

1953**Rules of Procedures Governing Explanations and
Interviews by Neutral Nations Repatriation
Commission****Citation:**

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Summary:

In 1953 the Neutral Nations Repatriation Commission was created in order to deal with the repatriation of thousands of prisoners of war. For those POWs who wished to not repatriate, a series of explanations and interviews were held in order to allow them to choose their side in a neutral setting. This is a list of the general provisions of the commission which clarifies and explains who, how, and where these interviews would be held.

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POW

RULE OF PROCEDURES GOVERNING EXPLANATION AND INTERVIEWS
BY NEUTRAL NATIONS REPATRIATION COMMISSION

1 GENERAL PROVISIONS

1. Any act of force or threa of force to prevent or to effect repatriation of prisoners of war is prohibited.
2. No prisoner of war shall commit an act of violence against another prisoner of war.
3. Any action inflinging upon the rights of prisoners of war under terms of reference of the commission is prohibited.
4. Any acts of prisoners of war which have the effect of derogating from or obstructing the authority of the commission to exercise its legitimate functions and responsibilities are prohibited.
5. Any act on the part of prisoners of war impeding the work of explanations and interviews is prohibited.
6. As soon as the custody of prisoners of war has been assumed by the NNRC, through the custodian force, India, the commission shall ensure that the prisoners of war are acquainted with the provisions contained in the preceding paragraph 1—5.
7. Explanations and interviews can be given to groups of or individual prisoners of war as requested by the explaining representatives of the nation to which the prisoners of war belong. Every one of the prisoners of war shall attend the explanations and interviews.
8. Several explanations and interviews to the same group of prisoners of war or the same individual prisoner are permissible within the time prescribed in article 8 of the terms of reference of the commission.
9. Prisoners may apply for repatriation at a time and at any place. The NNRC will ensure that every prisoner of war has opportunity to do so without any fear.
10. At the time of the explanation, there shall be present the NNRC or its subordinate body, along with one representative each of the two sides to observe the operation and one representative of the detaining side.
11. A sufficient number of subordinate bodies not exceeding 33, composed of ²⁹

one representative from each member nation on the NNRC shall be established to attend all the work of explanations and interviews and to determine the validity of applications for repatriation.

12. The explaining representative shall have the right to distribute to the prisoners of war written explanations in accordance with the provision of article 8 of the terms of reference having duly been examined by the commission or its subordinate body.

13. At no time during the explanations and the interviews shall the observer of either side be permitted to interfere with the work of explanation, the sole function being to observe.

14. The representative of the detaining side shall not participate in the work of explanation or interfere with it in any way. He, may, however, bring to the notice of the chairman of the NNRC or its subordinate body at the end of each explanatory session, any matter which may be construed as violation of the terms of reference.

15. In the process of explanations and interviews, interpretation to the NNRC representative present shall, without obstruction the work of explanations and interviews, be concurrent and shall not interrupt the explanation and interview work.

16. The explaining representatives may ask the prisoners of war any relevant questions provided the latter is warned of his right that he need not answer the questions if he thinks or the NNRC or its subordinate body thinks that the answer to the questions may be used to threaten or coerce him directly or indirectly.

17. If in the opinion of a member of a subordinate body, in charge of the supervision of explanations, and explainer infringes upon the terms of reference or present rule, or also in any case of disturbance or major incident, the session shall be immediately suspended, the subordinate body will then without delay examine the situation brought about by such an incident and state and/or report the case to the commission.

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II. ARRANGEMENT AND FACILITIES

18. The sites for explanations and interviews, whether to individuals or groups, shall be so constructed as to ensure that the work of explanations and interviews be free from any interference or obstruction.

19. Facilities shall also be provided for the conduct of the work of explanations and interviews to sick, wounded and injured prisoners of war.

✓ 20. Prisoners of war who have applied for repatriations, those who have been given explanation but have not submitted their applications for repatriation and those who have neither been given explanation nor applied for repatriation should be kept separated in custody.

✓ 21. Each enclosure for the conduct of individual or group explanations shall have two exits to be used separately by the prisoners of war; one for those who apply for repatriation and the other for those who have not, in accordance with paragraph 8 of the terms of reference.

22. The work of explanation shall be carried out each day of the week, except Sundays, from 0700 hours to 1630 hours with a lunch interval of an hour.

23. The explaining representatives of the nations to which the prisoners of war belong shall forward to the secretariats of the NNRC plans one day in advance from day to day regarding the method of explaining work. They should reach the secretariat not later than 1000 hours on the day previous to the date on which the plan is to be put into operation.