

ANALYSIS ON WAR PRISONERS & THEIR RIGHTS

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INTRODUCTION

Although soldiers and other civilians who take part in hostilities are militant and cannot be attacked, as long as those people surrender or are given a war to fight, they are entitled to protection. That protection was provided in Common Article 3 and at the First and Third Geneva Conventions (GC) on the treatment of 'wounded, sick and shipwrecked' and 'prisoners of war' (POW) respectively; supplemented (by international disputes) by Supplementary Protocol I.¹

The treatment of prisoners of war was not emphasized until the second half of the nineteenth century. The Rules of The Hague did not preclude the many hardships that prisoners suffered during World War I; provide an enlightened foundation for regulation.² Apart from the failure to anticipate the problems that arose during World War I, a key element of the regulations was the lack of specific information and the lack of enforcement procedures. After World War I, a conference in Geneva adopted new, more comprehensive laws. Like previous laws, the new rules did not anticipate new military approaches adopted in the Will war which followed their adoption.

WAR PRISONERS DEFINED

The 1949 Third Geneva Convention deals with prisoners of war, and contains the complete code focusing on the need for medical treatment in all conditions. The definition of military prisoners is very important because it is considered an extension of the combat situation. It covers members of the armed forces of the party in that war, and rarely as members of the armed forces or volunteers who fight side by side with the party in that war, as long as it satisfies the

¹ Geneva Convention relative to the Treatment of Prisoners of War, 75 U.N.T.S. 135, *entered into force* Oct. 21, 1950.

² Hague Convention, The Convention on Laws Customs of War, 1907

four conditions: having a distinctive fixed distinguishing feature visible from a distance; transparent handling of weapons; and to perform duties following the laws and customs of war.³

This document reflects the events of World War II, although the level of opposition was limited by the need to comply with these four conditions. From 1949, the use of guerrillas spread to the Third World and the experience of the dissolution of the empire. At the same time the pressures grew to increase the definition of soldiers who have the right to be a prisoner of war for such people, who appear to show dissatisfaction with the four conditions.

PURPOSE OF RESEARCH AND SITUATION

Under International Humanitarian Law (IHL), the 'right to fight' includes three important outcomes. First, a legitimate warrior is permitted to engage in hostilities and therefore cannot be prosecuted for carrying weapons or for attacking enemy targets, unless such conduct is a war crime. Second, he is a legitimate victim of opposition. Third, in the event of a seizure, those fighters are given a POW position.⁴

A group of people entitled to the right to fight, and in the event of a military arrest warrant, is defined in GC III, Article 4 (A). This includes members of the armed forces of another party, as well as uncommon ones such as members of the military or volunteer forces fighting alongside the warring party, provided they meet four conditions: 'instructed by a subordinate; having a distinctive fixed distinguishing feature visible from a distance; transparent handling of weapons; and to perform duties following the laws and customs of war. "

The POW situation is therefore automatic because of the people who are fighting in the state war. Whether the government did not represent a known state is irrelevant. It should be noted that the provisions of Article 4 of the Third Geneva Convention apply only to illegal activities that war against the party in that conflict and not to the forces of the party involved in the matter itself. In the event of any uncertainty in the unusual case, the matter must be decided by a competent court.

Prisoners should be treated as POWs pending such determination. Besides, the responsibility lies with Detaining Power to show that detainees, who are said to have been taken for their role

³ Article 4(A), The Third Geneva Convention, 1949

⁴ Adil Ahmad Haque, *Law and Morality at War*, Oxford, Oxford University Press, 2017, Pp. 304

in perpetuating hostility, do not qualify for the POW position. This important responsibility is in line with the negative consequences of the fighters in question, including the consequences of the punishment and loss of their right to the protection of advanced rights as a result of POWs under GC III which in some ways exceed those guaranteed by International Human Rights Law.

