The Code of Conduct & Prisoners of War
Case Study:
Maj. George “Bud” Day, USAF

Maj. Day, a former enlisted Marine, was shot down over Vietnam in 1967.

When he ejected from his plane, he broke his arm in three places.

When he parachuted to the ground, North Vietnamese militiamen were waiting for him.
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When he refused to answer his captors' questions, they hung him from a rafter by his feet for several hours.

On his 5th day as a POW, he escaped. While on the run, an explosion gave him a concussion, sent shrapnel in his legs, & left him bleeding from his ears & nose.

Despite his injuries, he hobbled on, eating berries & frogs & successfully evading enemy patrols.
After two weeks on the run, he was shot in the hand & leg & recaptured.

For 5 ½ years, Maj Day was tortured & malnourished as his wounds were left untreated. Maj Day never stopped resisting his captors.

Once in 1971, guards burst in with rifles as some of the American POWs gathered for a forbidden religious service. Maj Day stood up, looked down the muzzles of the guns, & sang *The Star-Spangled Banner.*
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Maj. Day was finally released in 1973. He retired from the Air Force as a Colonel.

For his heroic & exemplary conduct as a POW, he was awarded the Medal of Honor.
OVERVIEW

- The Code of Conduct
  - Code of Conduct - Origin
  - Code of Conduct - Purpose

- The Purpose of the Code of Conduct
  - Code of Conducts Articles 1 thru 6
  - Prisoner of War (POW) Rights
  - Prisoner of War (POW) Obligations
Learning Objectives

Please Read Your

Terminal Learning Objectives

And

Enabling Learning Objectives
QUESTIONS
The Code of Conduct was circulated on August 17, 1955, by order of President Dwight D. Eisenhower, in response to the behavior of U.S. personnel during the Korean War.

The Korean War revealed a need to provide a standard of behavior for American military personnel engaged in combat & in enemy captivity.
The Code of Conduct required two things from U.S. military personnel:

1) To fight until resistance is useless

2) To continue resisting enemy captors when captured
“I am an American, fighting in the forces which guard my country & our way of life. I am prepared to give my life in their defense.”
“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.”
"If I am captured, I will continue to resist by all means available. I will make every effort to escape & aid others to escape. I will accept neither parole nor special favors from the enemy."

Medical personnel and chaplains are classified "detained personnel" and do not have this duty. They should not encourage anyone to stop resisting.
“If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information nor take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me & will back them in every way.”
“When questioned, should I become a prisoner of war, I am required to give my name, rank, service number, & 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 & its allies, or harmful to their cause.”
“I will never forget that I am an American, fighting for freedom, responsible for my actions, & dedicated to the principles which made my country free. I will trust in my God & the United States of America.”
Articles 1 & 2 of the Code of Conduct order Marines to fight to the last man or woman.

Articles 3, 4, & 5 state that if a Marine is captured, that Marine will continue to resist the enemy.

Article 6 states that Marines are responsible for their behavior while in enemy captivity. The Marine Corps, under the legal authority of the Uniform Code of Military Justice, will prosecute & punish Marines who willingly surrender and/or collaborate with the enemy.
QUESTIONS
The rights of POWs are primarily derived from the 1949 Geneva Conventions.

POWs cannot be prosecuted for the mere fact of having participated in an armed conflict, although they may be prosecuted for war crimes.

POWs must be repatriated at the end of the active hostilities.

The detaining power is responsible for the well-being of their POWs.
POWs have 12 distinct rights:

1. The right to receive safe, sanitary housing & clothing

2. The right to receive a sufficient amount of food to sustain good health
3. The right to receive adequate medical care

4. The right to receive necessary facilities for proper hygiene
(POW) - RIGHTS

5. The right to practice religious faith

6. The right to keep personal property except weapons, military equipment, & military documents
(POW) - RIGHTS

7. The right to send & receive mail

8. The right to receive packages containing non-contraband items such as food & clothing, or educational, religious, & recreational materials
9. The right to select a fellow POW to represent him or herself

10. The right to receive humane treatment
11. The right to have a copy of the Geneva Convention & its annexes, including any special agreements, posted where it can be read. The Geneva Convention & its annexes, etc., must be written in the proper language & available upon request.
12. The right to have a copy of all camp regulations, notices, orders, & publications about POW conduct posted where it can be read. These documents must be in the proper language for POWs to understand & available upon request.
Ministry to Enemy POWs and Detained Personnel

- Permit freedom of religious observances.
- Allow possession of religious objects.
- Allow worship services within the camp.
- Support detained enemy clergy with religious supplies and ecclesiastical needs.
- Support detained enemy clergy with transportation for ministry to working detachments or hospitals.
- US personnel may not attend services with EPW's.
QUESTIONS
(POW) - OBLIGATIONS

If captured, Marines are only required to give:

- Name
- Rank
- Service number (SSN)
- Date of birth

If captured, Marines have the responsibility to perform labor that meets the following criteria:

- Is not military in nature
- Is not degrading
- Is not dangerous
- Is not unhealthy
Marine POWs must also:

- Obey the lawful rules & regulations of the camp
- Maintain military discipline in accordance with the rules & regulations governing the U.S. armed forces
- Maintain courtesy & honors to all officers, regardless of the officers’ nationality or branch of service
The Code of Conduct is a legal guide for behavior if you are ever captured by the enemy.

If captured, your captors will try to manipulate you into giving them military information.

Your captors may likely try to use you as propaganda or target you for political or religious indoctrination.

Your survival depends on acting bravely and ethically, adhering to our Core Values, and understanding the Code of Conduct.
(POW) - OBLIGATIONS

Chaplain:

- Detained clergymen
- Utilized for ministry functions

RP – Is a POW
QUESTIONS
SUMMARY

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BACKUP SLIDES
KEEP
CALM
AND
STUDY
ON