

Prisoners of War, Internees and Detainees

Joint Doctrine Publication 1-10
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1-10.1 to 1-10.3

JOINT DOCTRINE PUBLICATION 1-10

PRISONERS OF WAR, INTERNEES AND DETAINEES

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Director General
Development, Concepts and Doctrine

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¹ This replaces JWP 1-10 'Prisoners of War Handling'

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PREFACE

1. **Purpose.** The purpose of Joint Doctrine Publication (JDP) 1-10 '*Prisoners of War, Internees and Detainees*' is to provide high level joint doctrinal guidance on how to deal with persons who fall into the hands of UK Armed Forces during military operations, whether Prisoners of War (PW), civilian internees or those detained as a result of suspected or actual criminal activity.

2. This Edition of JDP 1-10 is written primarily for the benefit of the UK operational Commander responsible for UK Forces' compliance with domestic UK law, international law and the Law of Armed Conflict (LOAC). It should prove useful to those involved in operational planning when the issues covered in this publication may arise. It is also intended to assist those responsible for all aspects of force protection and area security, personnel whose duties involve liaison with local civil authorities, UK Governmental Departments (Foreign and Commonwealth Office (FCO), Home Office, Department for International Development (DFID)), Non-Governmental Organisations (NGOs) and International Organisations (IOs), such as the International Committee of the Red Cross (ICRC).

3. **Context.** JDP 1-10 has been titled '*Prisoners of War, Internees and Detainees*' and should be read in conjunction with 3 subordinate Joint Tactics, Techniques and Procedures (JTTPs), developed by the Provost Marshal (Army) as Lead Agent in concert with Joint and single-Service subject matter experts and published alongside JDP 1-10. They are:

- a. JDP 1-10.1 '*Prisoners of War*'.
- b. JDP 1-10.2 '*Internees*'.
- c. JDP 1-10.3 '*Detainees*'.

The separation of these tactical publications reflects the requirement for differing approaches to the range of possible categorisations of those captured, interned or detained by UK Armed Forces deployed on operations abroad.

4. **Structure.** JDP 1-10 is laid out in 5 Chapters. Chapter 1 introduces the fundamental tenets, law and policy governing this doctrine. Chapter 2 outlines the standards of treatment to be afforded in all circumstances and provides a context within which the detailed guidance in JDP 1-10.1, JDP 1-10.2 and JDP 1-10.3 should be read. Chapter 3 explores the consequences of failing to adhere to the standards of treatment of captured or detained persons. Chapter 4 outlines the principles governing the determination of a captured or detained person's status. Chapter 5 discusses the planning necessary for the successful conduct of Prisoner Handling operations, and

gives information on sources of legal and policy advice available to planning staffs and those charged with such activity in the field.

5. The Annexes throughout JDP 1-10 provide guidance on those aspects of Prisoner Handling activity common to all persons captured or detained by UK Armed Forces, regardless of their categorisation.² While this necessarily calls for the inclusion of tactical guidance in a higher-level doctrinal publication, this approach has been adopted in order to:

- a. Prevent unnecessary duplication in the 3 JTTPs subordinate to JDP 1-10.
- b. Ensure that where the handling of different categories of captured, interned or detained persons does differ, those differences are made clear to the reader.

LINKAGES

6. **National and Allied.** JDP 1-10 complements 3 supporting publications, JDP 1-10.1 '*Prisoners of War*', JDP 1-10.2 '*Internees*' and JDP 1-10.3, '*Detainees*'. It should also be read in conjunction with the NATO Publication AJP-2.5, '*Captured Persons, Materiel and Documents*' and JSP 383, the '*Joint Service Manual of the Law of Armed Conflict*'. Other linkages are referred to throughout the text.

² For example, guidance on the transport arrangements for captured or detained persons, or the infrastructure requirements of a camp.

PRISONERS OF WAR, INTERNEES AND DETAINEES

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Lexicon of Terms and Definitions**Lexicon of Abbreviations**

JOINT DOCTRINE PUBLICATIONS

The successful conduct of Joint operations requires intellectually sound, clearly understood and accepted doctrine that can be exploited by a nation and its likely partners, particularly in those situations associated with crisis and conflict. It is UK policy that national doctrine should be consistent with NATO doctrine, terminology and procedures (other than when the UK has elected not to ratify NATO doctrine). However, national doctrine should always cater for those areas not adequately covered by NATO doctrine, as well as influence the development of Allied doctrine. These requirements are met by the hierarchy of Joint Doctrine/Warfare Publications (JDP/JWPs).³

Interim Joint Doctrine/Warfare Publications (IJDP/IJWPs) are published to meet pressing new short to medium-term requirements for fully staffed and agreed Joint doctrine, often to deal with unexpected or unfamiliar circumstances and gaps in guidance. More short-term, urgent requirements for doctrine are published in Joint Doctrine Notes (JDNs). JDNs do not represent an agreed or fully staffed position, but are raised in short order by the Development, Concepts & Doctrine Centre (DCDC) to establish and disseminate current best practice. They also establish the basis for further development and experimentation and provide a doctrinal basis for operations and exercises.

The Joint doctrine development process and the associated hierarchy of JDP/JWPs are to be found in Defence Instructions and Notices (DINs).

³ JWPs will shortly be renamed JDPs, as part of the review cycle.

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CHAPTER 1 – THE FUNDAMENTALS

SECTION I – INTRODUCTION TO PRISONER HANDLING

101. During the course of military operations, members of UK Armed Forces must expect and be prepared to hold personnel who are no longer willing or able to continue fighting, as well as other personnel who merit detention or internment on other grounds. Prisoner Handling describes all aspects of dealing with persons who fall into the hands of UK Armed Forces during operations, whether categorised as Prisoners of War (PW), internees or detainees.

102. This publication sets out the fundamental rules and principles that apply to all such activity and is intended to provide guidance at the operational level. JDP 1-10 '*Prisoners of War, Internees and Detainees*' addresses the entire range of captured, interned or detained persons likely to be encountered by UK Forces across the spectrum of military operations. It is accompanied by 3 Joint Tactics, Techniques and Procedures (JTTPs) developed in parallel with it, JDP 1-10.1 '*Prisoners of War*', JDP 1-10.2 '*Internees*' and JDP 1-10.3 '*Detainees*.' These JTTPs give guidance on the detailed rules that apply to the handling of each of the categories of individuals held by UK Armed Forces.¹

103. The capture, internment or detention of persons has always been a feature of the planning and conduct of operations, whether in time of conflict (for example the capture of PW or the internment of civilians) or during peacetime operations (for example the arrest and detention of criminal suspects, or internment of those who pose an imperative threat to security). During armed conflict, the taking of PW brings many practical advantages; it reduces the enemy's numerical strength and fighting capacity, lowers the enemy's morale and may constrain the tactics of enemy Commanders. PW are also an important potential source of intelligence. Similarly, during other types of operations, internment or the arrest of criminal suspects may bring advantages in terms of stabilising the situation on the ground and in enhancing Force Protection.

104. Conversely, the abuse or ill-treatment of any such individuals can benefit an adversary in many ways. Such allegations may form the basis of powerful propaganda, undermine the credibility of UK forces and invite international condemnation. A deterioration in domestic support is equally likely. The abuse of PW, internees and detainees is not only unlawful, it is a fundamental misdirection of military effort. It may also indicate a wider breakdown in the internal discipline of a unit or formation, in turn producing adverse consequences of its own.

¹ Separate, detailed guidance regarding the eliciting of intelligence from captured persons is provided in extant Chief of Defence Intelligence (CDI) Policy. See JDN 3/05 '*Tactical Questioning, Debriefing and Interrogation*'.