However, in many cases, as usual, it has increased the status of the POW to cover people who do not have the right to receive that status under the convention, for example, the United States practice in Vietnam. This may reflect in part the key principles of assistance set out in the IHL that are evident in certain provisions of the GC III, but also the desire to ensure equal treatment of their capabilities in the event of capture.

RIGHTS OF A WAR PRISONER

The Third Geneva Convention is now an authoritative statement on prisoners of war.⁵ A major feature of the conference, in addition to its effectiveness in all other armed conflicts, is the issue of civil war. The agreement defined prisoners in a way that included the possibility of anyone being held hostage in the war. The full and primary responsibility for the treatment of prisoners of war falls on the Captive Force, not on the people. Final Strength falls under the general obligation to treat prisoners with dignity and to protect themselves from danger. They must be provided with food, clothing and medical care. They should be protected from public curiosity. They also have the right to elaborate on the guarantees of due process, including trial by courts that uphold the same standards of justice as those recognized by courts that may test the military service of a detained state. Medical and scientific tests are not allowed. Prisoners should be treated equally regardless of their race, nationality, religion, or political opinion.⁶

At the time of arrest, the prisoner is required to provide at least some details. He should not suffer and can maintain his results. Conditions in the detention camp must meet the standards provided at the conference. The work that a prisoner is required to do must not be dangerous, degrading or in direct connection with military service. A prisoner should be allowed to communicate with his family and communication rights. Procedures for registering complaints relating to the management of a detention camp should be established. Penalty penalties and disciplinary action, including proceedings, are determined by the meeting. The agreement also

⁵ *Supra* Note 1.

⁶ Lanre Adedeji, Prisoners of War and The Law of Armed Conflict, The Lawyers Chronicle

stipulates that prisoners' property will not be discarded during detention. Once hostilities have ended, POWs must be repatriated.

The agreement sets out the concept of a concerted Defense Force, which determines whether the terms of the conference are complied with. When belligerents cannot agree on such an appointment, the holding power is required to request a neutral state, a non-partisan organization, or an organization that helps people to replace the Protective Force. Each determined group is determined to provide the finest penalties for violating the rules. Participants in the meeting are responsible for prosecuting those suspected of committing this offense. Most of the general provisions of the Third Geneva Convention on Prisoners of War are included in the First and Second Geneva Conventions for the wounded and the sick in the armed forces in the field or at sea.

DETAILS OF REASONS FOR ARREST AND DETAILS

The first requirement for legal detention in international law is that there should be clear reasons for the legal detention, followed by the decision-making process, and the details of these matters should be communicated to the prisoners themselves. Only when this is done can they assert their respective rights under international law. The right to such information has been listed as one of the lowest levels of protection due to the people at the hands of the enemy under the IHL and Human Rights Law (HRL).⁷

Section 75 (3) of AP I provides⁸:

Any person arrested, detained or detained for armed conflict-related acts will be informed promptly, in a language he or she understands, of the reasons why these measures were taken. Except for imprisonment or imprisonment on penalties, such persons shall be released with reasonable delays which may also be in any case as long as conditions permitting arrest, detention or detention are no longer available.

The right to be informed promptly of the reasons for arrest under the IHL thus applies to persons detained for any reason related to the conflict. It does not depend on the person accused of the crime.

⁷ Ibid.

⁸ UNODC, Key Issues, Module 10, Arrest and Detention

There is no set time associated with the need for 'urgency', as an account must be taken in all cases involving (if necessary) military considerations arising from the detention of persons in the military. However, as the ICRC Commentary to the Additional Protocol itself makes it clear, 'even in times of conflict, arresting a person for more than ten days, without informing the detainee of the reasons for his arrest would be contrary to this section'.⁹

Prisoners are therefore entitled to be informed of the reasons for their detention under the IHL protection rules applicable to all people and under the Bill of Rights.

