



DETAINEE OPERATIONS

A PLANNING FRAMEWORK

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Executive Summary

Detainee operations are a high consequence mission with international strategic implications, capable of directly impacting the United States' national policy and subsequently, national defense enterprises. Historically, the United States has struggled with detainee operations, generally due to planning shortfalls, despite detainee operations being an inevitable part of any conflict. Understanding the operational environment and how it pertains to the enemy population will help planners conduct mission analysis. A detainee operations planning framework will enable staffs to consider population variables that have mission impacts by combining what actions need to be executed and what information about the enemy population should be known to plan for those actions. With organization and preparation, detainee operations planning can anticipate population risks and mitigate the operational impacts, enabling the full projection of combat power for mission accomplishment.



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What is a prisoner of war? He is a man who has tried to kill you, and having failed to kill you, asks you not to kill him.
– Winston Churchill, himself a prisoner of war in 1899¹

Introduction

On the battlefield, commanders must be able to maintain momentum and consolidate gains to their best advantage. Among the dynamic set of complex challenges for a commander, a significant one is detainee operations. While commanders understand the application of Geneva Convention laws, which stipulate that a detaining force has a legal and moral responsibility to ensure the humane treatment of enemy combatants, the technical administration of these responsibilities on a large scale is daunting for an unprepared force. Historically, the United States has struggled with detainee operations, generally due to planning shortfalls. Nevertheless, detainee operations continue to be a high consequence mission with international strategic implications, capable of directly impacting the United States' national policy and subsequently, national defense enterprises.

Commanders and staffs all too frequently see detainee operations as a secondary mission, instead of a requirement of the main operation. The challenge, in essence, is to sustain an unknown enemy population with a significant security requirement, but without knowing the exact size, timing, or location of that population. A designated analysis framework to better understand the enemy population as part of the operational environment can accelerate mission analysis, facilitate planning efforts, and better enable mission success.

A comprehensive detainee operations planning framework can logically consolidate and unify planning initiatives, which accelerates mission analysis. This paper examines the requirements for building a conceptual framework model, and then defines the

problems within historical and contemporary contexts. Staffs utilizing a planning framework will better expand their understanding of the enemy population, ultimately increasing their ability to adequately plan, manage, and facilitate for custody and control of detainees.

Detainee Operations

Future Operational Environment Considerations

In the contemporary world, geopolitical and socioeconomic conditions change dynamically. These turbulent shifts can produce alterations in U.S. policy which influence and even dictate U.S. response. Current and anticipated trends within the operational environment (OE) of today and the years to come

suggest the U.S. will face increasingly complex challenges in the near, mid, and long term. This convulsion will span multiple domains as adversaries seek to complicate and negate the U.S. response to competition and conflict. Adversaries are adept at leveraging the competition phase to their benefit, setting preconditions before the U.S. deploys in their favor by wielding all instruments of national power against the U.S. in unconventional ways. Both

state and non-state actors can implement hybrid strategies to operate below the threshold of conflict, targeting the will of a population or decision making capabilities of states or alliances.¹ Within the competition phase, adversaries can act with relative impunity, gaining skill and expertise to exploit during conflict with the U.S. across multiple domains. This

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¹ (Training and Doctrine Command Pamphlet 525-92, The Operational Environment and the Changing Character of Warfare 2019, 12)

interference impacts any conflict, and accordingly, will impact detainee operations.

Globalization and information warfare will be a particular point of leverage that adversaries can manipulate regarding detainee operations, thus levying international support in opposition to the United States. By leveraging global communication platforms, adversaries can spread unfavorable narratives or disinformation in order to negatively influence public opinion about U.S. military personnel and operations both anonymously and instantaneously. Adversaries can also exploit technological advances that will directly impact detainee operations, such as leveraging electronic tracking devices on individual persons or utilizing unmanned aerial vehicles to reconnoiter or make contact with detainee holding areas. The interconnectedness of today's society and adversaries' readiness and willingness to exploit American weaknesses via cyber and information warfare ensures that the OE will present a complex challenge to detainee operations that will require the U.S. Army's dedicated attention and action.

Risks

The highly consequential nature of detainee operations presents risks to commanders at all echelons. Without considering the enemy population as part of the OE, the commander does not have the full common operating picture (COP) of the battlefield, and may be missing key information that influences the decision making cycle. By failing to consider a captured enemy population and the inevitable burden of requirements associated with it, the mission becomes reactionary, and the commander will be compelled to reallocate combat power and resources to support it. Poor or insufficient planning prior to conflict prevents the U.S. from effectively setting the theater. Prisoner intake will be heavy during Phase III operations, where maneuver commanders are concerned with dominating the enemy, but resources are allocated to the fight.² Detainee operations have heavy security and sustainment requirements, and failing to plan for these conditions increases response time to accommodate them, where the diversion of forces to support detainees may jeopardize the primary mission.

² (Hussey 2020, 77)

³ (Field Manual 3-63, Detainee Operations 2020, 1-3)

⁴ Additional considerations to understand a rate of capture from historical studies include theater of combat, intensity of combat, terrain, weather, distance advanced or retreated, degree and extent of encirclements, logistics, duration of the campaign,

A division in a conventional fight may capture prisoners in the tens, if not hundreds, of thousands through a conflict. The responsibilities and requirements for this detainee population is the same, regardless of the scale, but when and where the detention occurs matters. Commanders must be able to understand their units' lethality on the battlefield, but estimating a rate of capture is a highly complex calculus. Current doctrine cites that intelligence planners project a capture rate of 1.2 percent of the threat's force strength,³ but acknowledges that there are many potential variables affecting a projection algorithm. This projection of a flat rate is overly simplistic and insufficient. A study by the Dupuy Institute determined that there were four significant determinants of EPW rates: outcome of the engagement, offensive or defensive posture, force ratios, and morale.⁴ The size of the detainee population will determine the immediacy and the scale of the problem, but the requirements for U.S. forces to provide security and sustainment remain the same.