105. **Treatment of Captured, Interned or Detained Persons.**² UK Armed Forces must comply with the Law of Armed Conflict (LOAC)³ during armed conflict. During all other types of operations (such as Peace Keeping Operations or Maritime Interdiction Operations), UK Armed Forces must comply with the applicable international, UK and foreign national law. Whichever law applies in a specific operation,⁴ all captured, interned or detained persons, regardless of their status or categorisation, are entitled to be treated humanely. International law lays down standards of treatment that must be observed at all times. Beyond certain basic standards of humane treatment, these persons are also entitled to varying degrees of enhanced rights and protections, depending on their status or categorisation and the nature of the operation. All persons detained by UK Armed Forces during the course of military operations shall be treated humanely from the moment they fall into the hands of UK forces until release.⁵ UK Armed Forces are responsible for the safety and protection of all persons captured or detained by them until their release.⁶

106. **Violations of the Law Governing the Treatment of Captured, Interned or Detained Persons.** Whether or not LOAC applies in a particular situation, those held in UK-run holding facilities may have rights under various international human rights treaties such as the European Convention on Human Rights, the International Covenant on Civil and Political Rights and the UN Convention Against Torture and Inhuman or Degrading Treatment. These obligations may require not only humane treatment and the absence of abuse, but also proper exercise of command responsibility to prevent abuse, as well as an effective system for investigating accusations of prisoner abuse or death in custody. All alleged violations of the law committed by UK personnel must be promptly reported through the chain of command and thoroughly investigated. Where appropriate, disciplinary action should be taken and corrective action should follow in order to prevent future occurrences.⁷

107. **Determination of Status.** Having captured an individual, UK Forces must determine that individual's status by reference to the circumstances in which the operation is being conducted and the applicable law. In the case of PW, should an individual's status not be obvious from the outset, it will be the ruling of a competent UK military court or tribunal⁸ that will determine the status of an individual. If it is evident or subsequently determined that the individual is entitled to PW status, then he⁹ should be handled in accordance with JDP 1-10.1. If it is evident or subsequently

² In this context the term 'detained persons' does not include refugees or displaced persons.

³ See JSP 383 *Joint Service Manual of the Law of Armed Conflict*, Chapters 8-9.

⁴ See JWP 3-46 *Legal Support to Joint Operations*.

⁵ See paragraph 129.

⁶ See Chapter 2.

⁷ See Chapter 3.

⁸ Geneva Convention III, Article 5.

⁹ References to the masculine gender throughout should be taken to refer equally to females. It should be recognised that captured or detained persons may include children and the elderly.

determined that the captured individual is not entitled to PW status, he should be treated in accordance with the procedures outlined in either JDP 1-10.2 or JDP 1-10.3. Pending determination of status, and in cases where doubt exists and cannot be resolved, all persons captured during international armed conflict are to be accorded PW status.¹⁰

108. **Planning, Training and Advice.** Dealing with captured, interned or detained persons is complex and calls for expertise across a range of military and other disciplines in the planning and conduct of such activity. The delivery of appropriate training is essential. Specialist staff, policy and legal advice are invariably required.¹¹

SECTION II – CATEGORIES OF CAPTURED, INTERNED OR DETAINED PERSONS

| | | | | |
|----------------------------------|------------------|-----------|--|-----------------------------------|
| International Armed Conflict | Prisoners of War | Internees | Retained Persons <div style="border: 1px solid black; padding: 2px; display: inline-block;">Unlawful Belligerents</div> | Prisoners of Indeterminate Status |
| Non-International Armed Conflict | | Internees | Criminal Detainees | |
| Other Operations | | Internees | Criminal Detainees | |

Figure 1.1 – Categories of Captured, Interned or Detained Persons

The Geneva Conventions (GCs) govern the treatment of both PW and some other recognised categories of prisoner, but they usually apply only during an International Armed Conflict.

During International Armed Conflict - The Geneva Conventions and Additional Protocol I

109. Conventions that govern the treatment of captured, interned or detained persons during international armed conflict are:

- a. **Geneva Convention I (GC I)** – for the amelioration of the conditions of wounded and sick in armed forces in the field.

¹⁰ See Chapter 4.

¹¹ See Chapter 5.

- b. **Geneva Convention II (GC II)** – for the amelioration of the conditions of wounded, sick and shipwrecked members of the armed forces at sea.
- c. **Geneva Convention III (GC III)** – relative to the treatment of prisoners of war.
- d. **Geneva Convention IV (GC IV)** – relative to the protection of civilian persons in time of war.
- e. **Additional Protocols I (AP I)** – relating to the protection of victims in international armed conflicts.

International Armed Conflict - Recognised Categories of Prisoner

110. During an international armed conflict, there are 4 categories of prisoner recognised by the GCs:¹²

- a. **Prisoner of War.**¹³ A PW is defined at Article 4 of GC III as one who, while engaged in combat under orders of his government, is captured by the armed forces of the enemy. As such, he is immune from the law of the capturing state for warlike acts preceding his capture that do not amount to breaches of LOAC. He is also entitled to the rights and protections guaranteed under GC III. PW include, for example, a member of the armed forces, organised militia or volunteer corps and a person who accompanies the armed forces without being a member thereof (contractors, reporters, merchant marine and civil aviation crews). It should be noted that PW may also include civilians who, on the approach of the enemy, spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units (provided that they carry arms openly and respect the law of armed conflict). This type of spontaneous uprising (known as a *levee en masse*) should be distinguished from unlawful civilian participation in hostilities.¹⁴ PW provisions usually apply only during an International Armed Conflict¹⁵ and only to the parties to that conflict (not, for example, to peacekeeping forces or terrorist groups).

¹² It should be noted that the US recognises a further category of prisoner during international armed conflict, the 'Enemy Combatant.' The US defines an enemy combatant as, for example, a member or agent of any international terrorist organisation against which the US is engaged in an armed conflict. The US takes the view that these 'Enemy Combatants' while entitled to be treated humanely, subject to military necessity, are not entitled to the privileges and protections of the Geneva Conventions. The UK does not recognise this category of prisoner, or any of the sub-categories of 'Enemy Combatant', for example, those possessing information of value or a civilian interned for his own protection.

¹³ See JDP 1-10.1.

¹⁴ See paragraph 111b.

¹⁵ Although the parties to a non-International Armed Conflict may agree between themselves to apply the PW provisions to any captured enemy combatants, this is rare (see paragraph 405). See paragraphs 112-113 for the categories of captured or detained person in non-International Armed Conflicts.

b. **Internee.**¹⁶ An internee is defined in GC IV as a civilian who is interned during an International Armed Conflict or belligerent occupation for security reasons or for protection or because he has committed an offence against the detaining power. During International Armed Conflict, a civilian (that is, a non-combatant) interned by UK Forces for committing a criminal offence against members of UK Forces, will be classified as an internee and not a detainee. **The term ‘detainee’ is used outside of a situation of International or Internal Armed Conflict to describe persons who are arrested on suspicion that they may have committed a criminal offence.**¹⁷ Since they are civilians, internees also qualify for protected status in accordance with GC IV, which establishes procedures that must be observed when depriving civilians of their liberty. In particular, GC IV Article 78 imposes an obligation on the UK to ensure that the requirement to intern an individual civilian is subject to periodic review.

c. **Retained Persons.** Under GC III Article 33, retained persons are those captured enemy personnel who may be retained in order to carry out their duties on behalf of other PW. Whilst being held, they are to receive the benefits and protection accorded to PW. Any retained personnel who are not required shall be repatriated as soon as possible to the Party to which they belong. Enemy personnel falling within one of the following categories are eligible to be certified as retained personnel:

- (1) Medical personnel exclusively engaged in the:
 - (a) Search for, collection, transport or treatment of the wounded or sick.
 - (b) Prevention of disease; and/or
 - (c) Staff administration of medical units and establishments.
- (2) Chaplains attached to enemy armed forces.
- (3) Staff of National Red Cross or Red Crescent Societies and other voluntary aid societies duly recognised and authorised by their governments.

d. **Prisoners of Indeterminate Status.**¹⁸ These are defined as persons in the custody of UK Armed Forces who have not yet been classified as a PW, Internee, or Retained Person. Pending determination of that prisoner’s legal status, he is to be treated as a PW unless, and until, a different legal status and

¹⁶ See JDP 1-10.2.

¹⁷ See paragraph 113.

¹⁸ See JDP 1-10.1.

accompanying protections have been established by a competent authority in accordance with the procedures established by law and policy.¹⁹

Those Denied Protected Status during International Armed Conflict – Unlawful Belligerents

111. Although not specifically mentioned in the GCs, there are traditionally 2 types of unlawful belligerents denied protected status under international law during an International Armed Conflict:

- a. Those categories of combatant who, although authorised to fight by a party to the conflict, are nevertheless denied PW status, for example spies,²⁰ saboteurs²¹ and mercenaries.²²
- b. Civilians who participate directly in hostilities will be unlawful belligerents unless they are part of:
 - (1) *A levee en masse*.²³
 - (2) An organised liberation movement.
 - (3) An organised resistance movement.

