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BRIEF FOR CDF

**ADF INVOLVEMENT WITH PW OR DETAINEES – SUMMARY FROM SURVEYS
WEF 30 MAY 04**

Background

- To provide CDF with a summary of data obtained from the survey of Defence personnel who may have had contact with PWs and/or detainees during operations in the MEAO.

Detention

- Eight ADF personnel were involved in detention of Iraqis or Afghans (this data does not include the five previously reported events involving AS personnel assisting Coalition forces to capture PW, ie KANIMBLA, 4 RAR escort and SF):
 - On separate occasions, two ADF members of the ASISC assisted US personnel detain Iraqi civilians who were looting. On one occasion the Iraqis were handed over to the Iraqi Police Service and on the other the Iraqis remained in US custody.
 - An ADF member from HQ JTF 633 was involved in the apprehension of personnel who were on a military base without authority (possible infiltrators).
 - One ADF member, as a UK forces Company 2IC (third country deployment - TCD), was responsible for the administrative return of PWs and detainees (PW/detainees were held in the Company level facility for between 15 and 60 minutes before being transported to the Battle Group facility). The member also supervised the treatment of the prisoners of war/detainees, personally assessing whether detainees were too young/old/ill to be held.
 - An ADF member (from HQ JTF 633) was with a US patrol in Baghdad when they detained two civilians carrying weapons.
 - An ADF member commanded a UK SF Unit (TCD) that detained civilian suspects in the Basra region. Personnel under his command conducted tactical questioning.
 - An ADF member (from HQ JTF 633) provided liaison between SECDET and 2 Brigade Combat Team (1st Airborne Division). He was present when US personnel captured personnel in raids and at checkpoints.
 - An ADF member assigned to the US 75th Ranger Regiment (TCD) was involved in capture missions in Afghanistan. All PW were handed-over in the field.

Guard / Escort

- Three ADF personnel were involved in escorting/guarding duties:
 - An ADF member on TCD with the 1st Light Armoured Reconnaissance Battalion, 1st Marine Division (located with 7 Regiment Combat Team) was responsible for supervising detainees in a prisoner security role, however these duties were not carried out alone.
 - One ADF member on TCD with US forces 473 Special Observation Post was involved in detaining personnel redeployed to the Basra region and was involved in detaining personnel as a guard/escort, including the hand-over of personnel to the detention centre.

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- An ADF member on TCD with UK forces provided military police escort for movement of detainees from Camp Abu Naji (located on the outskirts of Al Amarah) to a civil police station within Al Amarah.

Interview / Debrief

- Eight personnel had some involvement in interview/debriefing process:
 - An ASISC Defence civilian visited Camp Cropper as part of his duties with the ISG to interview a former Iraqi senior government official on WMD related matters.
 - While briefly passing interview rooms at Abu Ghayub, one ADF member (from HQ JTF 633) briefly observed a debrief being conducted from behind one-way glass. It appeared that the interview was being conducted in a quiet and orderly manner involving an interviewer, a detainee and one other seated at a desk.
 - An ASISC Defence civilian visited Camp Cropper on three occasions to conduct debriefings and interviews of detainees in relation to WMD issues. During these visits, either UK or US officers accompanied the member.
 - An ADF member of the ASISC visited the Camp Cropper Detainment Facility where he observed the questioning of one high value detainee from a separate room fitted with closed circuit television monitors.
 - An ASISC Defence civilian visited Camp Cropper where she sat at the back of the room while detainees were being interviewed. Her role as the subject matter expert was to observe and provide detailed written questions and advice to the debriefer.
 - An ASISC Defence civilian visited Camp Cropper as part of his duties to observe an interview of a detainee suspected of involvement with Iraq's WMD program from a remote viewing booth.
 - One ADF member (from HQ JTF 633) observed a debrief being conducted from behind one-way glass. A translator and a debriefer were in the room with the detainee. The debrief was amicable.
 - As a subject matter expert, an ASISC Defence civilian sat in on approximately 20 debriefs of high value detainees conducted by UK and US debriefers at Camp Cropper.

Rumours of Mistreatment

- Seven personnel were aware of unsubstantiated rumours associated with the treatment of detainees (does not include Muggleton & O'Kane):
 - An ASISC Defence civilian heard from a British colleague of mistreatment of the detainees during their arrest and for the following day or so. He did not know whether these comments were as a result of direct observation by his British colleague or were unsubstantiated comments. Photographs of two detainees taken shortly after their arrest showing abrasions about their face were also seen. The member was advised that these injuries were incurred during the detainees resistance to arrest. Concerns he had about the conditions in which the detainees were held were expressed on his return to Australia at the end of March 2004.

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- One ADF member (from CJTF 7) was aware of rumours surrounding the treatment of detainees at Camp Cropper, however as there was no substance to the rumours this was not reported.
- An ADF member (from JTF 633) heard that a US unit was conducting some initial interrogations within sight of a lion's cage (part of a private zoo that remained at a US HQ facility) to unnerve the prisoner.
- An ADF member working within CJTF7 heard rumours that PWs were not being treated as well as they could be, but nothing more specific. He reported this through the chain of command in the Australian headquarters.
- An ADF member working within CJTF7 heard that excessive force was used by Coalition forces in detaining an American-born Iraqi journalist. He reported his concern to his US chain of command.
- An ADF member working within CJTF7 heard rumours, but nothing was stated clearly in his presence nor did he observe anything. A senior US officer 'grumbled' occasionally about people complaining to the Red Cross about personnel making detainees wear women's underwear on their head. As the senior officer was in the US chain of command, he assumed that the matter was being dealt with. In Sep 03, the member was the recipient of an informal comment about undisclosed activity at Camp Cropper suggesting that activity could lead to prosecutions against MPs. As these comments also came from a senior US officer, the ADF member again assumed that these unspecified activities would be pursued in the appropriate manner. The member also continually raised the issue of his perception of the attitude of American servicemen towards the Iraqi populace with his US superior, fellow members of CJTF7 and to some members of JTF633.
- An ADF member working within CJTF7 heard information regarding 'heavy handling' of prisoners during transport to Guantanamo Bay. He was not sure whether prisoners being referred to were Iraqis or Afghans. As this information was considered third hand, it was treated as unreliable.

Conclusion

- A number of Defence personnel had some involvement with PW/detainees, including interviews/questioning, and heard rumours of detainee mistreatment. Personnel hearing rumours either believed that Coalition authorities were pursuing appropriate action or the rumours were not substantiated.

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