Additionally, specific considerations of the enemy combatant population may put friendly forces at risk; such as exposing U.S. personnel to disease, especially if a contagion has not been anticipated. Moreover, the sensitive nature and high degree visibility of which the detainee operations mission functions under is vulnerable to the potential of damaging or false information being perpetuated by media sources. Erroneous reports could affect impede U.S. mission efforts, as harmful negative narratives may impact domestic political support or international coalition partnering. The future OE presenting more challenges at a faster pace will only exacerbate these demands on commanders and staffs.

Understanding these considerations, the 2020 revision of Army Field Manual (FM) 3-63, *Detainee Operations*, details the responsibilities of leaders by echelon for this important mission, the procedures for the securing, handling, and processing of detainees, and planning guidance for facility construction. These are all important inclusions, but the current publication does not emphasize the planning considerations that would account for past or future challenges with the population. There is not a consolidated tool that enables staffs to consider all of the OE impacts to the detainee operations mission.

existence of retreat routes, and national characteristics. The Dupuy Institute considered large scale conflict with conventional forces for these estimates. (Dupuy Institute 2000)

Historical Challenges

Over the past two decades, detainee operations have been an unavoidable and complicated aspect of the Global War on Terror and subsequently have been linked to political and security repercussions influencing national policy and congressional oversight hearings. Inadvertently, population mismanagement has allowed detainee populations to become fertile ground for insurgent, extremist, and criminal recruitment. The contemporary and future challenges with detainee operations echo history with a “failure to anticipate the need to detain large numbers of individuals, to have in place an adequate doctrine for doing so, and to have trained and disciplined personnel to understand and execute the doctrine.”⁵ A comprehensive study by the RAND Corporation describes that United States military conflicts reveal a “typical pattern, including:

- belated recognition that prisoners will be taken in significant numbers and will need to be managed
- hasty scrambling for resources needed for prisoner or detainee operations
- a period of crisis management often accompanied by negative incidents
- a concerted but difficult effort to improve operations
- incipient understanding of the opportunities for influence through reintegration of prisoners into their society
- belated education and integration programs, with outcomes that could have been optimized by better and earlier implementation of a comprehensive plan.”⁶

A comprehensive review of detainee operations over the past century reveals that in each war and conflict, detainee operations shared a common flaw: failure to appropriately plan.⁷ Poor planning failed to understand first the detainee population and then the necessary logistics required to support the mission. Not understanding characteristics of the detainee population complicated the mission even further. Each historical example exhibits unique situational challenges that demonstrate different complicating factors, such as logistical challenges or emerging legal classifications. The RAND study

classifies these problems as patterns which stem first from poor mission analysis, inadequately projecting a rate of capture, and then subsequently failing to plan for the requirements in supporting that population support planning. Failure to understand the OE creates cascading implications across the battlefield, and the effects of these shortcomings are two-fold. First, that it places the Army in a predominantly reactionary posture, responding to the situation. Second, it generates unnecessary risk to the mission and the troops.

Current Doctrine

Today, official policy for the United States Department of Defense (DoD) directs that all persons will comply with the law of war in respect to treatment of all detainees. The U.S. upholds the Geneva Conventions of 1949 and the Additional Protocols of 1977, which specify the treatment of prisoners of war and civilians in time of war. Violations of the Geneva Conventions in improper interrogation techniques or detainee operations planning and execution will be a strategic failure for our Armed Forces, lengthening the intensity of future conflicts, and negatively impacting the reputation of the U.S. government. DoD Directive 2310.03E, *DoD Detainee Program*, requires that detainees be treated humanely with respect for dignity, in accordance with applicable U.S. law and policy and the law of war. This directive also designates the U.S. Army as the Executive Agent for the administration of the DoD, appointing the Army to be the lead on detainee operations, responsible for policy, guidance, and planning activities.⁸

Joint Publication (JP) 3-63, *Detainee Operations*, defines a “detainee” as any person “captured, detained, or otherwise under control of DoD personnel.”⁹ Under this category are four classifications: enemy prisoner(s) of war (EPW),

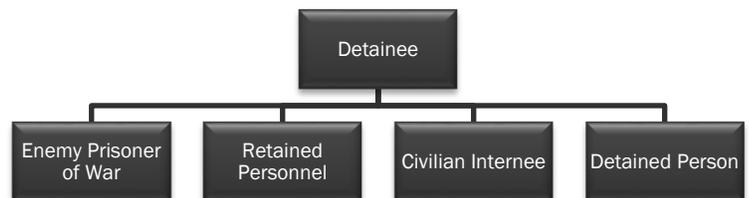


Figure 1. Detainee Categories from FM 3-63

⁵ (Benard, et al. 2011, 1)

⁶ (Benard, et al. 2011, 2)

⁷ See Appendix A – A Century of Detainee Operations for a more detailed history.