Persecution- THE RIGHTS OF THE RIGHT TRIAL

Concerning the persecution of prisoners of war, the law sets out the basic rights to trial that should not be underestimated. As mentioned above, the legal status of a prisoner contributes to the prosecution of a prisoner for certain offenses related to the conflict. Specifically, if the detainees were militants (entitled to be treated as POWs); they may not be prosecuted for their military actions, while those who fight for nothing, who fight for no right, do so. All categories of prisoners, however, may be equally prosecuted for sending foreign offenses such as war crimes or crimes against humanity.

GC III provides that any POW following adjudication procedures is entitled to a fair trial. These rights are so taken away from them that 'deliberately depriving a prisoner of war of the rights of the equal and common trial set out in this convention' is a gross violation of the law, meaning that the parties are obligated to prosecute.¹⁰

GETTING ADVICE

The assistance of defense attorneys is a key means of ensuring the protection of the basic rights of people suspected or suspected of criminal offenses, protected under the IHL and IHRL.

IHL provides, openly and transparently, advice from people suspected of committing a crime, whether they are POWs, citizens or individuals entitled to basic human rights protection. The detailed rights granted to POWs under GC III include the right to legal representation. Similarly, among the appropriate procedures the rights granted to citizens protected by GC IV are the right

⁹ International Covenant on Civil and Political Rights, New York

¹⁰ Article 14(1), Laws of The Hague, 1899

'to be assisted by a qualified attorney or counsel of their choice, who will be able to visit them freely and enjoy the facilities necessary to defend themselves'.

The minimum standard set out in Article 75 (4) only provides for the respondent: protection". The ICRC Commentary to AP I notes that 'all necessary security measures' must be interpreted to include the right to consult a 'trained defense attorney'. The right to all necessary rights and protections is 'fully operational' before and during the 'trial', and must be interpreted following human rights law, as outlined below, which includes access to counsel from the time of incarceration as a basic protection against abuse and oppression.

RIGHTS RESPONSIBILITY

IHL provides specific rules that govern, and strictly limit, the information that must be provided by POWs to Detaining Power. According to GC III, POWs only need to provide their name, date of birth, position and serial number. In addition, there is no 'coercive approach given to prisoners of war to protect from them information of any kind'.

ORDINARY REMINDERS- WRITING

Another stated reason why the replacement of POW seems to be considered the most important has to do with repatriation laws. GC III provides that 'POWs will be deported and repatriated without delay after the end of the hostilities'.¹¹

However, this right does not apply to persons who have been charged with a criminal offense while awaiting trial, or who are convicted and sentenced to life imprisonment, in which case Article 119 GC III sets out a clear obligation for repatriation. There is, therefore, nothing to prevent any state from committing criminal offenses against persons responsible for criminal conduct.

The problem of supposed repatriation may be linked to the words of one commentator who noted that 'if the hostages are POWs, they should eventually be repatriated Taliban soldiers could be too dangerous to be release which promises to keep the US permanently'. Concerns about the inclusion of POW status could give rise to the misconception that if the GC III does not work there is no legal framework to limit permanent holding power.

¹¹ Article 118, The Third Geneva Convention

Whether GC III is active or not, somewhere hostilities will certainly end and the 'conflict-related' reasons that would allow imprisonment under the IHL, will also cease to exist. The remaining question will be whether there is any other reason for arrest, according to IHL and IHRL. In most cases, that forgiveness occurs when a person is accused, and is charged with a crime.

FEW TREATIES

The Laws of The Hague (1899)

The Hague Laws of 1899 provides:

An information office relating to prisoners of war is established, at the beginning of hostilities, in each Violent State, and, where necessary, in neutral countries where belligerents are found.¹² This office is intended to answer all queries about prisoners of war, and it is provided with a variety of relevant services with all the necessary information to be able to keep the individual return of each prisoner of war. Information is kept on job placement and transitions, as well as hospital admissions and deaths

The Laws of The Hague (1907)

The Hague Laws of 1907 provides:¹³

The Inquisition is set up at the beginning of the war in each war-torn country, and, where necessary, neutral countries find belligerents in their territory. The office has to answer all questions about prisoners. It provides a variety of services related to full information regarding employment and transfers, parole, exchanges, escapes, hospital admissions, deaths, and other information needed to enable a person to receive and retain a personal return from a military prisoner.