Civilians who unlawfully participate in hostilities are not to be confused with irregular forces. Irregular forces, provided that they are under responsible command and subject to internal military discipline, carry their arms openly, otherwise distinguish themselves from the civilian population and conduct their operations in accordance with the laws and customs of war, are to be treated as PW on capture. Civilians who engage in hostilities without distinguishing themselves from the civilian population are unlawful belligerents and so are denied protected status. However, they are to be treated humanely upon capture.

Although denied the protections due to lawful belligerents, these unlawful belligerents remain entitled to the basic standards of humanitarian treatment laid out in Chapter 2. Lawful enemy combatants who do not comply with the Law of Armed Conflict (LOAC) are nevertheless entitled to full PW status.²⁴

¹⁹ For Determination of Status, see Chapter 4.

²⁰ A spy is one who, in disguise or under false pretences, penetrates behind enemy lines of a belligerent to obtain information with the intent of communicating that information to the hostile party.

²¹ Saboteurs penetrate into the territory of an adversary without openly bearing arms in order to perpetrate hostile acts.

²² Mercenaries are not members of the armed forces of a party to the conflict, but participate in combat for personal gain. Merely having a nationality other than that of the party on whose side a soldier fights does not automatically make that soldier a mercenary; it is the motivation of personal enrichment that counts.

²³ See paragraph 110a.

²⁴ Although entitled to PW status, an enemy combatant who has violated LOAC can expect to be tried and punished by the UK authorities. See paragraph 304.

Persons Interned or Detained in Operations Not Amounting to International Armed Conflict – Additional Protocol II

112. Where operations take place during hostilities that do not amount to an International Armed Conflict, the law governing the treatment of persons interned or detained by UK Forces differs from that described in paragraphs 110-111. The law of the nation in which hostilities are taking place, international human rights treaties to which the UK is a party²⁵ and other international laws will all govern the situation. The applicable international law was supplemented in a treaty additional to the Geneva Conventions:

1977 Additional Protocol II (AP II) – Non-International Armed Conflicts, which developed and supplemented the humanitarian protections provided by Common Article 3 of the GCs²⁶ in internal armed conflicts.

113. **Internees and Detainees.**²⁷ During hostilities not amounting to International Armed Conflict, UK Forces can expect to deal with 2 classes of captured or detained persons.

a. **Internees.** UK Forces operating abroad may have a power to intern civilians under the host nation's law where they pose an imperative threat to the security of the force;²⁸ such power may derive from the host state's own domestic law or from a UN Security Council Resolution. Internees may be disarmed, but must be allowed to keep all of their personal property (unless it is of evidential value or must be confiscated for security reasons) and steps should be taken to establish their identity. Internees must be treated humanely. The basis upon which individuals are interned must be made subject to periodic review.

b. **Criminal Detainees.** UK Armed Forces operating abroad may have the power (derived from the host state's own domestic law) to participate in the arrest of criminal suspects, or may assist the host nation's authorised personnel in the arrest of persons. In the case of criminal suspects or indicted persons, they should be handed over to the appropriate local authorities at the earliest opportunity, provided that there is no reason to believe that they will suffer torture or summary execution.²⁹ They may be disarmed, but must be allowed to keep all of their personal property (unless it is of evidential value or must be confiscated for security reasons) and steps should be taken to establish their identity. Criminal detainees must be treated humanely.

²⁵ For example, the European Convention on Human Rights, the International Covenant on Civil and Political Rights. See paragraph 106.

²⁶ See paragraph 202.

²⁷ See JDP 1-10.2 and JDP 1-10.3.

²⁸ Accordingly, such internees are often referred to as 'security internees.'

²⁹ See paragraph 130. Guidance should be sought through the chain of command.

SECTION III – INTERNATIONAL AND NATIONAL ORGANISATIONS

114. Commanders should be aware of the range of non-military governmental and independent national and international organisations that play a pivotal role in assisting in and overseeing arrangements for the treatment of captured or detained persons. These include the International Committee of the Red Cross, United Nations (UN) agencies with responsibilities for humanitarian issues attendant on any conflict and UK governmental departments (for example, Department for International Development (DFID), Foreign and Commonwealth Office (FCO) and the Government's Post-Conflict Reconstruction Unit). Various Non-Governmental Organisations (NGOs) will also take an active interest in the conditions under which captured or detained persons are held and the treatment they receive, such as Amnesty International and Human Rights Watch.

115. **Media Organisations.** Media organisations will inevitably take a close interest in the arrangements for and treatment of captured or detained persons. Their number and the circumstances under which they are captured are matters of legitimate public interest, but those entitled to PW status must not be made the object of 'public curiosity' (GC III Article 13). Care should be taken to ensure that media personnel embedded with UK Forces do not disregard this rule. Additionally, there will usually be legal and policy objections to exposing internees and detainees to the media. The Joint Task Force Commander (JTFC) and his staff should expect to spend a significant amount of time dealing with national and international media organisations, and this will call for a carefully managed media plan.³⁰ Any approach by the media is to be referred in the first instance to the Media Operations staff at the Joint Task Force Headquarters (JTFHQ), who should liaise closely with J1 staff in handling the issues raised. MOD itself is the sole release authority for images of captured, interned or detained persons.

The International Committee of the Red Cross

116. The most important of the international organisations is the International Committee of the Red Cross (ICRC), an independent, international organisation whose unique mandate and legal status set it apart from NGOs. In most of the countries in which it works, the ICRC has concluded headquarters agreements with national authorities. Through these agreements, the ICRC enjoys the privileges and immunities normally only granted to intergovernmental organisations such as the UN, for example immunity from legal process and the inviolability of its premises, archives and documents. Such immunities are vital in preserving the ICRC's impartiality and, above all, independence. The ICRC has a number of roles stemming from its principal responsibility for monitoring the application of the GCs and APs by states parties:

³⁰ See JWP 3-45 (2nd Edition) '*Media Operations*'.

giving aid to, and improving the conditions of captivity for PW, wounded, sick and shipwrecked members of the armed forces; acting on behalf of civilian populations to relieve suffering and acting as a Central Tracing Agency for PW, civilians (especially internees) in the power of a party to the conflict and missing persons. The ICRC has a vital role to play in advising states of their obligations to treat prisoners humanely and is often influential in persuading states to meet their obligations in this regard.³¹

117. **Handling of International Committee of the Red Cross Reports.** A crucial element supporting the role of the ICRC is the fact that they do not criticise governments publicly and that their reports to governments remain confidential. It is important that this confidentiality is not compromised by the disclosure of ICRC reports or the results of an ICRC visit to the media or others. Although not obliged to do so, as a matter of practice, the ICRC will notify the Commanders of UK holding facilities of their visit, and they have a legally based right to immediate free and unfettered access to all places where individuals who qualify as protected persons may be (for example PW, Civilian Internees, Retained Personnel, the wounded and sick).³² The ICRC may also conduct interviews with such protected persons without witnesses being present.³³ Having conducted an inspection visit, the ICRC's likely responses are:

- a. A report in the form of a local working paper (often copied to the Permanent Joint Headquarters and MOD Service Personnel Policy (SP Pol)).
- b. A report on specific facilities, or on specific individuals or groups of individuals.
- c. A standard report on **all** facilities in theatre.
- d. Formal intervention via the British Embassy in Geneva.

All ICRC reports handed over in theatre are to be forwarded immediately through the JTFC to MOD. In most cases – and in every case where there has been criticism of a facility or of the handling of a particular prisoner – Ministers will be informed and press lines prepared. An investigation should be initiated where this has not already been done. When the ICRC has suggested changes to the holding facility regime, the MOD would need to know what practical steps could be taken in theatre to meet the concerns expressed. ICRC Reports held by MOD and any information contained in the reports are exempt from disclosure under the *Freedom of Information Act 2000*.

