

The American Legion Department of Florida



POW/MIA PROGRAM CHAIRMAN MANUAL

Table of Contents

THE AMERICAN LEGION POW/MIA Advocacy	2
POW/MIA Flag History	3
Flag Protocol	4
National League of Families of American Prisoners and Missing	4
POW/MIA Recognition Day History	4-5
POW/MIA - Remembrance Day Service Script	6-7
POW/MIA - Table Service	8-9
POW/MIA - Empty Chair Service	9
THE POW/MIA Poem; by Tim Murphy	10
POW/MIA Bracelets	11-12
To purchase an MIA bracelet	12
Bracelet Tradition	13
The POW/MIA Stamp	14-15
The United States Military Code of Conduct	16
Military Qualifications to be a POW	16
Who are former prisoners of war?	17
Hague and Geneva Conventions	18
Additional Reference Materials	19

THE AMERICAN LEGION **POW/MIA ADVOCACY**

The American Legion is committed to achieving a full accounting of all POW/MIAs from the Gulf War, Vietnam War, Cold War, Korean War and World War II. This means returning living POWs, the repatriation of their remains, or finding convincing evidence why neither of these are possible.

The American Legion supports the continued declassification of all POW/MIA information, the strengthening of joint commissions with Russia, North Korea and China, and adequate resourcing of investigative efforts and field operations to resolve POW/MIA issues. The American Legion has also worked continuously with both Congress and the Department of Defense to improve the policies and programs for the accountability of missing persons. This includes urging the president and Congress to fully fund the Defense POW/MIA Accounting Office (DPMO) for its current and future mission of ensuring the accountability of U.S. service members. The American Legion will continue to speak out and exert maximum pressure on both the administration and on Congress to fully account for America's POW/MIAs.



POW / MIA FLAG HISTORY

In 1971, the wife of MIA serviceman Michael Hoff was a member of the National League of Families. She recognized the need for a symbol for the POW/MIAs, and contacted Norman Rivkees, the Vice President of Annin & Company to make a flag. The company commissioned Newton Heisley, a creative director for an advertising firm in New Jersey to design the flag. A former World War II pilot, Heisley sketched several designs based on his wartime memories. The design that was chosen depicted a silhouette of a man's head with barbed wire and a watchtower in the background. Below the design, the flag bears the motto "You Are Not Forgotten." Following the approval of the National League of Families, flags were manufactured and distributed.

In 1990, the 101st Congress officially recognized the POW/MIA flag, designating it "the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for the families and the Nation" (Public Law 101-355).

The flag's message is spread through its visibility. The POW/MIA flag has flown over the White House on National POW/MIA Recognition Day since 1982. With the exception of the American flag, the POW/MIA flag is the only flag to fly over the White House and fly continually over the Capitol's rotunda.

Occasions for Displaying the POW/MIA flag

- Armed Forces Day (*3rd Sat. in May*)
- Memorial Day (*Last Mon. in May*)
- Flag Day (*June 14*)
- Independence Day (*July 4*)
- National POW/MIA Recognition Day (*3rd Fri. in Sept.*)
- Veterans Day (*Nov. 11*)

Locations for Displaying the POW/MIA flag

- The White House
- The Capitol
- The Korean War Veterans Memorial
- The Vietnam Veterans Memorial
- The World War II Memorial
- Each national cemetery
- Each United States Postal Service
- Buildings containing the offices of the Secretary of State, the Secretary of Defense, the Secretary of Veteran Affairs, the Director of the Selective Service System.
- Each major military installation, as designated by the Secretary of Defense.

PROTOCOL FOR FLYING THE POW/MIA FLAG

- On one flagpole, the POW/MIA flag is flown below the American flag and above any state flag.
- On two flagpoles, the POW/MIA flag is flown on the same pole as the American flag, below the American flag (this pole should be to the flag's own right of the second pole). Any state flag should fly on the second pole.
- On three flagpoles, the American flag should be flown on the pole located to the flag's own right, the POW/MIA flag should be flown on the middle pole, and any state flag should be flown on the pole to the (flag's own) left.

NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING

The National League of Families is comprised of the wives, children, parents, siblings and relatives of military servicemen who were prisoners of war, missing in action, and killed in action (bodies not recovered) in Southeast Asia. Veterans, concerned citizens and extended family members of POW/MIAs can join the League as associate members. The League is a nonprofit, tax-exempt, humanitarian organization that is funded solely on donations.

Originating on the west coast, the League of Families had its unofficial beginning in the late 1960s. Unsatisfied with the government's policy of keeping the POW/MIA situation secretive and discouraging families from publicity, the wife of a POW began a somewhat organized movement. By 1968, the first POW/MIA story was published, which caused families to communicate with each other. Soon they banded together, and the group grew from several to several hundred. The League was beginning to become politically active.

It eventually became necessary for the group to gain formality and recognition. In 1970 family members met in Washington, D.C. at Constitution Hall, where the League's charter and by-laws were officially adopted. A Board of Directors meets on a regular basis to discuss League policy and establish a direction for the group. The League is represented by State Coordinators and Regional Coordinators in state areas and multi-state areas.

POW/MIA RECOGNITION DAY HISTORY

Until July 19, 1979, no commemoration was held to honor America's POW/MIAs, those returned and those still missing and unaccounted for from our nation's wars. That first year, resolutions were passed in the Congress and the national ceremony was held at the National Cathedral, Washington, D.C. The missing man formation was flown by the 1st Tactical Squadron, Langley AFB, Virginia. The Veterans Administration published a poster including only the letters "POW/MIA" and that format was continued until 1982, when a black and white

drawing of a POW in harsh captivity was used to convey the urgency of situation and the priority that President Ronald Regan assigned to achieving the fullest possible accounting for Americans still missing from the Vietnam War.

National POW/MIA Recognition Day legislation was introduced yearly, until 1995 when it was deemed by Congress that legislation designating special commemorative days would no longer be considered by Congress. The President now signs a proclamation each year. In the early years, the date was routinely set in close proximity to the National League of Families of American Prisoners and Missing in Southeast Asia's annual meetings. In the mid-1980's, the American Ex-POWs decided that they wished to see the date established as April 9th, the date during World War II when the largest number of Americans were captured, As a result, legislation urged by the American Ex-POWs was passed covering two years July 20, 1984 and April 9, 1985, as the commemoration dates.

In 1984 National POW/MIA Recognition Day ceremony was held at the White House, hosted by President Ronald Regan. At that most impressive ceremony, the Regan Administration balanced the focus to honor all returned POWs and renew national commitment to accounting as fully as possible for those still missing. Perhaps the most impressive Missing Man formation ever flown was that year, up the Ellipse and over the White House. Unfortunately, the 1985 ceremony was canceled due to inclement weather, a concern that had been expressed when April 9th date was proposed.

Subsequently, in an effort to accommodate all returned POWs and all Americans still missing and unaccounted for from all wars, the National League of Families of American Prisoners and Missing in Southeast Asia proposed the third Friday in September, a date not associated with any particular war and not in conjunction with any organization's national convention. Most National POW/MIA Recognition Day ceremonies have been held at the Pentagon. On September 19, 1986, however, the national ceremony was held on the steps of the U. S. Capitol facing the Mall, again concluding with a flight in Missing Man formation.

National POW/MIA Recognition Day Ceremonies are now being held throughout the nation and around the world on military installations, ships at sea, state capitols, at school, churches, national veteran and civic organizations, police and fire departments, fire stations, etc.

National League of Families of American Prisoners and Missing

POW/MIA REMEMBRANCE DAY

SERVICE SCRIPT

Post Commander:

Today, we remember the heroism and sacrifices made by tens of thousands of our fellow Americans who endured captivity in enemy hands, as well as those whose fate remains uncertain.

Today, we salute the men and women who served and sacrificed to keep our Country free. We cannot forget to recognize the families of those missing in action, those who every day hold on to the hope that one day their loved ones will return home.