Geneva Convention III

¹²

¹³ Article 14(1), The Hague Laws of 1907

The 1949 Geneva Convention III provides that each party shall file a formal Information Bureau for prisoners of war whose duty it is to collect the information of detainees and their locations and transfer them to the relevant authorities.¹⁴

Geneva Convention III

Geneva Convention III of 1949 provides:

The Central Information Agency will be set up in a neutral country. The International Committee of the Red Cross, if it deems it necessary, will nominate a Force for the organization of that Organization.¹⁵

It is the responsibility of the Agency to collect all information obtained through official or private channels regarding military prisoners, and to transfer them as soon as possible to the country of origin of the prisoners of war or to the Power of Dependence on which they depend.¹⁶

Geneva Convention IV

In the case of civil liberties, Articles 136, 137 and 140 of the 1949 Geneva Convention IV contain the same regulations as applying to military prisoners found in Articles 122 and 123 of the 1949 Geneva Convention III.

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The Inter-American Convention on the Forced Disappearance

Article XI of the 1994 US Mid-Term Convention on Disappearance of Persons Disappearance provides:

The countries concerned will establish and maintain the official registration of their detained detainees and will make them available to relatives, judges, lawyers, any other interested person, and other authorities.

The Peace Treaty of Peace is linked to Dayton's treaties

Article IX of the 1995 Peace Accords Framework linked to the Dayton Convention stated that to speed up the release process, groups had to compile a complete list of prisoners, including

¹⁴ Article 122, The Third Geneva Convention, 1949

¹⁵ Article 123(1), The Third Geneva Convention, 1949

¹⁶ Article 123(2), The Third Geneva Convention, 1949

details of their nationality, name, rank, and any internal detention or military serial number and provide this to the ICRC, to other parties, to the Joint Military Commission and the High Commissioner within 21 days.

Mandatory disappearance agreement

The Compulsory Disappearance Agreement of 2006 provides:

Remembering appropriate international instruments in the field of human rights, humanitarian law and international criminal law,

Article 17

1. No one will be detained.

3. Each State Party shall ensure the compilation and maintenance of one or more official registers and / or records of deprived persons, which shall be made available immediately, upon request, to any justice or other relevant authority or institution authorized for that purpose by State Party law or any international legal entity, of the world associated with it. The information contained in it will include, at least:

- (a) Ownership of a person deprived of liberty;
- (b) The date, time and place at which the person is being deprived of his or her freedom and the identity of the person withholding his or her freedom;
- (c) The officer who ordered the deprivation and the reasons for the deprivation;
- (d) The Freedom Management Authority;
- (e) Exemption site, date and time of admission to the exemption site and the authority responsible for the exemption;
- (f) Matters relating to the health status of the deprived person;
- (g) In the event of the death of a person deprived of liberty, circumstances and cause of death and autopsy;
- (h) The date and time of release or transfer to another place of detention, destination and transfer authority.

Article 18

1. Subject to Articles 19 and 20, each State Party shall ensure that any person with a legitimate interest in this information, such as a relative of the deprived person, his or her representatives, has access to at least the following information:

- (a) The authority that ordered the deprivation of liberty;
- (b) The date, time and place at which a person is deprived of liberty and admitted to a place of deprivation;
- (c) the Freedom Management Authority;
- (d) the whereabouts of the deprived person, including, in the case of transfer to another deprivation, destination and authorization;
- (e) Date, time and place of release;
- (f) Matters relating to the health status of the deprived person;
- (g) In the event of death in the event of deprivation of liberty, circumstances and cause of death and autopsy.

