

## House Resolution 768

By: Representatives White of the 3<sup>rd</sup>, Post 2, Yates of the 85<sup>th</sup>, Post 1, Wilkinson of the 41<sup>st</sup>, Douglas of the 73<sup>rd</sup>, Amerson of the 9<sup>th</sup>, and others

## A RESOLUTION

1 Commending the bravery of the American armed forces and demanding treatment of  
2 American prisoners of war in accordance with the Third Geneva Convention; and for other  
3 purposes.

4 WHEREAS, the armed forces of the United States currently at war with Iraq in Operation  
5 Iraqi Freedom have now largely taken control of Baghdad and are continuing efforts to  
6 pacify the country; and

7 WHEREAS, a number of American military personnel have been taken prisoner by the Iraqi  
8 military and the possibility of more Americans falling into Iraqi hands is still very real, while  
9 American forces are holding thousands of Iraqi soldiers who were captured or surrendered;  
10 and

11 WHEREAS, the Convention Relative to the Treatment of Prisoners of War, signed in Geneva  
12 on August 12, 1949, commonly known as the "Geneva Convention," prescribes international  
13 rules concerning the treatment of prisoners of war, and more than 190 nations, including the  
14 United States and Iraq, are parties to that agreement; and

15 WHEREAS, Article 12 of the Third Geneva Convention requires the humane treatment of  
16 prisoners of war and provides that they be protected against acts of violence or intimidation  
17 and against insults and public curiosity; and

18 WHEREAS, Article 17 of the agreement prohibits the infliction of physical or mental torture  
19 or any other form of coercion upon prisoners of war in order to obtain information of any  
20 kind and protects prisoners who refuse to answer questions from threats, insults, or exposure  
21 to unpleasant or disparate treatment; and

1 WHEREAS, Article 23 of the document provides that a prisoner of war may not at any time  
2 be sent to or detained in areas in which they may be exposed to the fire of the combat zone,  
3 nor may a prisoner's presence be used as a shield from military operations; and

4 WHEREAS, the convention requires that a government holding prisoners of war grant  
5 representatives of the International Committee of the Red Cross free access to all prisoners  
6 of war; and

7 WHEREAS, the government of the United States is treating captured members of the Iraqi  
8 military forces in accordance with the Third Geneva Convention and is facilitating Red Cross  
9 access to these prisoners; and

10 WHEREAS, the Iraqi government has splintered and it is impossible to point to an entity in  
11 charge of the armed forces, so that each Iraqi military commander of any rank of any unit,  
12 great or small, must consider himself a representative of the government and will be held  
13 personally responsible for complying with the Geneva Convention with regard to the  
14 treatment of American prisoners of war.

15 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that  
16 the members of this body commend the bravery and professionalism of the members of the  
17 American armed forces in the prosecution of the war against Iraq.

18 BE IT FURTHER RESOLVED that the members of this body condemn any mistreatment  
19 of American prisoners of war and insist that any Iraqi military personnel who have charge  
20 of American prisoners of war treat them in accordance with the Third Geneva Convention.

21 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized  
22 and directed to transmit an appropriate copy of this resolution to the public and the press.