During coalition operations ICRC reports are only to be released to COMBRITFOR. COMBRITFOR may release the report to the Senior British Officer within the

³¹ See JDP 1-10.1 and JSP 383 'Joint Service Manual of the Law of Armed Conflict' paragraph 16.13.

³² See paragraph 110.

³³ See GC III Article 126. Note that NGOs (for example Amnesty International) have no such rights.

(coalition) theatre headquarters without recourse to PJHQ or MOD. Further release to the coalition headquarters (e.g. a NATO HQ) for distribution to non-British staffs will only be authorised by MOD after consultation with FCO and ICRC.

SECTION IV – THE PROTECTING POWER

118. Under the GCs of 1949, the treatment of PW, interned civilians and the inhabitants of an occupied territory is to be monitored by a neutral nation known as the Protecting Power. Owing to the difficulty of finding a nation which opposing belligerents would agree is truly neutral, international humanitarian organisations, such as the ICRC, have in the past been authorised by the parties to the conflict to perform at least some of the functions of the Protecting Power. These include the investigation of the treatment and administration of PW and civilian internees. In recent conflicts, nations have been opposed to appointing the ICRC officially to the role of Protecting Power because of concern that if the opposing belligerent rejects the appointment, it might lead to them refusing all access to prisons and prisoners by the ICRC in breach of the GCs.

119. **Definition.**³⁴ The Protecting Power is a non-belligerent state which has been designated by a party to the conflict and accepted as such by other parties to the conflict. The Protecting Power must agree to carry out the functions assigned to it. A ‘substitute’ is an organisation acting in place of the Protecting Power when such agreement cannot be reached.

120. **Discharge of Responsibilities.** The Protecting Power will discharge its responsibilities through:

- a. **Representatives.** The normal diplomatic and consular personnel of the Protecting Power.
- b. **Delegates.** Persons appointed by the Protecting Power to discharge its functions under the GCs. Delegates will normally be nationals of the Protecting Power or of another neutral state. Members of the ICRC may also be appointed delegates by the Protecting Power. It will normally be the delegates who ensure, through physical checking, that PW and internees are being treated correctly.

121. **Inspection Facilities.** Representatives and Delegates of Protecting Powers and ICRC Delegates have the right³⁵ to investigate the treatment and administration of protected persons wherever they may be and are to be allowed to interview them

³⁴ API, Article 5.

³⁵ GC III, Article 26.

without witnesses being present. They are to be given every assistance in this work. This right can be temporarily suspended by MOD for reasons of imperative military necessity. It should be noted that the treatment by the UK of its PW and the standing of the UK in the eyes of the international community will depend, to a large extent, on the manner in which the Protecting Power reports that PW are being treated. The provision of full and open inspection facilities and scrupulous adherence to the principles in this document will assist in showing that the UK takes its obligations towards captured or detained persons seriously.³⁶

122. **Internment Camps.** It is noteworthy that the Protecting Power and the ICRC are also appointed to monitor the conditions under which civilian internees are held in internment camps and, where the UK is an occupying power, the UK's treatment of inhabitants of an occupied territory.

123. **Criminal Detention Facilities.** By contrast, neither the ICRC nor the Protecting Power has a legal right to inspect facilities where criminal detainees are being held by UK forces. However, as a matter of policy, it may be in the UK's interests to authorise inspection of these detention facilities. The CDS Directive for the operation will normally give direction concerning ICRC access; any such requests should be forwarded through the chain of command for authorisation.

SECTION V – THE NATIONAL INFORMATION BUREAU

124. GC III, Article 122 places a duty on all parties in a conflict to open a National Information Bureau (NIB) at the outset of hostilities. There is also a requirement for neutral and non-belligerent nations to open a Bureau if there is a likelihood of those who might be categorised as PW or internees finding their way into neutral or non-belligerent territory. In operations other than armed conflict, it is UK policy that captured or detained persons are entitled to be treated humanely in accordance with the UK's international human rights obligations³⁷ and this will normally include the opening of a NIB. The NIB exists to gather and pass on important information used to monitor the details, whereabouts and health of PW, internees and detainees, and to facilitate contact with their next-of-kin.

125. GC III also provides for the establishment of a Central Information Bureau in a neutral country (which is normally the Protecting Power – see Section IV) to which all of the NIBs report. In practice, this role is subsumed by the Central Tracing Agency of the ICRC.³⁸

126. **Record-keeping.** The importance of ensuring that accurate records are kept from **the moment of capture, internment or arrest** cannot be over-emphasised. It is

³⁶ See Annex 5C.

³⁷ See Chapter 2.

³⁸ See paragraph 116.

essential that accurate reports and returns are submitted to the ICRC or Protecting Power. The details of the information to be recorded are to be found in JDP 1-10.1, JDP 1-10.2 and JDP 1-10.3 but should include:

- a. **Information about an individual's identity:** surname, first names, rank, service, personnel or serial number (for example National Insurance Number or equivalent for civilians), place and full date of birth, nationality, gender, date and place of capture, status, last place of detention, authority of capture, the name and address of the person to be notified of capture, relationship of that person, the address to which mail for the PW or internee may be sent, and an indication whether the PW or internee consents to having his details released to the State on which he depends.³⁹
- b. **Information about Transfers:**⁴⁰ for example date of last transfer, destination of last transfer and authority in charge at place of last transfer.
- c. **Information about Release or Escape:** date of release or escape and last place of detention before release or escape.
- d. **Information about Death:** date, place and circumstances of death, place of burial and location of grave.

127. In the UK, the NIB comprises 2 components:

- a. **The Civilian Information Bureau.** The Civilian Information Bureau (CIB) is run by the Home Office and is responsible for the recording and reporting of those nationals detained within the UK.
- b. **The Prisoner of War Information Bureau.** The Prisoner of War Information Bureau (PWIB) will report on all those personnel captured or detained by UK Forces during operations. The policy focus for the PWIB within the MOD is SP Pol Ops.

SECTION VI – TRANSFERRING CAPTURED, INTERNED OR DETAINED PERSONS AND LIAISON WITH COALITION PARTNERS, ALLIES AND NATIONAL AUTHORITIES

128. The transfer of captured or detained persons will often be called for in the course of operations, for example, for administrative reasons, or because holding facilities are reaching capacity. Generally, there may be 4 types of transfer:

- a. Transfer from one UK holding facility to another.

³⁹ In some societies, becoming a PW or an internee may lead to the punishment of one's family at the hands of the State.

⁴⁰ See paragraph 128.

- b. Transfer from a UK holding facility to a holding facility run by another nation.
- c. Transfer from a frontline UK medical facility to a neutral State's medical facility. There is no legal obligation on the UK to transfer injured or sick persons to the UK for treatment. If transfer is contemplated, this would have to be a policy decision and legal advice should be sought as soon as possible.⁴¹
- d. Transfer to 'host' state at the end of a period of occupation.

The procedures regulating the transfer of captured or detained persons can be found in JDPs 1-10.1, 1-10.2 and 1-10.3.⁴²

129. The transfer of persons from UK facilities to holding facilities run by other nations' military forces or law enforcement agencies requires close liaison. The policy considerations attendant on such transfers will vary depending upon the categories of person involved and the reasons behind the transfer. For example, in the case of PW, the capturing state remains responsible for the conditions in which the PW are held, even after transfer to another state. It is also important to recognise that not all persons may be transferred to locations outside the territory where they were captured or detained. As a general rule, it should be noted that, while PW may be transferred to locations outside the territory where they were first captured, it is not permitted to transfer civilian internees or detainees to locations outside the territory where they were first captured or detained. If there are compelling medical reasons for a proposed transfer outside of the territory where internees or detainees were first interned or detained, then further legal advice should be sought.

130. Liaison between UK forces and coalition partners, allies and national authorities is essential to ensure that the UK abides by its continuing legal obligations to protect the rights of those captured, interned or detained persons for which it remains responsible. It must be borne in mind that, while the international legal framework regulating captured, interned or detained persons is likely to be broadly agreed by coalition partners and allies, there will be some legal and policy differences which must be taken into account. The application of the European Convention on Human Rights to those held in UK facilities in some circumstances may impose additional restrictions on their transfer, in particular if they are likely to be tried subsequently for an offence which carries the death penalty, or subject to torture or inhuman or degrading treatment.

⁴¹ See Annex 5D generally for guidance on medical support to captured or detained persons.