2. Appropriate measures will be taken, where necessary, to protect the persons referred to in section 1 of this article, as well as to the persons involved in the investigation, from any abuse, intimidation or punishment for seeking information about a person deprived of their liberty.

Article 20

1. Only where a person is subject to the protection of the law and deprivation of liberty is subject to the rule of law where the right to access the information referred to in Article 18 may be restricted, in contrast, where necessary and provided by law, and if the transfer of information would adversely affect privacy and security or for other similar purposes following the law, and following applicable international law and the purposes of this Agreement. In no case shall there be restrictions on the right of information referred to in article 18 which may be an act described in article 2 or in contravention of article 17, paragraph 1.

2. Without prejudice to the legitimacy of the deprivation of liberty, the State shall guarantee to the persons referred to in Article 18, paragraph 1, the right to an immediate and effective legal remedy. Details in Article 18, paragraph 1. or limited to any circumstances.

Article 22

Without prejudice to Article 6, each State party shall take the necessary steps to prevent and impose sanctions on the following conduct:

- (a) Delaying or blocking the remedies referred to in article 17, section 2 (f), and article 20, section 2;
- (b) Failure to record the deprivation of the liberty of any person, or the recording of any information which the officer in charge of the official registration may or should not have known was incorrect;
- (c) Refusal to provide information on deprivation of liberty, or the provision of incorrect information, even if the legal requirements for the provision of such information have been met.

General Standards

International Standards for Enforcement of POW Inquiries of POWs and Other Detectives at the Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949 (GPW) prisoners of war must at all times be treated humanely and any acts of coercion are forbidden: No physical or mental abuse, or any other form of coercion, may be granted prisoners of war to protect from them details of any kind. Prisoners of war who refuse to respond may be threatened, insulted, or exposed to the mistreatment of any kind.

(GPW, Article 17) All prisoners of war, when asked about this matter, are obliged to give only their last name, first name and position, date of birth, and military service, modern, personal or serial number, or failure to do so, the same details. (GPW, Article 17) Prohibition of the use of coercion and compliance with international humanitarian law is included in other US military literature documents under investigation such as the Army's Field Manual (FM 34-52) of September 1992.

Abuse of any kind is illegal and unlawful and prohibited by the US Government. Experience shows that the use of force is not necessary to obtain the cooperation of investigative sources.

Therefore, the use of force is a vicious act, as it produces unreliable results, can damage subsequent collection efforts, and can cause the source to say whatever he thinks the inquirer wants to hear. However, the use of force should not be confused with the intellectual, verbal, or non-violent tactics used by the investigator in questioning hesitant or uncooperative sources.

(FM 34-52) Coercion is unnecessary and constructive. Unfortunately, some may think that the methods of physical and mental coercion work to "soften" the prisoners for investigation. From our experience of recording hundreds of cases of abuse and / or mistreatment over the past 15 years, and from gathering evidence from law enforcement and security officials, it is clear that physical and psychological methods of coercion / abuse / harassment do not provide accurate and reliable information.

Conversely, by physically and / or emotionally abusing the perpetrators, the perpetrators reduce their victims to the point of depriving them of reliable "information," and in doing so, victims often falsely admit to anything they think "investigators" want to hear. Those who advocate physical and mental coercion to facilitate the collection of information do so i to justify violent and illegal acts. According to the military guidelines in question, "softening" should be obtained, not by coercion and / or abuse, but by human therapy.

The mistreatment of rebellious captives should go beyond the validity of Article 3, if there is no reason other than to expose them for questioning. The rebel was trained to expect brutal treatment when he was arrested. If, contrary to what he has been told to believe, this mistreatment is not found, he is ready to be subjected to psychological treatment for investigation. In addition, the brutal treatment of captured soldiers or friendly investigators will reduce rebellion and act as a gesture of propaganda's propaganda.

