of war must be born in mind, especially in the forward areas. Prisoners will be disarmed immediately upon capture and sent to Brigade Headquarters, where they will be searched, and all concealed weapons which may have escaped observation of their captors taken from them. They will then be sent to the Division P. W. E. or collecting point, where a thorough search will be conducted.

6. The responsibility for the examination of prisoners rests entirely with the Second Section of the General Staff, and as promptly as possible after capture they will be searched and examined by an Intelligence officer. Officers will be responsible that nothing except arms are removed from prisoners until they have been so examined and searched. All maps, papers of a military character, field glasses, compasses, etc., will be taken from them under the supervision of a member or representative of the Second Section, General Staff.

7. Prisoners of war will be forwarded from Division P. W. E. to Central P. W. E. under an escort furnished by the P. M. G.

II. PRISONERS OF WAR INFORMATION BUREAU.

There is hereby established in the Central Records Office, A. G. D., A. E. F., the Prisoners of War Information Bureau prescribed by Article 14 of The Hague Convention, which is charged with the following duties:

1. To receive all reports and maintain all records concerning enemy prisoners of war.

2. To collect and keep up to date full information respecting captures, internments, transfers, releases, exchanges, escapes, admission into hospital, deaths and such other information as may be necessary to make an individual return for each prisoner of war. This individual record will show the regimental number, name and surname, age, place of origin, rank, unit, wounds, date and place of capture, internment, wounding and death, as well as any observations of a special character.

3. To reply to all inquiries about prisoners of war; and all such inquiries, by whomsoever received, will be forwarded to the Prisoners of War Information Bureau. Replies will be confined to the presence and condition of health of the prisoners to the exclusion of all other information.

4. To receive and keep all personal effects and money taken from prisoners of war, and all objects of personal use, valuables, letters, etc., found on the field of battle or left by prisoners released or exchanged, or who have escaped or died.

5. To censor prisoners of war correspondence, and to report periodically the information disclosed therein. All correspondence and parcels addressed to or sent by prisoners of war will be forwarded through this bureau.

6. To receive and safely keep the wills of prisoners of war in compliance with Article 19 of the Hague Convention.

7. To prepare and maintain records of pay and allocations for prisoners of war.

8. An officer of the Quartermaster Corps will be attached to this bureau. This officer will be responsible for the safekeeping of the personal effects, money and other valuables received by the Prisoners of War Information Bureau, and for the allocations allowed to prisoners of war.

III. REPORTS AND RETURNS

1. Field Reports, Enemy Prisoners of War. Commanding officers of all organizations capturing prisoners will make a report as soon as practicable to division headquarters of all prisoners captured, giving name, number, rank, organization and disposition made thereof. These reports will be consolidated at division headquarters on form "Field Report of Enemy Prisoners of War" and forwarded in accordance with instructions thereon.

2. Prisoners of War Initial Information Blank. Upon the arrival of an enemy prisoner of war at Central P. W. E., or at base hospital, immediately after capture, this blank will be completed and distributed in accordance with instructions thereon.

3. Weekly Report of Casualties and Changes, Prisoners of War. This report will be rendered weekly by commanding officers of Central P. W. E. and labor companies, such information being given as required by instructions thereon. Enemy prisoners of war at base hospitals will be reported on "Daily Reports of Casualties and Changes for Patients in Hospitals," Form A. G. O., S. D., No. 22, headed "Enemy Prisoners of War," and in same manner as on "Weekly Medical Report (Serious Cases)."

4. Roster. A monthly roster will be prepared in duplicate of all prisoners of war in Central P. W. E. and labor companies. This roster will show the names, ranks and numbers of the prisoners, the days of labor performed by each and other such data as may be required to compute pay and allocations. One copy will be forwarded to the Q. M. Prisoners of War Information Bureau.

5. Burial Report. This report will be on form required by Par. 7, subparagraph f, G. O. No. 30, c.s., these headquarters, and marked "Enemy Prisoners of War." In the field commanding officers of burial parties will give all information possible on burial report to determine the identity of enemy dead, and forward identification tags and all personal effects except clothing to Prisoners of War Information Bureau.

6. Report to Violent Deaths and Injuries. In the case of the death of a prisoner of war other than through natural causes a report will be sent immediately to the C. R. O., A. G. D., A. E. F., through official channels, of all facts connected with such death. A duplicate of this report will be sent to the Prisoners of War Information Bureau.

7. Return of Personal Effects. All personal effects taken from prisoners of war will be listed, packed and forwarded with list by registered mail through the nearest Quartermaster to the Prisoners of War Information Bureau, C. R. O., A. G. D., A. E. F., plainly labelled with name of prisoner and marked "Personal Effects of Prisoner of War." Immediately upon the death of a prisoner of war all personal effects on person thereof will be listed and disposed of as required above.

