

229

RESTRICTED

FROM: MAIN HQ 1 (UK) Armd Div, BASRAH INTERNATIONAL AIRPORT, IRAQ

TO: HQ 7 Armd Bde, JFLogC, JHF, 1PARA, 63 Sqn RAF,

INFO: PJHQ MEOT, 1MEF, HQ 3 Div

INTERNAL: All LAN users

PRECEDENCE: IMMEDIATE

DTG: 301000DMAY03

FRAGO 163: INTERNMENT AND DETENTION PROCEDURES

Ref:

A. OP Directive 27 – Deliberate Lift Operations dated 181500Z Apr 03.

Scope of Order. This FRAGO specifies the procedures to be implemented when detaining or interning civilians.

SITUATION

1. General. During the current occupation of Iraq, Coalition Forces are permitted to detain those who have committed a criminal offence or who are a threat to force security. Those who have committed a criminal offence are called detainees and those who pose a threat to force security are called internees. In the current situation, particularly where the civilian police force is still developing, it will often fall to Team Commanders to initiate the process of internment or detention of those who have committed a criminal offence or who pose a threat to Force Security. It is essential that all soldiers must understand the procedures to temporarily detain detainees or internees to prevent violations of International Law.

2. Threat See latest INTSUM.

MISSION. No change

EXECUTION

3. Concept of Ops.

a. Intent. To ensure that all ranks are able and have the confidence to initiate internment or detention procedures within a specified process that conforms with legal stipulations.

## RESTRICTED

b. Scheme of Manoeuvre. From 01 Jun the Iraqi civilian legal organizations will be responsible for detention of criminals. Coalition forces will continue to be responsible for internment of those that present a threat to the security of coalition forces. In addition, Coalition Forces still have a responsibility for law and order. Those temporarily detained by UK forces must be handed to RMP within one hour. Any later delivery can only be in exceptional circumstances. The RMP will then be responsible for initial processing before releasing back to the arresting BG for onward movement to the TIF. All internees are to be delivered to the TIF within 6 hours of arrest when practicable.

4. Missions & Tasks. No change.

5. Coordinating Instructions.

a. Categories of suspect.

(1) Detainees. Those that are arrested for acts relating to criminal activities are detainees and are to be handed over to the RMP for onward processing to the civilian authorities within one hour of arrest.

(2) Internees. Those arrested as a threat to the security of the Force are internees and are to be processed to the TIF by UK forces.

If the soldier on the spot cannot decide which category an individual falls into, they are to deliver the person they have temporarily detained to the RMP who will seek legal advice if necessary.

b. Internment procedures. A flow chart is at annex A. This flow chart should be issued down to Team level.

c. Deliberate Lift Operations. Ref A specified that HQ 1 (UK) Armd Div must be informed of all deliberate lift operations; that direction is extant. A minimum of 4 hours warning is required.

d. International Law. Under International Law, internment is only permitted where it is absolutely necessary for the security of the Force. It is therefore a serious measure to intern civilians and all cases must be reported to the ICRC. Where it cannot be shown that it is absolutely necessary to intern then the internee will be released.

SERVICE SUPPORT

6. No change.

COMMAND AND SIGNALS