⁴² Additionally, the following publications are concerned specifically with the reporting and movement of PW: JSP 751 'Casualty and Compassionate Policy', JSP 756 'Tri-Service Personnel Tracking and Operational Location Policy and Reception Arrangements for Military Patients' (RAMP).

131. Legal and policy advice will invariably be needed, and those responsible for dealing with captured or detained persons should bear in mind the potential complexity of such transfer arrangements.

CHAPTER 2 – STANDARDS OF TREATMENT

SECTION I – BASIC PRINCIPLES OF HUMANITY AND ADDITIONAL PROTECTIONS

Basic Principles of Humanity to be Observed at All Times

201. Basic principles of humanity must be applied when dealing with **all** captured or detained persons, regardless of how they are categorised.

Prisoners of War, internees and detainees must be treated humanely at all times.
To that end, certain acts are prohibited.
The sick and wounded must be collected and allowed appropriate care.

These basic principles of humanity apply to all persons being held by UK Armed Forces, regardless of whether the operation takes place during an international armed conflict, non-international armed conflict or other operations.

Additional Protections

202. Depending on the category of prisoner and the nature of operations taking place, there are *additional* protections and rights that must be afforded to those held by UK Armed Forces. The detail can be found in JDP 1-10.1 '*Prisoners of War*', JDP 1-10.2 '*Internees*' and JDP 1-10.3 '*Detainees*'. In broad terms, they are:

- a. **International Armed Conflict.** During International Armed Conflict, the standards of treatment to be applied to captured or detained persons are those contained within the Geneva Conventions (GCs) and Additional Protocol I (AP I).
- b. **Non-International Armed Conflict.** 'Persons taking no active part in the hostilities, including members of the armed forces who have laid down their arms and those placed *hors de combat* (no longer able to take part in hostilities) by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth or any other similar criteria'.¹

¹ GC III & IV Article 3.

‘All persons who do not take a direct part or who have ceased to take part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, honour and convictions and religious practices. They shall in all circumstances be treated humanely, without any adverse distinction. It is prohibited to order that there shall be no survivors’.²

c. **Other Operations.** During operations in circumstances that do not amount to armed conflict, the treatment of those captured or detained by UK Armed Forces will be governed principally by the domestic laws of the UK and of the country concerned, any international human rights treaties binding on the UK and the basic humanitarian principles set out in this chapter. In all cases, the standards of humane treatment mentioned in this chapter must be observed.

203. **Protection of Captured or Detained Persons.** The Joint Task Force Commander (JTFC) shall ensure that, to the extent permitted by the military situation, all captured or detained persons are afforded protection from the effects of the conflict. All are to be treated consistently with the UK’s obligations under the GCs or applicable international law. Acts of humiliation or degradation are strictly forbidden.³ The text of the applicable GCs should be displayed in each UK holding facility in English and the language(s) of those being held there.

204. **Imposing Discipline.** Maintaining control and discipline within a holding facility is essential. JTFCs must ensure that facility commanders establish lawful rules for control and discipline of captured or detained persons. Because the imposition of physical or corporal punishment is inconsistent with the obligation for humane treatment, commanders must understand the relationship between reward and punishment. As a general rule, the withdrawal of privileges is often the most effective sanction for indiscipline, and reward the most effective incentive for disciplined behaviour. Planning for the provision of such privileges is an essential component to any programme of control and discipline.⁴ Discipline as an enabling principle of successful camp management is discussed further at Annex 2A.

205. **The Use of Force.** The JTFC must ensure that guard force personnel are prepared for the reasonable use of force when necessary to protect themselves, other members of the force or other captured or detained persons. The facility commander and those under his command who are responsible for maintaining control of inmates and the security of the facility should be issued with, and trained in, the applicable Rules of Engagement (ROE) for the legitimate use of force specific to their mission at the facility. Theatre ROE will remain in effect for defending the facility from an

² AP II Article 1.

³ See paragraph 207.

⁴ See paragraph 513.

external threat. The use of deadly force should only be considered as a measure of last resort, when no other means are available. When feasible, use of deadly force should be preceded by appropriate warnings, which may include warning gestures and warning shots. Facility staff always have the right to use force in self-defence.

SECTION II – PROHIBITED ACTS

206. UK Armed Forces are required by law to act humanely towards all captured or detained persons. To that end, the law prohibits members of UK Armed Forces from committing certain acts (see paragraph 207). These prohibitions are of universal application. Any individual found offending against these prohibitions can expect to be charged with crimes under Service law or domestic or international criminal law.⁵

207. Acts which are and shall remain prohibited at any time and in any place whatsoever with respect to all classes of captured or detained persons are:

- a. Violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment.
- b. Collective punishments.⁶
- c. Taking of hostages.
- d. Acts of terrorism.
- e. Outrages upon personal dignity,⁷ in particular humiliating and degrading treatment,⁸ rape, sexual slavery, enforced prostitution, forced pregnancy, forced sterilization and any other form of sexual violence.
- f. Slavery⁹ and the slave trade in all their forms.
- g. Pillage.¹⁰

⁵ See Chapter 3.

⁶ This forbids the inflicting of punishments upon the population on account of the acts of individuals for which the general population cannot be regarded as responsible, for example, the destruction of houses in a village of which the offender is an inhabitant.

⁷ The practice of 'hooding' any captured or detained person is prohibited.

⁸ Captured or detained persons are not to be photographed, filmed or taped other than for authorised administrative purposes.

⁹ Internees and detainees may not be set to work. Enlisted PW may be required to engage in labour having no military character or purpose. NCO PW may be required only to perform supervisory work. Officers may not be required to work, although they may volunteer. Suitable arrangements for payment should be put in place. See JWP 1-10.1, Chapter 2.

¹⁰ To plunder, that is to steal by force. (COD)

- h. Physical mutilation or medical or scientific experiments of a kind which are neither justified by medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which causes death to or seriously endangers the health of that person.
- i. The passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.
- j. Reprisals.
- k. Threats¹¹ to commit any of the foregoing acts.

¹¹ Threatening violence is prohibited.

ANNEX 2A – THE PRINCIPLES OF CAMP MANAGEMENT

2A1. The principles of successful camp management apply equally to Prisoner of War (PW) Camps, Internment Camps and Detention Facilities. The core principles are:

- a. Humane treatment.
- b. Dynamic security.
- c. Discipline.

SECTION I – HUMANE TREATMENT

Humane Treatment

2A2. All captured persons, regardless of categorisation, are entitled to be treated humanely at all times. Not only will the standard of their treatment reflect upon the credibility and prestige of UK Armed Forces, but any deliberate failure to abide by the UK's legal obligations will result in disciplinary proceedings being taken against those found to be involved. All personnel involved in the handling of captured persons, whether troops in the field or staff within a UK Camp, must understand that the humane treatment that preserves a captured person's dignity not only accords with the law, but is also the most effective and efficient way to manage PW, internees and detainees.

The humane treatment of captured or detained personnel is a key principle of successful Camp management

The Prevention of Abuse

2A3. International Humanitarian Law leaves no room for doubt in prohibiting torture and ill-treatment. There are no circumstances in which torture or other cruel, inhuman or degrading treatment or punishment can ever be justified.

2A4. The closed and isolated nature of Camps and the detention compounds within them can offer the opportunity for abuses to be committed with impunity. Commanders responsible for any facility have an obligation to ensure that all staff are fully aware of the prohibition on torture and cruel, inhuman or degrading treatment. These prohibitions must be stated in Camp Standing Orders and operational regulations.

Sexual Abuse

2A5. All personnel held in custody are vulnerable to sexual abuse. This may come about through the use of force, as a result of other types of coercion, or through barter in exchange for privileges. In a number of countries, prison rape has become a widespread and serious concern. In addition to the physical and psychological damage that it causes, it increases the spread of HIV/AIDS and other diseases. Commanders have a responsibility to ensure that all captured or detained persons, and especially women or children, are safe from the threat of sexual abuse.