⁸ (Department of Defense Directive 2310.01E, DoD Detainee Program, Change 1 2017)

⁹ (Joint Publication 3-63, Detainee Operations 2014, vii)

retained personnel, civilian internees, and detained persons.¹⁰

- EPWs are “members of the armed forces of a party to the conflict” and are entitled to prisoner-of-war status.
- Retained personnel are non-combatants but official members of (or in support of) the armed forces of the conflict. These individuals may be medical personnel or chaplains actively in support of their own members.
- Civilian internees are held by DoD custody during an armed conflict for security or protection, and generally qualify for protected status, but must be segregated from belligerents.
- Detained persons are not entitled to combatant status, including combatant immunity, but have engaged in hostilities. They may be civilians who have forfeited the protections of civilian status by joining or supporting an enemy non-state group or combatants who have engaged in spying or sabotage behind enemy lines.

Considering these categories, planning concepts pertain to all detainee populations, unless otherwise specified, because the planning requirements are generally the same, but the different categories are required to be segregated and separated from each other. Detainee operations is a broad term that encompasses the “capture, initial detention and screening, transportation, treatment and protection, housing, transfer, and release of the wide range of persons who could be categorized as detainees.”¹¹ During operations, the military must be able to plan, execute, and support detainee operations from point of capture through the transfer, release, repatriation, death, or escape of a detainee.¹² Within the U.S. Army, military police advise commanders and staffs on planning detainee operations, and military police units maintain the technical capability to

execute detainee operations in facilities, but overall total mission accomplishment demands a cooperative approach.

Unified land operations require Army forces to seize, retain, and exploit the initiative in the simultaneous execution of offense, defense, stability, and defense support of civil authorities across multiple domains. Military police enable Army forces to defeat enemy organizations, control terrain, protect populations, and preserve the joint forces by conducting detainee operations.¹³ Commanders leverage military police capabilities to consolidate gains. Military police support to decisive action requires a comprehensive understanding of the OE, commander’s intent, and the concept of operations.

While detention operations are a military police discipline, all Soldiers engaged in military operations must be prepared to secure, safeguard, and transport detainees. Custody and responsibility for the detainees begins at the point of capture when detainee processing begins, as detainees are disarmed and secured. It includes the security, control, welfare, and intelligence collection from detainees.¹⁴ Detainee processing is iterative, continuing through each phase of their transport, to establish accountability, maximize intelligence collection, and ensure protection of detainees.

From the point of capture (POC), detainees are evacuated to a Detainee Collection Point (DCP), normally located within a brigade or division area. Detainees are then transported to a Detainee Holding Area (DHA), a temporary stop established at a division or corps echelon, before movement to the Theater Detention Facility (TDF) (or the Strategic Detention Facility (SDF)). The TDF is usually a permanent

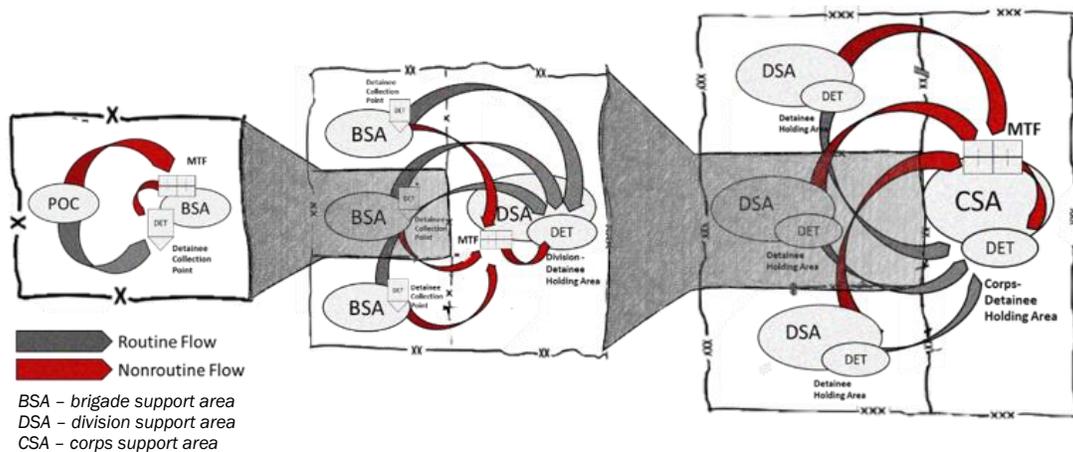


Figure 2 Detainee Flow on the Battlefield

¹⁰ (Field Manual 3-63, Detainee Operations 2020, 1-10)

¹¹ (Joint Publication 3-63, Detainee Operations 2014, vii)

¹² (Field Manual 3-63, Detainee Operations 2020, 1-1)

¹³ (Field Manual 3-63, Detainee Operations 2020, 1-3)

¹⁴ (Field Manual 3-63, Detainee Operations 2020, 3-6)

location in the corps or joint security area. Mission requirements allow an exigent departure from this process if there is a need to expedite an individual to a Medical Treatment Facility (MTF) or the TDF for intelligence collection.¹⁵ Through this process, which may take several days in transition, accountability standards are consistently high, and must be maintained across multiple units on the battlefield.

Detainees provide a unique source of human intelligence (HUMINT), particularly in counterinsurgency operations. U.S. military interrogations are consistent with Geneva Convention standards and may occur at any point in the detainee flow. Guards for detainee operations enable HUMINT collection, but do not conduct interrogations and do not set conditions for interrogations.

