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**FRAGO 005 TO MND (SE) OPO 03/03 - POLICY FOR APPREHENDING, HANDLING AND PROCESSING OF DETAINEES AND INTERNEES.**

Time Zone Used Throughout the Order: DELTA (ZULU remains in force for aviation Ops).

References:

- A. 1949 Geneva Convention IV relative to the Protection of Civilian Persons in Time of War
- B. MND(SE) ROE Profile - Annex F to MND(SE) Iraq MOU dated Jul 03
- C. CPA Memorandum No 3 on Criminal Procedures dated 18 Jun 03

INTRODUCTION

1. Internment is permitted under Art 78 of Reference A where it is necessary for imperative reasons of security to restrict a person's liberty. It is distinct from detention which is the restriction of a person's liberty because they are suspected of criminal activity. Internees are not subject to the ordinary criminal system but their cases will be subject to review. The ROE at Reference B authorise internment and also detention, subject to individual Troop Contributing Nations' (TCN) declarations and clarifications.
2. This policy sets out the procedure for the handling of internees and detainees from the point of apprehension to the authorisation of continued detention, internment or release. The aim of this policy is to ensure a common approach to internee and detainee handling across the MND(SE) AO.

DEFINITIONS AND CATEGORIES

3. The following definitions apply:
  - a. Internees. Internees are persons whose liberty is restricted for imperative reasons of security.
  - b. Detainees. Detainees are persons who are apprehended on suspicion of committing a criminal offence.
4. Categories of detainees/internees. Guidance as to whether an apprehended person should be categorized as an internee or a detainee is contained at Annex A. Those suspected