(FM 34-52) Special attention should be given to the treatment of rebellious suspects, since their level of sympathy for the rebels is often not readily apparent. The mistreatment of these people can foster sympathy for the rebels or keep them idle at a time when the host country needs active support from its citizens. (FM 34-52) In addition, the inability to create the threat of violence or to force the interviewer to work if the source challenges the threat. As a result, in both legal and ethical perspectives, the limits established by international law, treaties and customs present threats of coercion, violence, and deprivation as a means of investigation.

(FM 34-52) Non-compulsory investigative methods such as soliciting negotiations, proving co-operation and informing a detainee of the consequences of co-operation and non-co-operation are common, effective law enforcement investigations that do not require coercion.

IHL AS A BRANCH OF BRANCH LAW

International law can be broadly defined as a legal body that regulates legal relations between or between members of the international community - International and international organizations. International law maintains a structure that is fundamentally different from the law of the municipality or the national law of the State concerned. The main difference is that international law is a law based on an agreement reached by the States concerned, where by-law is enacted by the governments of the concerned states and made binding on its citizens. International law therefore binds countries only if they agree to it, except in the case of Customary International Law.

PROTECTION OF WAR PRISONERS

Prisoners of War as stipulated under Article 4 of the Geneva Convention and Article 44 of the Extraordinary Agreement I have the right to protection and treatment. Prisoners of War are given this special status to ensure that soldiers serve in the interests of their country, and once they are out of the war, they are entitled to protection. The provisions of the International Social Welfare Act set out certain rules for the treatment of prisoners of war. Article (s) of the Geneva Convention III 143 requires that prisoners of war be treated fairly, adequately housed, and provided adequate food, clothing, and medical care. Its provision also establishes labor guidelines, disciplinary, recreational and criminal cases.

Specific Provision for Treatment of Prisoners of War in Captivity

Every prisoner of war, when asked about this matter, will surely give only their surname, name and rank, date of birth, and his army, status, personal or physical or mental status, they cannot say who they are, they will be given More than medical. No physical or mental abuse, or any other form of coercion, may be imposed on a Military Prisoner to obtain information of any

kind, or anything.¹⁷ A prisoner of war who refuses to respond may be threatened, insulted, or exposed to any unpleasant or unkind treatment of any kind.

Authorities and prisoners of equal status should be treated fairly because of their rank and age. The personalities of the Military Prison will remain in the possession of a War prisoner, including their helmets and helmets and articles such as those issued for their protection. Only weapons including arms, military equipment and withdrawal items of value from the Military Prison are set aside for large sums of money seized to work.

The gripping force can block the freedom of movement of a War prisoner within the confines of the Prisoner of War camp. A Prisoner of War may be released in whole or in part by amnesty or by promise, as permitted by the laws of the Power in which they rely. No prisoner of war at any time may be sent, or kept in places where they may be exposed to the fire of a battlefield, and their presence may be used to provide points or areas for the body's defenses from military action.

Code of Conduct for Health Professionals

The level of involvement of health professionals in acts of abuse and ill-treatment in Iraq is not fully documented. The investigative guidelines, however, issued by the U.S. military indicate that for some strategies that require approval, a health professional needs to be present. In a questionnaire and cited on May 13, 2004 in Stars and Stripes, Major General Geoffrey Miller states that "keeping prisoners hungry should be under medical supervision". And, according to the pamphlet, "detainees who are injured or suffering from a medical condition must be informed about treatment before investigation". To the extent that health professionals are involved in these activities, for example conducting tests to determine the appropriateness of certain types of interrogation, is a violation of ethics.¹⁸

The UN is directly responsible for the ethical obligations of physicians and other health professionals in the Principles of Medical Ethics relating to the Role of Health Professionals, Especially Doctors, Prisoners and Prisoners for Abuse and Other Abusers, Inhuman, or

¹⁷ Stephanie Carvin, Caught in the Cold: International Humanitarian Law and Prisoners of War During the Cold War, *Journal of Conflict and Security Law*, Volume 11, Issue 1, Spring 2006, Pages 67–92

¹⁸ Elizabeth A. Prosek, Jessica M. Holm, Counselors and the Military: When Protocol and Ethics Conflict

Rehabilitation or Punishment (1982). This makes it clear that health professionals have a moral obligation to protect the physical and mental health of prisoners.