Today is POW/MIA Remembrance Day, a time set aside to recognize those men and women who remain listed as “Prisoners of War” or “Missing in Action” and to remind everyone of our Nations commitment “Keeping the Promise” to a full accounting for every one of our POW and MIA comrades.

Post Chaplain:

Our father, Almighty GOD, We thank you for wisdom to remember with reverence the valor and devotion of our separated comrades who became POWs and MIAs while serving their country to keep men free. Let us never forget them and be always ready to assist in locating them and returning them to their desired locations.

Lord of Hosts, comfort the wounds and the hurts they received and suffered during their time in confinement, while being punished for crimes they did not commit.

Lord, I beseech Thee, to strengthen the souls of our separated comrades who are in need, wherever they may be or in whatever state they may find themselves. This we pray in your Holy Name. Amen

Post Commander:

Approximately 83,000 of our fellow Americans remain unaccounted since the beginning of World War II. We have 73,661 from World War II, 7910 from Korea, 1645 from Vietnam, 126 from the Cold War, and 6 from the Gulf War, all fellow comrades whose fate remains unknown. These are fellow Americans who cannot enjoy our everyday freedom.

U.S. Congressman Sam Johnson of Texas, himself a prisoner of war for 7 years during Vietnam has said “Until you have had your freedom denied, only then do you realize what we have in this great country of ours”. Freedom is what every man and women in military service, since the beginning of this great country, has fought and in some cases made the ultimate sacrifice to protect. Mr. Johnson went on to tell of an inscription he saw on the wall on the prison camp as he left, that said “Freedom has a taste to those who fight and almost die, that the protected will never know”. We can never adequately express our gratitude to those who have served our

Nation while prisoners of war or to their families who experienced such anguish, fear and stress during the years of separation.

We are also indebted to the families of those still unaccounted for. They stood by with great courage as the ones they loved went off to defend the freedom we enjoy today. Many of these families have suffered decades of pain not knowing with certainty the fate of their loved ones. Our Nation and The American Legion are totally committed to continue the search for these loved ones until the fullest possible accounting is completed.

Post Chaplain:

Almighty God make us always aware of their absence. May we always keep the POW/MIA veterans in our prayers, remembering the possibility that they may be found, yet realizing as time passes, life also passes.

As Legionnaires, let us never fail to comfort their loved ones and their families and give them help, and encouragement they need. May we be ever ready to give our best to assist them and comfort them as they adjust their lives without their loved ones. We ask this in your Holy Name. Amen

Post Commander:

Please remain standing as we recognize all those who served our nation and have given the ultimate sacrifice including those former POW & MIA whose remains have been found and returned to their families.

We will now pay tribute to all veterans who have given the ultimate sacrifice to protect the liberty we all cherish

Post Commander: HAND SALUTE

BUGLER PLAYS TAPS

Post Commander: TWO

Post Commander: This concludes our POW/MIA Remembrance Day service. May God Bless our POW/MIA that remain unaccounted for and may God Bless America. Thank you.

POW/MIA TABLE SERVICE

Those who have served, and those currently serving in the uniformed services of the United States, are ever mindful that the sweetness of enduring peace has always been tainted by the bitterness of personal sacrifice. We are compelled to never forget that while we enjoy our daily pleasures, there are others who have endured and may still be enduring the agonies of pain, deprivation and imprisonment.

Before we begin our activities, we pause to recognize our POWs and MIAs.

- We call your attention to this small table which occupies a place of dignity and honor. It is set for one, symbolizing the fact that members of our armed forces are missing from our ranks. They are referred to as POWs and MIAs.
- We call them comrades. They are unable to be with their loved ones and families, so we join together to pay humble tribute to them, and to bear witness to their continued absence.
- The table is small, symbolizing the frailty of one prisoner, alone against his or her suppressors.
- The tablecloth is white, symbolic of the purity of their intentions to respond to their Country's call to arms.
- The single red rose in the vase signifies the blood they may have shed in sacrifice to ensure the freedom of our beloved United States of America. This rose also reminds us of the family and friends of our missing comrades who keep faith, while awaiting their return.
- The red ribbon on the vase represents an unyielding determination for a proper accounting of our comrades who are not among us.
- A slice of lemon on the plate reminds us of their bitter fate.
- The salt sprinkled on the plate reminds us of the countless fallen tears of families as they wait.
- The glass is inverted, they cannot toast with us at this time.
- The chair is empty. They are NOT here.