IV. REGIME OF PRISONERS OF WAR.

1. The law of nature and of nations will be sacredly heeded in the treatment of prisoners of war. They will be accorded every consideration dictated by the principles of humanity. The behavior of a generous and chivalrous people toward enemy prisoners of war will be punctiliously observed. There will be no departure from this fixed rule of conduct unless the enemy by the mistreatment of American prisoners in his hands makes it necessary.

2. In strict compliance with The Hague Convention, prisoners of war will be retrained within fixed limits, but they will not be confined except as an indispensable measure of safety, and then only while the circumstances which necessitate the measure continue to exist; they will not be kept or employed within range of their own fire; they will be treated as regards food, lodging and clothing on the same footing as the troops of the American Army; their personal belongings, including medals and identity discs, and excepting arms, horses and military papers, will remain their property, and the acceptance of gifts from prisoners, as well as the appropriation of articles which have belonged to the enemy's dead, are strictly prohibited; they may receive presents and relief in kind and dispatch and receive correspondence, subject only to necessary and proper surveillance and censorship; they shall enjoy liberty in the exercise of their religion, and they will be permitted to execute wills, which will be preserved for transmission to the proper parties in interest.

3. By the Treaty of Berlin, 1799, still in force, the United States of America and the King of Prussia solemnly pledge themselves to the world and to each other "That the prisoners of war whom they may take from the other shall be placed in wholesome situations;" that they shall not be confined; that the officers shall have comfortable quarters, and the men be disposed in cantonments or barracks as roomy and good as provided for their own troops, and that they shall be allowed the same rations. "And it is declared that neither the pretense that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending this and the preceding articles; but, on the contrary, that the state of war is precisely that for which they are provided, and during which they are to be sacredly observed as the most acknowledged articles in the law of nature and nations."

The obligations of this treaty will be scrupulously observed unless and until substantially violated by Germany, in which case further orders will be published from these headquarters.

V. DISCIPLINE.

1. Prisoners of war are subject to discipline under the laws, regulations and orders in force in the Army of the United States. Any act of insubordination justifies the adoption towards them of such measures of severity as may be considered necessary.

2. The maintenance of discipline among prisoners of war is a function of the Provost Marshal General. No collective punishment will be imposed for the misdemeanor or escape of an individual. Punishments will be such only as

could lawfully be inflicted upon our own troops. A monthly report of all punishments imposed will be made by Central Enclosure and labor company commanders to the Provost Marshal General.

3. If it becomes necessary to try a prisoner of war by a military tribunal the accused will be afforded proper opportunity of preparing his defense and shall be allowed free communication with his witnesses. In cases of grave offenses, the prisoner of war may be represented by counsel of his own selection whenever military exigencies and the necessities of discipline will permit it.

4. A prisoner of war shall not be sentenced to death except for an offense for which an American soldier may be capitally punished. The sentence of death shall not be pronounced by any court other than a general court-martial or military commission appointed by the C. in C. Punishments other than death may be awarded by provost courts appointed by the Provost Marshal General, and their sentences may be carried into effect when approved by him. The commanding officer of a prisoners of war company or of a P. W. E. may, for a minor offense, summarily impose a punishment not to exceed one month's confinement.

VI. WORK.

1. Prisoners of war, not officers, will be required to labor for the public service. The labor exacted shall not be excessive, but the welfare of the prisoners themselves, as well as the interest of the United States, requires the constant employment of the largest number of prisoner laborers possible.

2. Prisoner of war labor companies will be formed at Central P. W. E. They will work under the direction of the department of the army to which assigned for labor.

3. Prisoner of war companies will be commanded by an officer appointed by these headquarters, who will be responsible for the discipline and administration of the company. The necessary non-commissioned officers and men for the proper administration of the company will be assigned by the Provost Marshal General, who will likewise furnish the necessary guards and escort.

4. An allocation of pay will be allowed to prisoners of war for each day's labor (other than that necessary for their comfort or for the upkeep of the places of internment), which will be paid by the Q.M. Prisoner of War Information Bureau in tokens or scrip provided by the Q. M. Department under regulations to be issued from these headquarters.

VII. CONTACT WITH PRISONERS OF WAR.

1. Provision will be made to allow regularly constituted relief societies and their accredited agents to carry on and effectively accomplish their welfare work among the prisoners of war within the bounds imposed by military necessities and administrative regulations.

2. Permission will be granted to members of a neutral legation or embassy to visit prisoners of war. In such visits free intercourse will be allowed between the visitors and the prisoners out of hearing of any member of the company staff.