Admission to a Prisoner of War/Internment Camp or Detainee Compound

2A6. When a captured person is first admitted into a facility, the treatment he receives at that point is an indication of what is likely to follow. It is important that staff treat every individual on admission with dignity and respect, regardless of their status or demeanor. Every individual upon admission shall be provided with written information (in a language he understands) about the regulations governing the treatment of captured persons of his category, the disciplinary requirements of the facility, the authorized methods of seeking information and making complaints, and all matters necessary to enable him to understand both his rights and his obligations and to adapt himself to the life of the facility. If a captured person is illiterate, this information should be conveyed to him by an interpreter.

SECTION II – DYNAMIC SECURITY

2A7. Security is the foundation on which all efforts to develop positive custodial regimes are based. Dynamic Security is an all-embracing term. It encompasses:

- a. **Physical security:** walls, fences, locks, bolts and bars, and surveillance devices such as closed circuit television (CCTV).
- b. **Security procedures:** checks and balances; accounting for individuals and conducting random but frequent searches - body searches, and searches of accommodation and communal areas.
- c. **Assessment procedures:** categorising prisoners and conducting regular risk assessments in order to ensure that individuals are held in appropriate security conditions.
- d. **Intelligence gathering:** provides staff with an opportunity to anticipate any premeditated disturbances and to pre-empt breaches of discipline. It is also useful in identifying and dealing with bullying, and can assist in preventing suicide or self-harm.

- e. **Behavioural awareness:** monitoring to identify marked changes in mood, attitude and conduct.
- f. **Consistent treatment:** it is vital that all staff are consistent in their treatment of prisoners, remaining professional at all times and avoiding any form of favouritism or victimisation.

The principle of dynamic security calls for a proactive approach.

Maximum Security

2A8. The security measures to which PW, internees and detainees are subject should be appropriate to achieving their secure custody. Individuals should only be confined to maximum security conditions where risk assessment shows them to pose such a threat to safety and security that the Commander of the Camp or detention facility has no other choice. Individuals may be placed into secure custody if:

- a. They pose a danger to others.
- b. They pose a danger to themselves.

2A9. Individuals placed under maximum security restrictions will have to be searched on a regular basis to make sure that they are not carrying items which can be used in escape attempts or to injure other people or themselves, or contraband items. The intensity and frequency of such searches will vary according to circumstances. Commanders of PW or Internment Camps should introduce additional security measures for the management of violent, disruptive or otherwise dangerous individuals. Such measures should safeguard against the possibility of coercion being applied to staff and may include the regular rotation of staff to reduce the risks of pressure being applied to them by the PW, internee or detainee; and searching all, including staff, who come into contact with such individuals may be necessary.

Searches¹

2A10. Commanders must issue a clearly understood set of procedures that describe in detail the circumstances in which searches should be carried out, who may conduct searches, the methods to be used and their frequency. These procedures should be designed to prevent escape and also to protect the dignity of prisoners and their visitors. There should be procedures for regularly searching all places where prisoners live, work or congregate. These should include searches of living accommodation, such as cells and dormitories, to make sure that security features, including doors and locks, windows, grilles and floors have not been tampered with. The personal

¹ See Annex 2C.

property of individuals should also be subject to ad hoc searches. Staff must be specially trained to carry out these searches in such a way as to detect and prevent any escape attempt or secretion of contraband, while at the same time respecting the dignity of the person and showing respect for their personal possessions, in particular religious artifacts. The procedure for such searches should allow the subject to be present whilst the search is carried out.

2A11. The type of search conducted will depend upon the circumstances. For example, when individuals are moving in large numbers from their place of work back to their living accommodation it is normal to subject them to the sort of rub-down searches which are now common for all air travelers. On other occasions, especially if there is reason to believe that individuals may have something secreted about their person or when they are designated as high-risk prisoners, it will be necessary to carry out a more detailed search.

2A12. The procedures for searching visitors should be sensitive to the needs of children, women and other vulnerable groups. Procedures for searching professional visitors (such as legal representatives and doctors) should be approved by the Joint Task Force Headquarters' (JTFHQ's) J1 (Legal) to ensure a balance between security and the right of confidential professional access.

SECTION III – DISCIPLINE

General

2A13. Discipline within a facility is necessary not only to ensure that captives remain in custody, but also as an enabler through which the provisions of the Geneva Conventions can be applied. Well-ordered camps need to operate within a set of rules and regulations that are fair and just. By their nature PW and Internment Camps and the Detention Compounds within them are closed institutions in which large groups of people are held against their will in confined conditions. It is inevitable that some inmates will break the rules and regulations. Physical attacks, theft, refusal to follow a daily routine, disobeying a legitimate order and the smuggling of contraband goods are common transgressions.

Discipline Regulations and Sanctions

2A14. The Camp must have discipline regulations. These will differ depending upon the category of those being held there, the operational environment and the specifics of the theatre. Discipline Regulations for each category of captured or detained person may be found in the appropriate tactical level guidance:

- a. JDP 1-10.1 '*Prisoners of War*'.

- b. JDP 1-10.2 '*Internees*'.
- c. JDP 1-10.3 '*Detainees*'.

2A15. Investigating Offences Against Discipline. A PW, internee or detainee accused of an offence for which disciplinary punishment is contemplated will not be confined pending a disciplinary hearing unless it is essential in the interests of order and discipline. Any period spent by an individual in confinement awaiting a hearing should be reduced to an absolute minimum. For disciplinary offences, as opposed to criminal offences, such confinement will not exceed 14 days.

2A16. Whether before or after a hearing and whether in connection with disciplinary or judicial proceedings, individuals will:

- a. Be allowed regular exercise in the open air, allowing for the theatre conditions.
- b. Be allowed to attend daily sick call, receive medical attention as needed, and if necessary be transferred to a hospital.
- c. Be given enough food of an appropriate type to maintain them in good health (religious and cultural implications should be considered).
- d. Be permitted to confer with visiting representatives of the Protecting Power or the International Committee of the Red Cross (ICRC).
- e. Be permitted to receive spiritual assistance.
- f. Be provided with hygienic living conditions.
- g. Be provided with adequate bedding and supplies and facilities necessary for personal cleanliness.
- h. If a female, be confined in separate quarters from males and where practicable be under the immediate supervision of women staff.

2A17. Prior to imposition of disciplinary punishment, the PW, internee or detainee will be:

- a. Provided precise information regarding the offence of which he is accused.
- b. Given an opportunity to defend the allegation.
- c. Permitted to call witnesses and to have, if necessary, the service of a qualified interpreter.

2A18. In all cases the accused should be present at the hearing. He should hear the evidence as it is presented and should be entitled to question the staff member who is presenting the case. If an accused is not capable, for whatever reason, of defending himself, he should be allowed to call another person to assist him or her. If the case is a complex one or the possible punishment severe, consideration should be given to handing the investigation over to the Service Police and providing the accused with legal representation.

2A19. There must be a clear set of legitimate procedures for dealing with such incidents, and these regulations must ensure the safety of the individual, both staff and inmate. A Camp must be secure, safe and well-ordered with a consistency of approach, neither too harsh nor too liberal. The majority of captured persons will welcome firm and fair management by staff because where the staff is not in control, the resulting vacuum will be filled by strong-willed inmates, often to the detriment of other inmates. It is also critical that the regulations are applied from the Command downwards; individual members of staff may resort to delivering their own unauthorised forms of control if command is weak.

2A20. Experience has shown that providing sufficient meaningful activity for inmates prevents the onset of boredom, one of the main contributing factors to disciplinary problems. Meaningful activity can be provided in the form of recreational facilities such as sports and games, education and work. In addition, inmates should keep their own quarters clean and in a hygienic state. Family and other visits and regular access to the canteen are other methods for establishing routine and preventing boredom.

2A21. The use of a canteen credits system is recommended wherever possible. The method whereby all items, including cigarettes and sweets are automatically supplied to inmates, whilst convenient and easy to administer, does not allow for their removal as a result of disciplinary action. Rather, the issue of the basic hygiene commodities, such as soap and toothpaste is recommended, with a system of credits being paid to each captured person's canteen account with which they may purchase their 'luxury' items (such as cigarettes, sweets and writing materials). In this way, the forfeiture of credits can be used as a disciplinary sanction. It is not recommended that cash is used as this can lead to bullying, trafficking and, in extreme cases, a skewing of the local economy. Captured persons may have the opportunity to earn additional credits through work. It may also be prudent to consider rewarding good behaviour.