- The candle is reminiscent of the light of hope, which lives in our hearts to illuminate their way home, away from their captors, to the open arms of a grateful nation.
- The American flag reminds us that many of them may never return - and have paid the supreme sacrifice to insure our freedom.

Let us pray to the Supreme Commander that all of our comrades will soon be back within our ranks. Let us remember - and never forget their sacrifice. May God forever watch over them and protect them and their families.

POW/MIA EMPTY CHAIR SERVICE

Resolution 288, adopted at the 67th National Convention, calls for designating a POW/MIA Empty Chair at all official meetings of The American Legion as a physical symbol of the thousands of American POW/MIAs still unaccounted for from All Wars and conflicts involving The United States of America.

The POW/MIA flag has been draped on the chair as a reminder for all of us to spare no effort to secure the release of any American prisoners from captivity, the repatriation of the remains of those who died bravely in defense of liberty, and a full accounting of those missing. Let us rededicate ourselves for this vital endeavor.

The POW/MIA Flag will now be placed on the chair

THE POW-MIA

BY TIM MURPHY-1986

I'm just a nameless silhouette; Nobody knows my face.

Though many of you pray for me each day.

The man you said you won't forget, in the dark and distant place.

I AM THE POW; I am a dead Marine;

I am the wounded grunt they couldn't find.

BUT I'M LIVING STILL, and I am long dead and I am somewhere in between.

I can't believe that I was left behind.

They killed me in an ambush, and they captured me alive,

and I died when my Huey crashed and burned.

They over-ran my unit, but I managed to survive,

And they beat me and they whipped me, and they worked me till I dropped.

To break my will, they made their best endeavor.

When great despair had gripped me, still the torture never stopped.

And they told me, We can keep you here forever.

They told me that my parents died, that my kids were grown and gone; and my

wife lost hope, and married my best friend. But there.

A PRAYER I HOLD INSIDE THAT HELPS ME TO GO ON, That someone still

remembers, and will bring me home again.

I'M JUST A NAMELESS SILHOUETTE; NOBODY KNOWS MY FACE.

Though many of you pray for me each day;

The man you said you won't forget in a dark and distant place.

I AM THE POW; I AM THE MIA.

POW/MIA BRACELETS

BY CAROL BATES BROWN

I was the National Chairman of the POW/MIA Bracelet Campaign of VIVA (Voices in Vital America), the Los Angeles based student organization that produced and distributed the bracelets during the Vietnam War. Entertainers Bob Hope and Martha Raye served with me as honorary Co-chairmen.

The idea for the bracelets was started by a fellow college student, Kay Hunter, and me, as a way to remember American prisoners of war suffering in captivity in Southeast Asia. In late 1969 television personality Bob Dornan (who several years later was elected to the US Congress) introduced us and several other members of VIVA to three wives of missing pilots. They thought our student group could assist them in drawing public attention to the prisoners and missing in Vietnam. The idea of circulating petitions and letters to Hanoi demanding humane treatment for the POWs was appealing, as we were looking for ways college students could become involved in positive programs to support US soldiers without becoming embroiled in the controversy of the war itself. The relatives of the men were beginning to organize locally, but the National League of POW/MIA Families had yet to be formed.

During that time Bob Dornan wore a bracelet he had obtained in Vietnam from hill tribesmen, which he said always reminded him of the suffering the war had brought to so many. We wanted to get similar bracelets to wear to remember US POWs, so rather naively, we tried to figure out a way to go to Vietnam. Since no one wanted to fund two sorority-girl types on a tour to Vietnam during the height of the war, and our parents were livid at the idea, we gave up and Kay Hunter began to check out ways to make bracelets. Soon other activities drew her attention and she dropped out of VIVA, leaving me, another student Steve Frank, and our adult advisor, Gloria Coppin, to pursue the POW/MIA awareness program.