Throughout this process, even under the most favorable circumstances, detainee operations is a labor and resource intensive process. Beginning at initial point of capture, detainees require constant security and the same amount of resourcing for life support as U.S. military personnel. Detainee operations is a high-visibility mission with international agencies, particularly the International Committee of the Red Cross (ICRC), who require both transparency and access for oversight. Specific attributes of the detainee population itself may further complicate and challenge the operations as well. For example, multiple legal categories of detainees for their combatant status require segregation, as well as different classifications for ranks, genders, and juveniles and these populations will generate differently during conventional conflict versus stability operations.¹⁶ Multiple segregation categories create a higher demand for space and security resources, as each disparate population must be separated for living, hygiene, and medical activities, which may be limited by manpower and resources, producing unanticipated operational strain.¹⁷

Detainee operations planners must continually assess and predict shifts in mission requirements, incorporating detainee projections and their subsequent population needs as the OE changes. Staffs must consider the dynamic OE and mission requirements, such as anticipating and resourcing for an increase in detainees when planning for surge

operations, or shifting resources geographically when the battlefield moves.

The Framework

Operational Frameworks

The U.S. Army utilizes operational frameworks developed from theories to explain and understand systems within the OE. These cognitive tools assist commanders and staffs in visualizing and describing the application of combat power in time, space, purpose, and resources.¹⁸ Operational frameworks incorporate physical, temporal, virtual, and cognitive considerations to lay out a way to look at multiple domains and the information environment within the context of land operations.¹⁹ In these ways, the operational framework provides an organizing construct to coalesce information and concepts.

Subsequently, the operational and mission variables assist commanders and staffs in analyzing an operation, organizing information, and developing options. These variables help build and refine situational understanding. The OE is defined in terms of eight operational variables (political, military, economic, social, information, infrastructure, physical environment, and time) collectively referred to as PMESII-PT. A staff considers the OE in these terms, in combination with the mission variables of mission, enemy, terrain and weather, troops and support available, time, and civil considerations (METT-TC), to visualize, describe and direct operations.²⁰ The consistent organization of these frameworks provides uniformity and flow, ultimately streamlining planning efforts.

Requirement

A historical analysis of detainee operations identifies that recurring challenges begin with failing to understand and anticipate the complexities of the mission. Deficient mission analysis leads to inadequate or incomplete planning, which creates a plan based more on assumptions and anecdotes than analysis. The high military and political consequences of poor mission planning demand a rigorous and robust effort which emphasizes a direct relationship to

¹⁵ The detainee plan for reception and treatment at the MTF cannot be under estimated or left to chance, because of the security requirement. Hospital organization in Vietnam did not maintain detainees to be collocated, but spread them across wards by type of injury, which challenged security and increased the number of guards required. (Gebhardt 2005, 53)

¹⁶ In a conventional conflict, the segregation of officers, enlisted, civilians, and females is straightforward, but during stability operations, additional population categories may fall along ethnic or tribal lines. Additionally, the circumstances of a detainee's

apprehension may determine custody, with the overall intent to sequester insurgents, criminals, and extremists from moderate and circumstantial detainees. (Field Manual 3-63, Detainee Operations 2020, 1-7)

¹⁷ (Joint Publication 4-02, Joint Health Services, Change 1 2018)

¹⁸ (Army Doctrine Publication 3-0, Operations 2019, 4-2)

¹⁹ (Field Manual 2-0, Intelligence 2018, 1-13)

²⁰ (Field Manual 6-0, Commander and Staff Organization and Operations 2014, A-1)

major combat operations planning. Detainee operations planning, as it is not the main effort, may be delegated to a staff's Protection section or Provost Marshal as an economy of force effort, but risks producing a less informed and integrated effort.

An operational framework designed specifically for detainee operations can expedite planning, recognize consistent requirements, and identifies potential impacts to the mission in advance. The framework presented in this paper, accomplishes all of these by considering the direct effects of an enemy combatant population on U.S. requirements for custody and control of them. Accordingly, this framework, if consistently implemented, is designed to mature as more data is acquired, thus turning "unknown unknowns" into "known unknowns" to identify information and intelligence requirements that later assist in operation refinement, ultimately striving to produce "known knowns." This framework elicits key stakeholder input into the detainee operations mission analysis by identifying follow on requirements, thereby supporting greater staff awareness and collaboration for mission analysis and course of action development.

This detainee operations planning framework assumes that there will be no change to existing capabilities, resources, or requirements for the mission. Army regulations outline policy, procedures, and responsibilities for administration, treatment, employment, and compensation of detainees, but from an administrative perspective.²¹ Current planning guidance in Field Manual 3-63, *Detainee Operations*, is sufficient for detainee facility construction. However, this proposed planning framework supplements the current doctrine, providing organization and structure to enable efficient planning and works with existing reporting processes. The information output focuses on planning considerations for the adversary population, reviewing requirements for initial contact with the population, followed by processing and transportation.

Detainee Operations Planning Framework

In conjunction, a framework development methodology, historical case studies, and current doctrine guidance, yields an understanding of what

actions need to be executed during detainee operations and what information about the enemy population should be known to plan for those actions. This framework proposes that four population variables, each with sub-variables, have significant mission impacts to the detainee operations mission. This framework reflects elements of PMESII-PT, the variables describing the OE and also incorporates the mission variables of METT-TC. This framework fits within these current planning constructs for easier implementation, but goes into greater detail than either PMESII-PT or METT-TC because it specifies the mission impacts. It is important to remember that this framework identifies variables within enemy populations, and that there are other considerations that may impact the mission, such as physical terrain or weather, that PMESII-PT and METT-TC still support.

The Detainee Operations Planning Framework proposed in this paper (figure 3), provides a brief description of each variable, with example questions to guide planning efforts. The example questions are not all-encompassing, but instead may serve as a guideline for staffs to identify considerations relevant to their specific OE and enemy populations, planning considerations, and mission impacts.