Inmates who are purposefully occupied are less disposed to ill-discipline.

Managing a Breakdown in Discipline

2A22. In any Camp, no matter how well run, there is always the potential for a breakdown in discipline, the most common examples of which are:

- a. An individual attack on staff or other captured persons.
- b. A group revolt which may include rioting or hostage taking.
- c. The smuggling of contraband goods.

2A23. Although not usually a disciplinary issue, instances of Deliberate Self-Harm are also likely to occur.

2A24. In every Camp, there should be a clear set of procedures for dealing with such incidents, which should have been approved by J1 (Legal). Military Provost Staff (MPS) staff within a facility will have been trained in control and restraint techniques² and a number are trained in hostage negotiation. Whenever there is a violent incident or a prisoner has to be subdued, a senior member of staff should attend the scene as soon as possible. A report should be prepared by the facility Commander and forwarded to the JTFHQ's J1 Branch.

Preventing a breakdown in discipline

Prevention is better than cure.

2A25. It is rare that a major incident will occur without prior warning. In most cases there will be some indication of a build up of tension, whether at an individual or group level. This is where the benefits of dynamic security become apparent. On entering an accommodation block or working area where tension is brewing, an alert member of staff should immediately be aware that something is wrong. They should be able to identify any individuals who are unsettled or likely to threaten violence. It will be more difficult for captured persons who wish to create trouble to recruit others if the general approach of staff has been fair and consistent. However, even where there is good dynamic security, there may be an outburst of individual or collective violence.

2A26. A positive method for managing violent and disruptive individuals is to house them in small units of up to 10 persons. This is called 'group isolation' and it is critically different from individual segregation. In these conditions it should be possible for professionally trained staff³ to develop a strategy for dealing with even the most dangerous individuals. If logistics allow the creation of a maximum security area, individuals should be able to move relatively freely within the group isolation units and to have a 'normal' routine.

2A27. Good relationships between staff and inmates are an essential element of dynamic security and can be put to good effect in de-escalating potential incidents or

² Members of the AGC (MPS) are trained to Home Office standards in Prison Service Control and Restraint techniques.

³ Members of the AGC (MPS).

in restoring good order through a process of dialogue and negotiation. Only when these methods fail, or are considered inappropriate, should physical methods of restoring order be considered.

ANNEX 2B - THE TREATMENT OF JUVENILES AND CHILDREN

2B1. Camp Commandants must understand that their staff is trained primarily to oversee the detention of adults. When juveniles are being held, the Camp Commandant has an obligation to care for them in a manner that takes account of their age and particular needs. Children and young persons are more vulnerable than adults and need to be protected from violence or abuse. Juveniles and the young must be housed in separate quarters unless they are being held within a discrete family unit.

2B2. As they are generally more likely to respond to positive influences, the regime for juveniles and children should emphasize education and skills training. Camp administrators should seek to establish links with those Non-Governmental Organisations (NGOs) working with young people beyond the Camp in order to extend the range of programmes available to young Prisoners of War (PW), internees and detainees, particularly in physical, cultural and social activities.

2B3. A high priority should be given to maintaining and developing links between the young person and his family. Families should be encouraged to visit the Camp as often as is feasible and to maintain contact by letter. Special attention needs to be paid to the environment in which visits take place, affording as much privacy and informality as possible.

2B4. In many countries, a significant proportion of young inmates may have lost contact with their families before, or as a result, of their period of detention. Camp Commandants will need to give particular attention to identifying those young people who may need additional support in re-establishing links with their families or for whom family links have irrevocably broken down. The main purpose should be to avoid returning the young persons to the social circumstances that contributed to their original detention. It will be important to enlist the help of the relevant governmental and non-governmental agencies in designing and delivering appropriate resettlement programmes.

2B5. All captured/detained persons under the age of 18 are to be treated as juveniles:

- a. PWs who are or are believed to be juveniles will be processed through the same administrative/induction arrangements as adult PWs to ensure consistency with the requirements of the GC. The detaining party should complete this as quickly as possible to avoid unnecessary stress and effect a rapid transfer to the ICRC.

- b. PWs who are or are believed to be juveniles will be separated from other prisoners wherever possible during their administration process.
- c. Whilst policy is to transfer PWs who are or are believed to be juveniles to the ICRC as quickly as practicable, they may be transferred to an Accepting Power providing they are subsequently transferred to the ICRC at the earliest opportunity.
- d. Questioning of PWs who are or are believed to be juveniles will be required to establish the data required for GC III. Any subsequent interrogation must be deemed appropriate by the Detaining Power and have due regard to the juvenile PW's age, any special condition and vulnerability, as well as the military benefit to be derived.

ANNEX 2C – THE CONDUCT OF SEARCHES

2C1. **Command Responsibility.** It is the responsibility of the command to ensure that Service personnel are instructed on the circumstances in which searches may be conducted, the procedures to be followed, and the mandatory standards of humane treatment to be afforded to all captured or detained persons.

2C2. **Use of Force.** All reasonable efforts should be made to control a situation without resort to the use of force. The use of minimum proportionate force to stop, search, disarm or apprehend a suspect is permitted when authorised by the Rules of Engagement (ROE). The circumstances in which force may be used and the degree of force to be used in a given situation will be governed by the legal status of the conflict and the current ROE. Nothing in the applicable ROE limits an individual's inherent right to use force in self-defence, including lethal force, where to do so is necessary and proportionate.

2C3. **Principles for Searching.** When searching a suspect, vessel or vehicle:

- a. A record of the search is to be maintained.
- b. The reason for the search is to be explained to those subjected to the search.
- c. Individuals are to be disarmed and the weapons held as property (contraband or evidential).
- d. A receipt is to be issued for any items seized.
- e. Individuals are to be allowed to retain property such as clothing, personal effects and religious items that do not represent a threat to security or the safety of the individual or that do not have evidential value.
- f. The search is to be conducted with due regard for the individual's personal dignity, taking into account religious sensibilities.
- g. If possible, females should be searched by females or by the use of scanners.
- h. Personnel carrying out searches may request that those subject to search open their mouths but they must not insert fingers or any other items into the mouth because this would constitute an intimate search (see paragraph 2C5).

2C4. **Method of Search.** Individuals should be searched systematically using the following guidelines:

- a. Outer garments should be removed (coats and footwear).

- b. Pockets should be emptied and contents checked.
- c. The search should begin at the head and finish at the feet.
- d. Particular attention should be paid to collars, pockets, linings and footwear.
- e. Contact should be maintained with the body – rub, do not pat.
- f. Surgical gloves should be worn if available.

2C5. **Intimate Searches.** Intimate searches (of body cavities and orifices) must not be conducted unless they have been authorised by the Force Provost Marshal (FPM). What constitutes an intimate search and the circumstances in which intimate searches may be conducted should be laid down in theatre orders and legal advice should be sought in the drafting of such orders. Where an intimate search has been authorised, Commander Medical must be informed. Intimate searches will only be carried out:

- a. with the informed consent of the person to be searched;
- b. by appropriately trained medical staff;
- c. within a suitably-equipped medical facility; and
- d. after the individual has been processed at the PW or Internment Camp.

2C6. Further guidance on the conduct of searches at the Unit Holding Area and Camp or Detention Facility can be found in the accompanying tactical level publications, JDP 1-10.1 '*Prisoners of War*', JDP 1-10.2 '*Internees*' and JDP 1-10.3 '*Detainees*'.

CHAPTER 3 – VIOLATIONS OF THE LAW RELATING TO THE TREATMENT OF CAPTURED OR DETAINED PERSONS

301. Any deliberate failure by members of UK Armed Forces to observe the standards of treatment of captured or detained persons¹ is likely to be an unlawful act. If that unlawful act occurs during an international armed conflict, it may be a grave breach of the Geneva Conventions (GCs).² In all operational situations, UK forces deployed overseas remain subject to English criminal law and can be tried in the UK for criminal offences committed overseas. Thus, a deliberate failure by UK forces to observe the standards of treatment of captured or detained persons during operations not amounting to armed conflict will usually be an offence under UK law. If it occurs during a non-international armed conflict, it will also be an offence under the domestic law of the country where it occurs.³

SECTION I – VIOLATIONS OF INTERNATIONAL AND DOMESTIC LAW

War Crimes under International Law

302. Typical war crimes relevant to this publication include:

- a. **Offences against Prisoners of War (PW)**, for example killing without just cause, torture, dangerous labour or labour of a military nature,⁴ subjecting to public insult or curiosity, denial of fair trial for offences.
- b. **Offences against civilian internees and detainees and the civilian inhabitants of occupied territory**, for example killing without just cause, torture, forced labour, deportation, denial of fair trial for offences.

