

THE GENEVA CONVENTION

This agreement by various countries of the world to govern the treatment of prisoners of war has been the foundation of our internment program. In the early stages of internment practically every enemy alien in our custody majored in the study of this document and became an authority on those sections which stipulated things that must be and might be followed by the detaining power. The few clashes with the Japanese under this treaty have been so few until they are hardly worth mentioning. For a long time however it was almost a constant subject between the Administration and the German Group, but as it was gradually realized our policy for this family camp afforded treatment even better than that actually required, the Geneva Convention became almost a lost document so far as the Internees were concerned.

Please return to Mary F. Clark

U. S. DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
PHILADELPHIA

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INSTRUCTION NO. 58

TO THE IMMIGRATION AND
NATURALIZATION SERVICE:

SUBJECT: Instructions concerning the treatment of
alien enemy detainees.

By telegraphic instructions immediately after the beginning of the war and by various written instructions beginning with that of December 12, 1941, all District Directors and the Field Service have been informed as to the treatment of alien enemies in the custody of the Service and the standards of custodial care adopted for all detention facilities under their jurisdiction.

The purpose of this instruction is to combine the previous ones into one comprehensive order, so that all employees of the Service who have any duties in connection with the custody of alien enemies may be thoroughly familiar with the treatment which must be accorded them. Each District Director will therefore furnish a copy of this instruction to each employee under his jurisdiction who has any duties to perform in connection with the detention of alien enemies. If insufficient copies of this instruction are received to accomplish that end, request for additional copies should be made.

The minimum standards of treatment which have been established and which must prevail throughout this Service are based upon the provisions of the Convention Between the United States of America and Forty-six other Powers (including those with whom this nation is now at war) Relating to the Treatment of Prisoners of War (Treaty Series No. 846), known generally as the Geneva Convention of 1929. The Government of the United States has agreed with the belligerent powers to apply these provisions to civilian alien enemy internees wherever applicable. Copies of the Geneva Convention have heretofore been supplied to the various districts.

In this connection it should be kept in mind that the basis underlying the treatment of alien enemy detainees is reciprocity, and that not more is permitted to be done whereby any country than that the Geneva Convention has been

violated or ignored, thereby providing an excuse under the guise of retaliation for harsh treatment and cruel abuse of nationals of this country in the hands of our enemies.

Reports as to our treatment of alien enemy detainees are made from time to time to the belligerent nations by diplomatic representatives of the protecting Powers (the Swiss for Germany and Italy, the Spanish for Japan). In this connection visits of inspection will be made by such representatives from time to time by arrangement with the Central Office, of which the districts concerned will be notified. Visits will also be made by representatives of the International Red Cross Committee and other similar organizations. On such occasions full access must be accorded and opportunity afforded to talk to inmates and to receive any complaints they may care to make.

If requests are made direct to field officers for permission to make such inspection visits, as, for example, by local consuls and the like, permission should be withheld until the request has been reported to the Central Office and authority for the visit has been obtained. Meanwhile, the person making the request should be informed that his request must be cleared through diplomatic channels.

RULES TO BE OBSERVED

The following are the rules to be observed. It should be remembered that these are minimum standards. Full discretion to exceed them is given to District Directors and officers in charge of detention camps in the interest of the health and personal welfare of detainees but always consistent with the responsibility of adequate security.

1. Humane Treatment. (See Article 3 - Geneva Convention)
Detainees must at all times be humanely treated and protected, particularly against acts of violence, insults, and public curiosity. Physical coercion must not be resorted to and, except in self defense, to prevent escape or for purposes of proper search, no employee of this Service under any pretext shall invade the person of any detainee. No measures calculated to humiliate or degrade shall be undertaken.

The fullest consideration must be afforded to women and those infirm or in ill health. Women shall be treated at all times with all the regard due to their sex.

2. Quarters. (See Articles 9 and 10 - Geneva Convention)
Detainees shall be allowed the same quarters as is the standard for United States troops, namely, not less than sixty square feet of floor space and seven hundred cubic feet of space.

All quarters must be properly heated, lighted, and well ventilated. They must be kept clean and sanitary at all times and all precautions taken against danger of fire.

Detainees, particularly women, must be accorded free access during the day to their sleeping quarters for rest and relaxation.

Detainees must not be confined in jails or prisons except as a temporary measure in localities where no facility of this Service exists or no other place is available, and even in such cases, for no longer than twenty-four hours pending arrangements for transfer, in accordance with Central Office instruction of January 30, 1942.

3. Sanitation. (See Article 13 - Geneva Convention) Detainees must have at their disposal at all times, day and night, suitable sanitary installations, which must be kept constantly in a state of cleanliness. Daily access must be had to shower baths and sufficient hot and cold water must be supplied. Soap and other facilities must be furnished in sufficient quantities to insure bodily cleanliness.