Similar to other operational frameworks, the consideration of time is important; it shapes how much of this framework is known and when. Some variables and sub-variables can be anticipated or projected, but not all. Most sub-variables will not be confirmed until the point of capture, although that information has implications for multiple units and requirements through the detainee operations processing. Identifying that information requirement in advance helps to share information, with units keeping in mind "who else needs to know?"

These variables and sub-variables contribute to understanding the greater COP and can be used to shape reporting requirements, because the framework helps identify mission impacts. For example, injuries will not be known until point of capture, but transmitting that report will help better prepare receiving units later. In another example, it is relevant for all units to be aware of extenuating circumstances of capture (e.g. was this group of detainees surrendering or fighting to the death), information that may have future relevance for security measures.

²¹ (Army Regulation 190-8, Enemy Prisoners of War, Retained Personnel, and Other Detainees 1997)

Variables	Sub-variables	Mission Impacts
Social Identifies nationality and cultural (or religious) composition of the enemy population.	Nationality What country is the enemy from?	Space / security requirement
	Demographics What is the anticipated enemy population in gender and age?	Space / security requirement
	Ideology What extreme ideologies may be represented within the population that should be segregated from others?	Space / security requirement
	Ethnicity / Religion What cultural or religious groups does the population represent?	Space / security requirement Dietary requirement Religious support
Health Identifies health considerations, concerning the possibility and probability of both disease and injuries to the population.	Disease What diseases are expected within the population? Are there considerations for communicable diseases?	Medical assets
		Transportation assets
		Mortuary affairs
	Injury What injuries can be anticipated? (e.g. cold weather or overexposure, malnutrition, CBRN contamination, specific combat injuries)	Medical assets Transportation assets Mortuary affairs
Communication Anticipates ability of U.S. forces to communicate with or convey messages to the enemy population.	Oral What language does the population speak?	Interpreter support
	Written What is the anticipated literacy rate of the population?	Detention communication
Capture Considers the circumstances of capture, identifying an information requirement for the equipment on the detainee's person and their legal category of detention.	Equipment on person What equipment is issued to the enemy population? What personal effects does the detainee have?	Intelligence collection
		Personal protective gear
		Supply assets
Legal category How many detainees are anticipated by type? Are they classified as uniformed combatants?	Circumstances of capture Are there any notable conditions regarding capture? (e.g. mass capitulation)	Space / security requirement
		Intelligence collection
		Security considerations

Figure 3 Detainee Operations Planning Framework

Application

For the detainee operations mission, as with any other, staffs must be elastic – adapting as the OE and the situation change, developing branch and sequel plans supporting primary missions, and developing decision points for the commander. This framework, as a staff planning tool, may be implemented by incorporating it into existing efforts at no cost. It may be applied to staffs across multiple echelons, increasing understanding of population demographics that may have mission impacts. In application, the framework increases planning efficiencies, enabling staffs to identify variables and anticipate requirements, and ultimately reducing risk to the senior mission commander. The framework's identified mission impacts can facilitate staff collaboration, such as medical estimates influencing mortuary affairs planning. The current FM 3-63, Detainee Operations, contains additional guidance on other planning considerations, such as transporting detainees and constructing holding areas. This framework helps with understanding population considerations for forecasting logistical and security requirements.

As the OE evolves during conflict, the enemy populations – how they adapt and how they fight – may change, too, and that subsequently impacts the Army's response to the enemy.²² This planning framework identifies variables that impact the mission. While not all-inclusive, it may help staffs recognize other population characteristics that influence how friendly forces respond. As the environment or the maneuver mission changes, the requirements for detainee operations may change as well. For example:

- Knowing that North Koreans suffer from malnutrition, with a higher likelihood of carrying parasites,²³ should trigger different preparatory planning – alerting a potential requirement for specific medical treatment and supplies, as well as guard considerations for custody.
- An onset of cold weather, particularly on a poorly resourced enemy population, may impact the enemy's willness to fight, and they may more easily succumb to surrender, which would impact the operational capacity to absorb the population. If this prisoner population also has cold weather exposure and limited warm clothing, it will require both medical treatment and logistics support in response.

- Interpreter requirements will affect all contact units with the detainee, beginning from point of capture and continuing to the theater detention facility. This variable may be anticipated with a high amount of certainty by understanding the OE and the adversary, but if the capturing force encounters a fighting force from a third country that speaks another language, that information should be communicated as soon as possible to expedite operational requirements for additional interpreters.

The framework can assist in recognizing these requirements and facilitate advance planning to support resourcing; it helps the mission be more adaptive by identifying needs early.

A plan with a strong conceptual foundation is better adapted to support changing missions. A clear understanding of the mission's purpose and the OE enable the Army to consolidate gains during operations. Detainee operations enables a commander to consolidate gains by controlling and removing the capitulated enemy population from the battlefield for area security. An effective detainee operations plan is based on a concept that can adapt to the changing priorities, such as shifting detention support to where the operation requires it. Planners should consider detainee operations as an important component of branch and sequel plans, understanding that history indicates that defeated enemy forces are more likely to be captured towards the culmination of battles and campaigns, increasing mission requirements. The framework may also help staffs identify factors that contribute to a commander's decision points, such as moving a detainee holding area or redirecting other mission assets.

The primary limitation to this framework is that it does not project population sizes. It looks at information about the posture of an enemy population, and uses deductive reasoning. It derives what the impacts of that population could have on friendly forces by identifying considerations that can assist staffs in contingency planning. Future conflicts will have different considerations for population sizes and projected rates of capture, but these variables and mission impacts can be scalable by size.

