

No. 30293

**UNITED STATES OF AMERICA
and
REPUBLIC OF KOREA**

**Memorandum of agreement on the transfer of prisoners of
war/civilian internees. Signed at Seoul on 12 February
1982**

Authentic texts: English and Korean.

Registered by the United States of America on 28 September 1993.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DE CORÉE**

**Mémoire d'accord sur le transfert de prisonniers de
guerre/internes civils. Signé à Séoul le 12 février 1982**

Textes authentiques : anglais et coréen.

Enregistré par les États-Unis d'Amérique le 28 septembre 1993.

MEMORANDUM OF AGREEMENT¹ ON THE TRANSFER OF PRISONERS OF WAR/CIVILIAN INTERNEES

Whereas, the United States of America (USA) and the Republic of Korea (ROK) are signatories to the 1949 Geneva Conventions for the protection of war victims;² and

Whereas, Article 12 of the Convention Relative to the Treatment of Prisoners of War³ and Article 45 of the Convention Relative to the Protection of Civilian Persons in Time of War⁴ indicate that prisoners of war and civilian internees may be transferred among parties to those conventions; and

Whereas, the USA and the ROK have declared their common determination to defend themselves against external armed attack in accordance with the provisions of the Mutual Defense Treaty of 1 October 1953;⁵ and considering that, should hostilities recur in Korea, mutual defense would be assisted by transferring enemy prisoners of war and civilian internees (EPW/CI) captured by the armed forces of the USA to the armed forces of the ROK;

Therefore, the military authorities of the USA and the ROK shall observe the following agreement regarding enemy prisoners of war and civilian internees captured by the US armed forces:

1. The armed forces of both parties undertake to treat all enemy prisoners of war and civilian internees in accordance with the provisions of the Geneva Conventions of 1949.

¹ Came into force on 12 February 1982 by signature.

² United Nations, *Treaty Series*, vol. 75, p. 2.

³ *Ibid.*, p. 135.

⁴ *Ibid.*, p. 287.

⁵ *Ibid.*, vol. 238, p. 199.