The major problem was that VIVA had no money to make bracelets, although our advisor was able to find a small shop in Santa Monica that did engraving on silver used to decorate horses. The owner agreed to make 10 sample bracelets. I can remember us sitting around in Gloria Coppin's kitchen with the engraver on the telephone, as we tried to figure out what we would put on the bracelets. This is why they carried only name, rank and date of loss, since we didn't have time to think of anything else.

Armed with the sample bracelets, we set out to find someone who would donate money to make bracelets for distribution to college students. It had not yet occurred to us that adults would want to wear the things, as they weren't very attractive. Several approaches to Ross Perot were rebuffed, to include a proposal that he loan us \$10,000 at 10% interest. We even visited Howard Hughes' senior aides in Las Vegas. They were sympathetic but not willing to help fund our project. Finally, in the late summer of 1970, Gloria Coppin's husband donated enough brass and copper to make 1,200 bracelets. The Santa Monica engraver agreed to make them and we could pay him from any proceeds we might realize.

Although the initial bracelets were going to cost about 75 cents to make, we were unsure about how much we should ask people to donate to receive a bracelet. In 1970, a student admission to the local movie theater was \$2.50. We decided this seemed like a fair price to ask from a student for one of the nickel-plated bracelets. We also made copper ones for adults who believed they helped their "tennis elbow." Again, according to our logic adults could pay more, so we would request \$3.00 for the copper bracelets.

At the suggestion of local POW/MIA relatives, we attended the National League of Families annual meeting in Washington, DC in late September. We were amazed at the interest of the wives and parents in having their man's name put on bracelets and in obtaining them for distribution. Bob Dornan, who was always a champion of the POW/MIAs and their families, continued to publicize the issue on his Los Angeles television talk show and promoted the bracelets.

On Veterans Day, November 11, 1970, we officially kicked off the bracelet program with a news conference at the Universal Sheraton Hotel. Public response quickly grew, and we eventually got to the point we were receiving over 12,000 requests a day. This also brought money in to pay for brochures, bumper stickers, buttons, advertising and whatever else we could do to publicize the POW/MIA issue. We formed a close alliance with the relatives of missing men - they got bracelets from us on consignment and could keep some of the money they raised to fund their local organizations. We also tried to furnish these groups with all the stickers and other literature they could give away.

While Steve Frank and I ended up dropping out of college to work for VIVA full time to administer the bracelet and other POW/MIA programs, none of us got rich off the bracelets. VIVA's adult advisory group, headed by Gloria Coppin, was adamant that we would not have a highly paid professional staff. As I recall the highest salary was \$15,000, a year and we were able to keep administrative costs to less than 20 percent of income.

In all, VIVA distributed nearly five million bracelets and raised enough money to produce untold millions of bumper stickers, buttons, brochures, matchbooks, newspaper ads, etc., to draw attention to the missing men. In 1976, VIVA closed its doors. By then the American public was tired of hearing about Vietnam and showed no interest in the POW/MIA issue.

WHERE TO PURCHASE

If you would like to purchase a bracelet, I recommend that you go to the web site of the National League of Families of Prisoners and Missing in Southeast Asia (the "League"): <http://www.pow-miafamilies.org/>. At the bottom of their opening page you will find several links; one of those links takes you to a page of vendors recommended by the League. Click on that link and browse the vendors -- they have bracelets, flags, and the like for sale.

BRACELET TRADITION

Traditionally a POW-MIA bracelet is worn until the man, named on the bracelet, is accounted for. Whether it be for 25 days or 25 years, the bracelet is worn and the man remembered.

After Operation Homecoming, those who wore bracelets with the names of returned POWs began to send the bracelets to the men and their families. Unfortunately, only 591 men returned and thousands of men remained Prisoner or Missing with tens of thousands of bracelets still being worn.