²² (Army Doctrine Publication 1-0, The Army 2019, 1-4)

²³ Doctors treating a North Korean soldier defecting to South Korea in 2017 found dozens of parasites in his digestive tract as they treated him for other injuries. The

patient's military status implies that he would at least have average nourishment as a North Korean. (Reuters 2017)

Conclusion

The consequences and repercussions of disorganized or reactionary detainee operations should not be underestimated nor dismissed. It is a critical task of the highest military and political magnitude. In preparation for conflict of any size, the U.S. military must plan for and prepare for detainee operations. The ramifications in failing to do so are grave, but avoidable. The U.S. has consistently underestimated detainee populations, impacting the military's ability to support the populations accordingly. Thus, it is more likely than not that current and future adversaries will attempt to exploit this trend in an effort a repeat of this failure to damage the military's reputation, domestically and internationally.

However, the current doctrine to advise detainee operations does not consider variables in the enemy combatant population and how those variables will contribute to mission impacts. The proposed framework highlights specific variables for staffs to consider, which can facilitate planning and identify mission impacts. It supports current OE frameworks, and can be incorporated into existing staff efforts.

The simplicity of the detainee operations framework allows it to be easily incorporated into existing planning efforts, and utilized as a checklist to identify key information requirements, share it among key stakeholders, and plan accordingly. Consistent utilization of the planning framework will increase awareness for detainee operations requirements, and will assist staffs and commanders in visualizing and describing the application of resources. With proper organization and preparation, planning for detainee operations will anticipate population risks and mitigate the operational impacts, enabling the full projection of combat power for mission accomplishment.

Appendix A – A Century of Detainee Operations

America's experiences with detainee operations over the past one hundred years demonstrate recurring patterns. Historical case studies demonstrate a clear pattern: significantly underestimating the prisoner or detainee population size, which leads to resourcing challenges; a period of crisis management, usually responding to a significant negative incident; followed by a concerted effort to improve the situation, with a final realization that prior planning could have eliminated or mitigated many of the problems.²⁴ While each case study shares the same limitations from insufficient planning, they have unique challenges stemming from that particular conflict's situation. Detainee populations are larger during conventional fights than in counterinsurgencies, but the problems are similar.

World War I

The United States' role in prison camps during the First World War began before entering the war in as a combatant. Nations on both sides of the conflict asked the United States, as a neutral party, to act as a protecting power, inspecting prison camps throughout Europe and providing logistical support to prisoners, regardless of nationality. When the U.S. entered the war in 1917, Switzerland assumed the inspection schedule for the duration of the war.²⁵ Despite having first-hand knowledge of the prisoner of war operations in Europe, with the additional benefit of having seen multiple countries' prisoner operations, America did not have a plan for their own operations when entering the war.

Two specific factors limited prisoner planning for the American Expeditionary Forces (AEF). First, the U.S. had to create a complete prisoner of war system for the theater, but had not done so yet. The provost marshal general was a department that only existed during wartime.²⁶ Second, this war was the largest overseas deployment for American forces, and any prisoners significantly added to the logistical strain of an inter-continental deployment. The AEF leaders' priorities were training and deploying units to Europe, and prisoner planning was not a top concern. As the theater matured and AEF policy and guidance developed, the prisoners emerged as sources of labor

and intelligence. The labor system developed slowly, but by the war's culmination, prisoners supported "salvage work, construction of roads and camps, lumber production, sanitary maintenance, and freight handling."²⁷ New methods of prisoner questioning advised interrogators to focus on prisoners' uniform details and speech dialects to gain additional information on the types of units present in an area.²⁸ These developing perspectives about enemy prisoners would later shape U.S. policy.

World War II

In the Second World War, the United States held more prisoners of war than every other conflict combined, a total of more than seven million German, Italian, and Japanese prisoners.²⁹ Nearly 450,000 of these prisoners were held in the continental United States, in more than 500 camps across America.³⁰

Characteristics of prisoner operations in World War II would be reflected in future conflicts. First, military planners grossly underestimated both the rate and speed of capture of prisoners. Capture rates rose slowly, but did not sky rocket until after the Normandy invasion. Planners anticipated 60,000 prisoners in the 90 days following D-Day, but by September 1, 1944, Allies had captured almost 200,000 prisoners and sent them to the United States.³¹ Secondly, the U.S. did not fully understand how much the Nazi ideology permeated the general military population, and how attitudes among prisoners would impact their detention when different ideological groups were consolidated. This was later corrected, but provided significant challenges. Finally, U.S. policymakers identified very late in the war that the education of prisoners could help to shape post-war reconstruction efforts. These three challenges were eventually corrected, but contributed to the strain on American military and political efforts both during and after the war.³²

The U.S. military's experience with detainee operations in World War II was a strong indicator that planning for prisoners would need to occur before conflict begins. The plan would need to include elements sorting, segregating, and influencing, in addition to the logistical and security requirements. However, just five years after the culmination of WWII, planners

²⁴ (Benard, et al. 2011, 2)

²⁵ (Springer, America's Captives 2010, 134)

²⁶ (Lishchiner 1947)

²⁷ (Springer, America's Captives 2010, 139)

²⁸ (Willoughby 1918)

²⁹ Notably, the capture rate of prisoners in the European theater was higher than the Pacific, because of the Japanese commitment to fight to the death, a characteristic of

the enemy that Allied forces did not identify in advance. (Springer, America's Captives 2010, 143)

³⁰ (Neufield and Watson 2013, 37-38)

³¹ (Springer, America's Captives 2010, 146)

³² (Benard, et al. 2011, 5-6)

neglected or ignored the lessons learned, developing a new system with unsuccessful results.

