

PS/Secretary of State

11 May 04

Prisoner of War Issues - Um Qasr PW Camp - Mar - 10 May 03

1. The following is my recollection, backed up by notes taken at the time, of PW/ICRC issues from the start of the war until my departure in mid May 03.

**Summary**

2. Vast majority of PWs dealt with extremely well. ICRC concerns focused on treatment, by military intelligence community, of special category prisoners.

[REDACTED] (1 April 03) received immediate attention and dealt with to satisfaction of ICRC. [REDACTED]

**Detail**

3. British Forces responsible for administration/security of Um Qasr PW holding camp prior to handover to US Forces administration around end Apr/early May. Holding area used for PWs either rounded up or who surrendered (mainly the latter) during the course of the war. Included those taken by British Forces but also those taken by US Forces and passed to British by US Forces (although US forces remained legally responsible for their PWs). Numbers of PWs at Um Qasr varied considerably from day to day but in early Apr, number was around 5,000 - 6,000. Considerable effort made to look after PWs. From a visit I made to the camp on 6 Apr, I noted the following (and which Ministers may wish to use to use in briefings):

- setting up of Halal kitchen with Iraqi chefs to prepare Iraqi food;
- access to an on site medical centre staffed by British military doctors and nurses (NB The medical complaints the centre were dealing with were typically not war wounds but general health problems eg angina. PWs commented very favourably on the level of care and diet they were receiving at Um Qasr which was better than that in Iraq prior to the war);
- PWs were registered etc iaw ICRC guidelines but whilst fighting continued it was not possible to have letters to family delivered as no postal systems existed and it was unsafe to travel around the country. In addition, mobile phones did not work and there were very few landlines;
- [REDACTED]
- British soldiers guarding the PWs established excellent relations with PWs and would enter the PW "cages" unarmed (in marked contrast to the US modus operandi);
- Basic showers were provided for the PWs and screens set up by British forces to enable the PWs to maintain hygiene and conduct their ablutions in private.

## ICRC Complaint

4. ICRC had access to Um Qasr camp and on 1 Apr I was notified by a senior ICRC rep that one of his team intended to make a formal complaint via Geneva of the treatment she had witnessed being meted out to special category prisoners at the camp. The complaint centred on the bagging, cuffing and harsh treatment of those limited numbers of prisoners subject to interrogation on entering the camp. Such prisoners included those suspected of being senior Baath party officials, those on the 'wanted' list, suspected terrorists, and those thought to be responsible for ordering the killing of the two EOD soldiers. And whilst the majority of PWs were compliant, a minority were disruptive and violent (and fights amongst PWs were not uncommon) hence the need for restraining measures. Examples the ICRC gave of harsh treatment included PWs being made to sit in the sun as a punishment for disruptive/violent behaviour, kicking, and use of stress positions. As a result of ICRC's allegations, I recall being told that a very limited number of incidents of abuse (kicking etc) had been uncovered as a result of which the interrogator concerned had been removed from theatre. Air Marshal Burrige acted immediately on ICRC's complaint and gave orders that bagging was to stop forthwith as was harsh treatment. The military chain of command was notified of the complaint and closer supervision arranged. (In terms of context, it should perhaps be borne in mind that the war was still very much being fought at this time and 1 Div were on the verge of taking Basra and focusing on the whereabouts of Chemical Ali whilst the US were heavily focused on Baghdad leaving others further down the chain of command to deal with PW issues.) A follow-up meeting with ICRC at Um Qasr was arranged for 6 Apr.

5. (It is worth pointing out that the infantry battalion with responsibility for logistics at Um Qasr were not the subject of the ICRC's complaint: the concerns focused on the special category prisoners who were under the jurisdiction of the military intelligence community – known as JFIT – and who were outside the chain of command of the commandant of Um Qasr, Lt Col S009. This was a bone of contention at the time for the commandant who had, I understand, briefed his concerns about their behaviour outside the chain of command including, I believe, to Amnesty International.)

6. As a result of the complaint, the number of PWs classed as special category prisoners was reduced and blindfolds/blacked-out goggles were to be used instead of bags and more selectively. (Blindfolds or goggles were still necessary on occasion to prevent the PWs colluding with or intimidating one another whilst undergoing interrogation, although it did take sometime to get blindfolds into the logistic system and combat units who were taking PWs were still using bags in the absence of blindfolds.) When I visited Um Qasr camp on 6 Apr, special category prisoners were kept in a tent, without blindfolds and cuffs, lying on rugs, and with access to water, food and ablutions.

7. I mentioned the ICRC complaint to the Defence Secretary's office by phone at the time it was made but with advice that we had dealt with the complaint and ICRC were content. I saw no formal complaint subsequently and the issue was not referred to again by ICRC officials despite regular contact on more general issues. Indeed, ICRC praised British forces for being responsive to their concerns and for the access they