Once Homecoming was completed, the repatriation of remains began. It was during this time that the tradition of returning a man's bracelet to his family began. Throughout the years the remains return program has met with varying successes and dismal failures, yet, remains continue to be repatriated. Some identifications are accepted by the families, some are challenged. Nonetheless, the tradition of returning bracelets remains a part of the POW/MIA history.

The following is the correct procedure for returning a POW/MIA bracelet to the family of an accounted-for POW/MIA:

1. Write a letter to the family of the POW-MIA service member. Please make sure to include all contact information in the event the family chooses to contact you.
2. Place the letter to the family and the bracelet in an envelope. Write your return address and simply address the envelope:
3. To The Family Of (Service member's Name)
4. Place double postage on the envelope and seal it.
5. Write a letter to the Defense Prisoner and Missing Personnel Office (DPMO) and in the letter explain that this is a bracelet return and request that the contents be forwarded to the family.
6. Place the DPMO request letter and the To The Family Of envelope inside another envelope and address it to -

Department of Defense
Defense Prisoner Of War/Missing Personnel Office
2400 Defense Pentagon, Washington, DC 20301-2400
Attention: POW MIA Bracelet Return

THE POW/MIA STAMP



"Stamp Honors POWs and MIAs From ALL Wars"

Although there had been a POW stamp previously issued in 1970 during the war, and Vietnam had issued a stamp bearing the likeness of a stooped American POW walking in captivity, the POW/MIA stamp honoring men and women from ALL wars was an example of what many good people working together can accomplish.

Beginning in the 1980's, a grass roots movement began. Hand written petitions demanded the US Post Office issue a stamp that honored ALL POWs, ALL MIAs from ALL Wars. By the hundreds, then thousands then hundreds of thousands

the signatures were collected. In pouring rain and blistering heat volunteers, veterans, family members, Ex-POWs and caring citizens stood in malls... on street corners... at street fairs... parades... in tiger cages... schools... wherever the public could be found, the petitioners could also be found. Door to door they went... and boxes and bags full of signatures were delivered to the US Post Master General... to Congressmen and women... Senators. It was a blitz and with every refusal by the USPO, the volunteers were even more determined to see this stamp created.

Maybe it was the tens of thousands of trash bags filled with petitions delivered to the doorsteps of Washington... maybe it was the brick campaign protesting the 'stonewalling'... maybe it was the never ceasing determination of so many... maybe it was just time. In 1995, with millions of signatures from around the world collected and almost 13 years of effort, the USPO announced a new stamp would be created... a POW MIA stamp.

The following is the official announcement of the POW MIA stamp.

March 29, 1995 - Stamp News Release Number 95-027 WASHINGTON, D.C. -- The symbolic representation of a pair of military identification tags embossed with the words "POW & MIA -- NEVER FORGOTTEN," displayed in front of the "Stars and Stripes" waving against a blue sky, comprise the unforgettable image on a new U.S. Postal Service stamp honoring American POWs and MIAs. First-day-of-issue ceremonies for the POW & MIA stamp will take place in Washington, D.C., as the stamps go on sale nationwide Memorial Day, May 29. Customers should contact local post offices to find out where stamps will be available in their area Memorial Day. "The ID tag has come to represent many things in the modern military," said

Postmaster General Marvin Runyon in announcing the design. "The identification of each person as a unique individual who has the right to hope, to survive, and to ultimately have life after the wounds of combat. "It is a symbol of accounting for and caring for all our men and women in uniform. It is a symbol for commemorating and remembering all our POWs and MIAs -- from the Revolutionary War to Somalia." Many veterans save their ID tags as treasured keepsakes, carrying them around their necks, in their billfolds, on their key chains, and stored with their valuable jewelry. They pass them down to their children and grandchildren as heirlooms. They reflect on them and remember the sacrifices they and others made -- and they remember those captured by hostile forces and terrorists, and those who remain missing in action. Carl Herrman designed the stamp after a concept created by Gary Viskupic of Centerport, N.Y. Herrman combined Ivy Bigbee's photo of the ID tags with an image of the American flag taken by prominent photographer Robert Llewellen of Charlottesville, Va. The development of this stamp was coordinated with various veteran and family organizations. This is the second stamp issued by the Postal Service honoring America's POWs and MIAs. The six-cent "U.S. Servicemen" stamp, issued in 1970, read, "Honoring U.S. Servicemen -- Prisoners of War -- Missing and Killed in Action."