They are directly prohibited from using medical knowledge and skills in any way that conflicts with international human rights declarations. In particular, it is a serious violation of health care principles to participate, actively or indirectly, in harassment or consent in any way. "Participation" in abuse includes assessing a person's ability to withstand abuse; presence, surveillance, or abuse; rehabilitating people with the intention of continuing the abuse or providing immediate medical attention before, during, or after harassment on the orders of those who may be experiencing it; providing technical information or personal health information to abusers; willful disregard for evidence and forgery reports, such as autopsy reports and death certificates.

The UN Charter also enshrines one of the fundamental principles of the health care system by emphasizing that the only ethical relationship between prisoners and health workers is designed to assess, protect, and improve the health of prisoners. Prisoners' health checks for ease of punishment or abuse are clearly inappropriate. The 1975 World Medical Association (WMA) Declaration of Tokyo reaffirms the ban on any form of medical participation or medical presence for abuse or ill-treatment. It is strengthened by UN principles that specifically address the Tokyo Declaration. Doctors are apparently prohibited from providing information or any medical treatment or substance that may assist in misdiagnosis.

CONCLUSION

Over the years, the International Committee has worked tirelessly to secure greater protection from international law in the face of war; account for the Geneva Conventions in accordance with current requirements, or establish new ones. In the middle of the two world wars, the Committee's greatest achievement lay in the development of many draft treaties, the main of which was the Conference on the Treatment of Prisoners of War; this was signed in the summer of 1929. There have been various changes to the conference that have culminated in what we have today as the Geneva Convention regarding the treatment of prisoners of war on August 12, 1949. It is believed that if the provisions of the summit are strictly adhered to by all nations, prisoners of war will no longer be at home in the hands of Detaining Power.

RECOMMENDATION

1. Ensure that the inquiry guidelines are in line with the Geneva Conventions and the UN Convention on the Elimination of All Forms of Discrimination against Women, including the United Nations Convention on the Elimination of All Forms of Investigation
2. Highlight all interrogation guidelines.
3. Access to detention facilities should be made to private human rights organizations.
4. Account of the whereabouts of all detainees and inform family members of their whereabouts. This includes details of the transfer of prisoners.
5. Identify all detention centers in the US and other countries.
6. Ensuring that education and information about harassment prevention is fully incorporated into the training of law enforcement, political or military personnel, medical personnel, community officials and other persons who may be involved in the detention, investigation or treatment of any person responsible for any form of arrest, detention or detention.
7. Observe a systematic review of investigative laws, regulations, methods and procedures and arrangements for the detention and administration of persons detained in any form of detention, detention or detention in any place under their jurisdiction, for the purpose of preventing any criminal proceedings.
8. Provide the American public with a comprehensive list of investigative practices, including all records and documents relating to the most recent violations and past allegations of harassment in Afghanistan, Iraq, Guantanamo, the US and other countries where people have been dispatched.
9. An independent ombudsman must be appointed, who has the authority to visit and access without restriction at any place of detention.
10. Video tape all investigations and statements or confession.
11. They hold accountable those responsible for investigating inquiries into violations of international human rights and human rights law.

12. Respect the obligation of health care workers to refrain from participating in any form of abuse and / or abuse as provided for in the Proclamation of the World Medical Association of Tokyo and the UN Principles of Medical Ethics Inhumane, or Humiliating or Punishment

13. Prohibits the transfer of prisoners to other countries for torture.