4. Exercise and Fresh Air. (See Articles 13 and 56, Geneva Convention) As much exercise and opportunity to enjoy the open air as is possible must be afforded. Even detainees closely confined as a disciplinary measure must be allowed to exercise or to stay in the open air at least two hours each day. In all other cases, weather permitting, exercise in the open air must be permitted for longer periods and at least twice daily. Suitable recreational and exercise equipment, both outdoor and indoor, shall be furnished by the Service.

5. Food. (See Article 11 - Geneva Convention) The food furnished detainees must be equal in quantity and quality to that of United States troops at base camps. All foodstuffs shall be carefully inspected to see that they are of good quality and conform to specifications. The amount of food furnished shall average per detainee per day approximately the following:

<u>Food Item</u>	<u>Weight</u>
Meats and Fish	.70 lbs.
Lard and Cooking Oils	.15 "
Flours, Starches, Cereals	.80 "
Dairy Products	1.00 "
Eggs	.03 "
Sugar, Sugar Substitutes and Syrups	.25 "
Beverages - Coffee, Tea, Cocoa	.10 "

Potatoes and Root Vegetables	1.00 lbs.
Leafy Green or Yellow Vegetables	.60 "
Dried Vegetables and Nuts	.10 "
Fruits and Berries - Fresh or Canned	.15 "
Dried Fruits	.08 "
Spices and Miscellaneous Food Adjuncts	.10 "
	<u>5.06 "</u>

In case the rationing of any food item is applied by the Government to the civilians in the United States generally, the same ration allowance shall be applied to detainees. Wherever practicable, detainees should be permitted to prepare or assist in the preparation of foods in accordance with their respective national tastes, but a properly balanced diet shall be preserved.

6. Clothing. (See Article 12 - Geneva Convention) Detainees shall be furnished clothing, linen and footwear as required. Those who work should be furnished clothing suitable for the work which they perform.

7. Bedding and Towels. Each detainee shall be issued a sufficient number of blankets, or blankets and comforts, for warmth, the number to depend upon local climatic conditions. Blankets shall be laundered as required and should not be reissued without laundering. Sheets and pillow cases shall be changed as often as required, but not less often than once a week.

Detainees shall be furnished a bath-size Turkish towel which shall be changed three times weekly. Opportunity must be given detainees to wash the towels themselves whenever they desire.

8. Miscellaneous Articles of Necessity and Convenience. (See Articles 11 and 12 - Geneva Convention) Opportunity must be given for detainees to purchase at local market prices or lower, food products, tobacco, and ordinary objects. As required by detainees not financially able to supply their own needs, miscellaneous articles such as the following shall be furnished:

Soap, dentifrices, shaving materials, writing materials, sewing materials, and tobacco. Detainees must be permitted to smoke under proper regulations. The tobacco furnished shall be good grade pipe or cigarette tobacco, and the equivalent of ten cigarettes a day shall be issued.

9. Canteens. (See Article 12 - Geneva Convention) In each camp and, where practicable, in other detention facilities, detainees shall be permitted to establish a canteen where they may obtain, at not to exceed local market prices, miscellaneous products and items desired by them and approved by the Officer-in-Charge of the camp as not being detrimental to discipline or the security of the detention facility. Wherever the detainees are competent to do so, they should be permitted to operate their own canteens, but the accounts should be carefully audited by an employee of this Service. Profits made by the canteens above those needed for operating expenses shall be placed in the general welfare fund.

10. Work. (See Articles 27, 29 and 34 - Geneva Convention) Detainees may be required to perform work connected with the operation and maintenance of the detention station or camp, provided they are physically fit for such work, for which they will receive no pay.

11. Recreation. (See Articles 17 and 39 - Geneva Convention) In addition to exercise, detainees shall be allowed to engage in sports and intellectual diversions. At camps where the practice is feasible, suitable motion pictures shall be shown once weekly. Wherever possible books, magazines, and other reading matter shall be supplied and detainees shall be permitted to receive individually books and other reading matter, subject to censorship.

12. Religious Services. (See Article 16 - Geneva Convention) Detainees shall enjoy complete liberty in the exercise of their religious faith and in camps, and elsewhere if practicable, arrangements must be made for religious services to be conducted once a week, at which detainees must be permitted to attend.

Ministers of the Gospel, Priests, and other representatives of religious faiths, must be allowed to visit detainees if requested for the purposes of their calling.

13. Visitors. Regular visiting hours shall be established, at which time detainees may receive as visitors relatives, friends, counsel, and persons calling upon them for other proper reasons whom they desire to see. All visits shall take place under the supervision of an officer of this Service, except those made by a representative of a Protecting Power or the Department of State, who must be permitted to talk with detainees without surveillance.

The visiting regulations should be as liberal as local conditions will permit. The length of an individual visit should not be made unnecessarily short, the number of visits should not be unduly curtailed, and in no case shall all of any detainee's visits be restricted to less than two hours per week. In bona fide emergen-