Korean Conflict

The aggressive downsizing of the military after World War II returned many experienced soldiers to civilian life. The unanticipated start of the Korean Conflict left the U.S. military in a largely reactionary role, and the accommodation of military prisoners was no exception to this. In addition to the lack of pre-conflict planning for large prisoner populations, the U.S. was also challenged with the lack of qualified personnel, lack of understanding of prisoners, and failure to see prisoners as part of the political process.³³

While the U.S. eventually stumbled through these challenges, the impact of the prisoners was significant to the war's culmination. First, the U.S. significantly lacked personnel to administer the prisons, specifically trained guards, interrogators, and linguists. Prison camps were overcrowded and understaffed, with only one American guard per 180 prisoners in Koje-do facilities.³⁴ The American draftees were young, and without the experience of World War II veterans. With a noticeable linguist shortage, American guards frequently relied on prisoners to translate, a condition that North Korea exploited. North Korean propagandists allowed themselves to be captured, and, as prisoners, worked within the camps to control information dissemination amongst the prisoner population.³⁵

In failing to understand the prisoner population, the United States did not adequately segregate the populations, only separating by rank, gender, and nationality. When the violence within the prison population grew, camp commanders began to identify that communists and anticommunists also needed to be separated. The delay in this recognition and segregation increased risk, both for violence (which then instigated more stringent guard actions) and continued political indoctrination in the populations. The later implementation of education programs, including literacy and agriculture training, supported the prison population and factual information helped to quell anti-U.S. propaganda.

The prison camps on the island of Koji-Do are an example of an uncontained prisoner population

producing the worst case scenario. In the swarming camps, unsegregated prisoner populations divided along ideological lines turned violent, with assaults and murders against competing groups.³⁶ The abysmally poor camp security was so unsafe internally that the guards did not enter the camps at night, perpetuating the prisoners' control. Eventually elevated to the attention of the 8th US Army Commander, a significant number of combat troops were diverted to Koje-Do, but it was still less than required to control more than 165,000 prisoners in camps designed and built to hold 38,400.³⁷ The crisis came to a head in May 1952, when camp prisoners took the prison commander, Brigadier General Francis T. Dodd, hostage for three days and released him unharmed after the United Nations Command (UNC) promised to meet their demands.³⁸ After this incident, the UNC reinforced the guard forces and regained control of the camps through violence, dispersing the prisoners to smaller, secured compounds.³⁹ When American forces gained control, they recovered the prisoners' written plans for a coordinated escape, as well as spears, Molotov cocktails, knives, hatchets, and other weapons.⁴⁰

At the end of hostilities, POW repatriation became a major point of contention in armistice negotiation, an unprecedented concern. North Korea demanded the return of all their prisoners, although many in U.S. prison camps denounced communism and resisted repatriation.⁴¹ Ultimately, the negotiation of prisoner return changed American policy to refuse forcible repatriation of prisoners.

Vietnam

A unique facet of the Vietnam War affecting detainee operations was that it was coalition warfare with and against coalition forces, but it originated and maintained characteristics of an insurgency.⁴² Despite the lessons learned in World War II and Korea on detainee operations, a generation later, many of the same challenges resurfaced in Vietnam, including lack of planning for mass prisoner populations, incorrect prisoner identifications, and lack of understanding of the population's cultural and political context.⁴³ Additionally, the U.S. military experienced problems precipitated by the initial decision to turn detainees over to the South Vietnamese for holding, a decision made in order to conserve American combat power for

33 (Benard, et al. 2011, 17-18)

34 (Springer, America's Captives 2010, 166)

35 (Springer, America's Captives 2010, 163)

36 (Gebhardt 2005, 17)

37 (Gebhardt 2005, 19) (Roskey 1994, 1)

38 (Gebhardt 2005, 20)

39 (Gebhardt 2005, 20)

40 (Lewis 1994, 10)

41 (Springer, America's Captives 2010, 177-178)

42 (Gebhardt 2005, 40)

43 (Benard, et al. 2011, 33)

the fight.⁴⁴ The Republic of Vietnam did not classify North Vietnamese prisoners as EPW, as they considered this to be a civil war.⁴⁵ While the U.S. ensured the International Committee of the Red Cross (ICRC) and the international community that they would implement the Geneva Conventions in Vietnam, it proved difficult to ensure that the Vietnamese would.⁴⁶ However, the ICRC later informed the U.S. that the South Vietnamese prison camps were not in compliance with Geneva Conventions, and that the U.S. was responsible for the prisoners it had transferred.⁴⁷ The U.S. had to immediately develop and implement a detainee operations plan.

During initial implementation in 1965, the U.S. assumed control of about 5,000 POWs, and within only two years, this number nearly tripled and continued to expand exponentially.⁴⁸ The population complexity increased with the nature of the combatants, and the operational requirement to extract detainees by helicopter, because of the limited road network, something that the U.S. would not have been able to do if the detained population reached large unit levels, as previously seen in WWII and Korea.⁴⁹ The United States waged a counterinsurgency war and the asymmetric conflict required detention of many more categories of personnel than just uniformed combatants, including civilian internees and civilian criminals as well.⁵⁰ This challenged the concept of detainee operations, as well as increasing security and logistical complexity. This conflict emerged as a cautionary lesson that Americans cannot abdicate responsibility for their own detainees, even if we have entrusted custody to a partnered nation. The U.S. will ultimately be responsible for our own prisoners, and the global public will hold the U.S. to a higher standard of conduct.