Previous Stamps Issued: Artwork: All POW-MIA Text Credit: History - All POW MIA, News Release - US Postal Office Public Domain



1970 Honoring US Servicemen: Prisoners of War Missing and Killed in Action



**Vietnamese Stamp Issues Denoting American POWs
Air War Commemoration Series: 1967
2,000th
U S Aircraft Shoot Down**



**Air War Commemoration Series: 1972
3,500th U S Aircraft Shoot Down**

THE U.S. MILITARY CODE OF CONDUCT

The United States Military Code of Conduct, Articles III through V, are guidelines for United States service members who have been taken prisoner. They were created in response to the breakdown of leadership which can happen in an atypical environment such as a POW situation, specifically when US forces were POWs during the Korean War. When a person is taken prisoner, the Code of Conduct reminds the service member that the chain of command is still in effect (the highest ranking service member, regardless of armed service branch, is in command), and that the service member cannot receive special favors or parole from their captors, lest this undermine the service member's chain of command.

MILITARY QUALIFICATIONS TO BE A POW

To be entitled to prisoner of war status, the captured service member must be a "lawful combatant" entitled to combatant's privilege--which gives them immunity for crimes constituting lawful acts of war, e.g. killing enemy troops. To qualify under the Fourth Geneva Convention, the combatant must have conducted military operations according to the laws and customs of war: be part of a chain of command and wear a "fixed distinctive marking, visible from a distance", and bear arms openly. Thus, *francs-tireurs*, "terrorists", saboteurs, mercenaries and spies may be excluded.

In practice, these criteria are not always interpreted strictly. Guerrillas, for example, may not wear an issued uniform or carry arms openly yet are sometimes granted POW status if captured (although Additional Protocol 1 may give them POW status in some circumstances). These criteria are normally restricted to international armed conflicts: in civil wars insurgents are often treated as traitors or criminals by government forces, and are sometimes executed. However, in the American Civil War both sides treated captured troops as POWs despite the Union considering the Confederacy separatist rebels, presumably because of reciprocity. After the hunger strike by Bobby Sands and his IRA colleagues, the British government gave some POW privileges to IRA prisoners.

However, guerrillas or any other combatant may not be granted the status if they try to use both the civilian and the military status. Thus, uniforms and/or badges are important in determining prisoner of war status.

Show you care... Invite a POW as Guest of Honor to your next Post Dinner

American Ex-Prisoners of War
Florida State Chapter
727-372-7238
727-868-1102



WHO ARE FORMER PRISONERS OF WAR?

Since World War I, more than 142,000 Americans, including 85 women, have been captured and interned as POWs. Not included in this figure are nearly 93,000 Americans who were lost or never recovered. Only one third of America's former POWs since World War I are still living (about 36,500). More than 90% of living former POWs were captured and interned during World War II. Over 21,000 former POWs are in receipt of compensation for service-connected injuries, diseases, or illnesses.

In 1981, Congress passed Public Law 97-37 entitled "Former Prisoners of War Benefit Act." This law accomplished several things. It established an Advisory Committee on Former Prisoners of War and mandated medical and dental care. It also identified certain diagnoses as presumptive service-connected conditions for former POWs. Subsequent public laws and policy decisions by the Secretary of Veterans Affairs have added additional diagnoses to the list of presumptive conditions.

If you are able, save them a place inside of you and save one backward glance when you are leaving for the places they can no longer go.

Be not ashamed to say you loved them, though you may or may not have always.
Take what they have left and what they have taught you with their dying and keep it with your own.

And in that time when men decide and feel safe to call the war insane, take one moment to embrace those gentle heroes you left behind.

Major Michael Davis O'Donnell
1 January 1970
Dak To, Vietnam

On March 24th, 1970, Michael O'Donnell along with crew mates Berman Ganoe, John C. Hosken, Rudy M. Becerra, John Boronski, Gary A. Harned and Jerry L. Pool went Missing in Action. Although remains for all crewmen were not recovered, this crew is now considered accounted for.

HAGUE AND GENEVA CONVENTIONS

Specifically, Chapter II of the Annex to the 1907 Hague Convention covered the treatment of prisoners of war in detail. These were further expanded in the Third Geneva Convention of 1929, and its revision of 1949. Article 4 of the Third Geneva Convention protects captured military personnel, some guerrilla fighters and certain civilians. It applies from the moment a prisoner is captured until he or she is released or repatriated. One of the main provisions of the convention makes it illegal to torture prisoners and states that a prisoner can only be required to give their name, date of birth, rank and service number (if applicable).

However, nations vary in their dedication to following these laws, and historically the treatment of POWs has varied greatly. During the 20th century, Imperial Japan and Nazi Germany were notorious for atrocities against prisoners during World War II. “The terms of the Geneva Convention were ignored by the Japanese who made up rules and inflicted punishments at the Camps, that were encircled with barbed wire or high wooden fencing and those who attempted escape would be executed in front of other prisoners. In some Camps the Japanese also executed ten other prisoners as well. Escape attempts from Japanese camps were rare. (Extracted from website- “World War Two- Japanese Prisoner of War Camps”, page 1, para. 4). Current numbers of most American POWs are decreasing rapidly due to disabilities and age. A greater percentage of living POWs were captured and interned during World War II.

More than one-half million Americans have been captured and interned as Prisoners of War since the American Revolution. The largest number of POWs occurred during the Civil War when an estimated 220,000 Confederate soldiers were captured by the North and nearly 127,000 Union soldiers, were interned by the South.

Since World War I, over 142,000 Americans - including 85 women - have been captured and interned as POWs. Not included in this figure are nearly 93,000 Americans who were lost or never recovered. Nearly 30% of America's POWs since World War I are still living (29,350). More than 90% of our living POWs were captured and interned during World War II.

In 1980, Congress mandated VA to conduct a study of Former POWs to assess their health needs, and make recommendations for improvement of benefits and services. As a result, for more than 20 years, eligibility for health care and benefits has been liberalized, and an Advisory Committee on Former POWs has been established to advise the Secretary about the ongoing needs of POWs and their survivors.

ADDITIONAL REFERENCE MATERIALS **POW/MIA BOOKS, DVDs & WEBSITES**

Books:

- An Enormous Crime; The Definitive Account of American POW's Abandoned in Southeast Asia. By Bill Hendin & Elizabeth A. Stewart
- Missing... Presumed Dead. By Bill Dumas

DVDs:

- The First Marine Captured in Vietnam. By Donald L. Price
- Thick Luck. By David Combs
- Is Anybody Listening. By Barbara Birchim
- Soldier Dead. By Michael Sledge
- Rescue 007: The Untold Story of KAL007 and its Survivors. By Bert Schlossberg
- Soldiers of Misfortune. By Mark Sauter, James Sanders & R. Cort Kirkwood
- Betrayed. By Dr. Joseph Douglass, Jr. PhD.
- Leave No Man Behind. By Garnett "Bill" Bell & George J. Veith
- One Day Too Long. By Dr. Timothy Castle
- Moscow Bound. By John M. G. Brown
- We Band of Angels. By Elizabeth Norman
- She Went to War. By Rhonda Cornum

Websites:

- Library of Congress <http://lcweb2.loc.gov/pow/powhome.html>
- National Prisoner of War Museum <http://www.nps.gov/ande/>
- American Ex-Prisoners of War <http://www.axpow.org/>
- Defense Prisoner of War - Missing Personnel Office <http://www.dtic.mil/dpmo/>

****The American Legion does not endorse and is not responsible for the content of the website link, DVD or Books****