Persian Gulf War

Among these case studies, detainee operations in the Persian Gulf War stand out as an anomaly, based on the identification as a success in the eyes of the international community. Despite enduring the consistent theme of gross underestimation of prisoner capture rates, the U.S. was able to accommodate and sustain the population, albeit for a distinctly short period of time. Thirty-six nations joined the coalition against Iraq, including 540,000 American troops. American planners anticipated the capture of

thousands of Iraqis, but planned to hold them only briefly before transferring to Saudi Arabian control. American forces captured more than 60,000 Iraqi forces and accepted another 8,000 from British and French units. In total, coalition forces detained almost 87,000 Iraqis, most during the four days of ground combat.⁵¹ As capture rates skyrocketed past planning estimates, the numbers exceeded the transportation capacity and the U.S. required Saudi assistance.

However, Iraqi prisoners in American custody experienced good treatment, and the ICRC reported that “the treatment of Iraqi prisoners of war by U.S. forces was the best compliance with the Geneva Convention by any nation in any conflict in history.”⁵² Detainee operations succeeded in the Gulf War, despite planning and logistics shortfalls, because of the coalition with Saudi Arabia and the strength of the Saudi assistance in transportation and resourcing.⁵³ The conspicuously short duration of detainment also contributed to the operational success for a temporary mission.

The humane treatment of Iraqi prisoners was a stark contradiction to the 23 American service members in Iraqi custody, who were brutally tortured, experiencing shattered skulls and eardrums, whipping, burning, shocking, beating, and starvation.⁵⁴

Global War on Terror

U.S. military efforts in Iraq and Afghanistan combined the unlearned old lessons with new complicating variables. A large-scale counterinsurgency exacerbated the pre-conflicted planning shortfalls in forecasting detainee populations, and the realization of a much larger-than-anticipated population did not generate an immediate response to redirect capacity and funding to accommodate.⁵⁵ Inadequate cultural understanding and limited linguistics support continued to be a problem for the U.S., challenging the U.S. ability to accurately assess the detainee population and identify their motivation. In Iraq, the invading coalition forces did not have information on projected capture rates, and, among other blind spots, did not have intelligence regarding the detainee’s health status. The high rate of tuberculosis among Iraqi detainees exposed their coalition handlers to the disease and increased the risk of contagion in the detention camps.⁵⁶ This

⁴⁴ (Springer, America’s Captives 2010, 180)

⁴⁵ (Gebhardt 2005, 42)

⁴⁶ (Benard, et al. 2011, 38)

⁴⁷ (Gebhardt 2005, 42)

⁴⁸ (Prugh 1991)

⁴⁹ (Gebhardt 2005, 53)

⁵⁰ (Benard, et al. 2011, 47-48)

⁵¹ (Springer, America’s Captives 2010, 193)

⁵² (Springer, America’s Captives 2010, 194)

⁵³ (Springer, America’s Captives 2010, 195)

⁵⁴ (Krammer 2008, 62-63)

⁵⁵ (Benard, et al. 2011, 49)

⁵⁶ (J. Huey, Colonel, retired 2020)

information gap increased the risk for both detainees, handlers, and guards.

A significant difference in detainee operations in Iraq and Afghanistan stems from the legality of counterinsurgency detention. Insurgents, as unprivileged enemy belligerents, are non-uniformed combatants representing a non-state group, and are therefore subject to different international laws regarding their disposition. Detention of insurgents is an evidentiary-based process for the insurgents' legal processing, which requires much more processing than uniformed combatants. The inadequate coordination and information sharing between the forces capturing the detainees and those receiving them complicated this requirement.⁵⁷ U.S. commanders eventually realized that the detention of the insurgents was an opportunity to erode their ideological motivation, and directed efforts to reeducate and de-radicalize the detainees.⁵⁸

In Iraq, the prison at Abu Ghraib illustrates the convergence of multiple lines of failure – planning, priorities, and leadership. There was not a pre-designated site as part of the U.S. invasion plan in 2003, so a hasty plan selected a pre-existing prison. The location itself was poorly selected for detainee collection, as it was a notorious prison compound where political prisoners were tortured under the Saddam Hussein regime.⁵⁹ The site could not be adequately protected from insurgent attacks, and there was no segregation within the prisoner population.⁶⁰ MP units assigned to the detainee operations mission were not a high priority in theater, yielding soldiers not properly trained on camp operating procedures, and there was little leadership oversight of military or civilian contractors on site.⁶¹ Investigations after highly publicized prisoner abuse determined that “morally corrupt soldiers and civilians,” without leadership or supervision, were encouraged to obtain actionable intelligence.⁶² Multiple officers were relieved of duties, and criminal investigations pursued the enlisted personnel directly involved. However, most damaging was the loss of American military credibility, both domestically and globally, when many of these problems could have been avoided with proper planning and resourcing.⁶³

Conclusion

Detainee operations from the First World War to the Global War on Terror, despite the progression of warfare and technology, have had consistent commonalities in the United States' approach. While detainee population numbers have trended downwards in counterinsurgencies than in large scale combat operations, the security and support requirements remain the same. By consistently underestimating the captured population, along with subsequent logistics requirements and legal challenges, the U.S. military has struggled to adequately plan for this mission. With the belated realization that prior planning would have reduced this reactionary response, it is incumbent upon the military to take the opportunity now to resolve this shortfall.

57 (Benard, et al. 2011, 50)

58 (Benard, et al. 2011, 81)

59 (Springer, America's Captives 2010, 198)

60 (Springer, America's Captives 2010, 199)

61 (Hussey 2020, 75)

62 (Springer, America's Captives 2010, 200)

63 (Hussey 2020, 75)

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