303. **Grave Breaches of the Geneva Conventions.** While *any* violation of the Law of Armed Conflict (LOAC) is a war crime, certain crimes are defined as ‘grave breaches’ under the Geneva Conventions and the Additional Protocols. Grave breaches are war crimes committed against those protected under the Conventions, and they invoke universal jurisdiction such that any state may try and punish such crimes, no matter where they were committed or the nationality of the accused. They include

¹ See Chapter 2.

² See paragraph 303.

³ However, UK forces will usually be operating under a Status of Forces Agreement (SOFA) which will provide them with immunity from the local jurisdiction.

⁴ For example, compelling enemy PW to clear land mines is a war crime. However, PW may voluntarily assist in mine clearance operations.

the wilful killing or torture of protected persons,⁵ compelling a PW to serve in the forces of a hostile power, the unlawful deportation, transfer or confinement of a protected person, the taking of hostages, the denial of a fair trial and wilfully causing great suffering or serious injury to the body or health of protected persons.

304. Acts constituting war crimes are capable of being committed by the armed forces or by individuals belonging to the civilian population. Belligerents have an obligation under international law to punish their own nationals, whether members of the armed forces or civilians, who commit war crimes. Members of UK Armed Forces can be dealt with under the relevant sections of the Service Discipline Acts⁶ for all civil offences, including murder or manslaughter. International law also provides that belligerents have the right to punish enemy armed forces personnel and enemy civilians who fall under their control for such offences.

Offences under UK Domestic Law

305. **Jurisdiction to Punish War Crimes.** The *Geneva Conventions Act 1957* and the *International Criminal Court Act 2001*⁷ make it a criminal offence under English law to commit grave breaches of the Geneva Conventions and to commit crimes against humanity. The civilian courts of the UK can, therefore, try any person of any nationality who is accused of committing a war crime which is sufficiently serious to amount to a 'grave breach'. However, war crimes may also encompass ordinary criminal acts such as murder, manslaughter or assault. When such violations have been committed by service personnel, they will usually be tried by court martial under the provisions of the relevant Service Discipline Acts.

306. **The International Criminal Court.** The *International Criminal Court Act 2001* makes the crimes listed in the Rome statute criminal offences under English law. The Act recognises the primacy of English jurisdiction and allows for these crimes, where committed overseas, to be tried in English courts. Only if the UK courts are 'unwilling or unable genuinely' to exercise their jurisdiction in respect of such crimes will the International Criminal Court (ICC) exercise jurisdiction. Thus, members of the UK Armed Forces who commit alleged violations of the Geneva Conventions will usually be tried for war crimes under the terms of the relevant Service Discipline Act before a Service Court Martial. Since the UK has in place structures and procedures for investigating allegations of war crimes and bringing perpetrators to account through the application of the Service Discipline Acts, it is not expected that British service personnel would ever need to be prosecuted through the ICC.

⁵ '...those who at any time and for any reason find themselves in the hands of a party to the conflict or Occupying Power of which they are not nationals.' (GC IV Article 4). Those civilians interned during an international armed conflict will usually be protected persons.

⁶ Section 42, *Naval Discipline Act 1957*, section 70 *Air Force Act 1955* and section 70 *Army Act 1955*.

⁷ See Paragraph 306.

Offences under Foreign Domestic Law

307. Where a prohibited act is carried out in a non-international armed conflict, it will usually be an offence against the domestic law of the country in question, as well as an offence under UK Law and the Service Discipline Acts where committed by service personnel. It may be that the UK has concluded agreements with the country in question to ensure that the UK retains exclusive jurisdiction over UK service personnel charged with such offences. If so, any such violations will be tried by a UK court or court-martial. If no such agreement has been reached, a UK serviceman overseas who has been charged with such offences will usually be withdrawn from theatre and tried in the UK.

SECTION II – COMMAND AND INDIVIDUAL RESPONSIBILITY

Adherence by Commanders

308. At all times, Commanders are to comply with, and require those under their command to comply with, international and domestic law.⁸ All alleged violations of international or domestic law committed by UK personnel are to be promptly reported through the chain of command, thoroughly investigated and appropriately dealt with. The assistance of investigative authorities, such as the Special Investigation Branch (SIB), will invariably be required. In particular, Commanders must seek legal advice through the chain of command before deciding whether or not an investigation is warranted or whether disciplinary or other action is appropriate.

309. **Command Responsibility.** Officers in command are not only responsible for ensuring that they conduct all operations in accordance with the law, but are also responsible for the conduct of their subordinates. While a Commander may delegate some or all of his authority, he cannot delegate responsibility for the conduct of the forces that he commands.⁹ The fact that a Commander did not order, authorise or knowingly acquiesce in a violation of the law by a subordinate will not relieve him of responsibility for its occurrence if it is established that he failed to exercise properly his command authority or failed otherwise to take reasonable measures to prevent violations and to investigate and correct any breaches that did occur.¹⁰

310. Commanding Officers must ensure that all members of their units receive training and education in the law applicable to dealing with captured or detained

⁸ Geneva Conventions I (Article 43), II (Article 50), III (Article 129), IV (Articles 29 & 146) and Additional Protocol I (Article 91).

⁹ The concept of command responsibility was first enunciated by the military commission that tried Japanese General Yamashita at the end of World War 2. Yamashita was held to have failed to exercise 'effective control' of his troops who had carried out widespread atrocities in the Philippines.

¹⁰ Rome Statute of the International Criminal Court Article 28; see also Additional Protocol I, Article 86(2).

persons. Theatre-specific training will be provided as part of deployment preparations and the Commander's Legal Adviser is also available to supplement training.¹¹

311. **Individual Responsibility.** All members of the UK Armed Forces are to comply with domestic and international law and, to the utmost of their ability and authority, they are to prevent violations by others. They are to report promptly violations of which they become aware. Where UK armed forces' personnel are involved, personnel with authority over them are to intervene in order to prevent the commission of a criminal act. Such intervention will depend upon the ability of the individual and the extent of their authority, but may include arguments to dissuade the offender, threatening to report the criminal act, repeating the orders of superiors and asking the senior individual at the scene to intercede. Where the criminal act imminently threatens the life of another, then force may be used to the extent necessary to prevent the crime. Note that deadly force will rarely be justified; it may be used only to protect life and only under conditions of extreme necessity as a last resort when lesser means are clearly inadequate to save life.

312. **Following Orders.** Unlawful orders are not to be given and are not to be obeyed.¹² Members of the UK Armed Forces must obey all *lawful* orders issued by a superior. An order to commit an obviously criminal act – whether given directly or indirectly – such as the torture or other mistreatment of a prisoner, is an *unlawful* order which does not relieve a subordinate of his responsibility to comply with the law. The possible defence that a subordinate was 'following orders' will only succeed if the subordinate did not know, and could not reasonably have recognised, that the order was unlawful. Such circumstances are likely to be rare. Where an order is capable of being misinterpreted, a subordinate must seek clarification. Where an order permits such degree of latitude to a subordinate that it is capable of being carried out lawfully or unlawfully, it should only be carried out lawfully.

¹¹ All members of UK Forces receive training in the Law of Armed Conflict (see paragraph 520). The role and responsibilities of the Legal Adviser (LEGAD) are detailed in JWP 3-46 '*Legal Support to Joint Operations*'.

¹² See JSP 381 '*Aide-Memoire on the Law of Armed Conflict*' and JWP 3-46, Annex 2B.

CHAPTER 4 – DETERMINING THE STATUS OF CAPTURED PERSONS

401. All captured, interned or detained persons, regardless of status, are to be treated humanely at all times.¹ The determination of an individual's status is the process by which UK armed forces will establish the *additional* protection and privileges to which that individual is entitled. As well as protecting individual rights, the timely determination of a captured or detained person's status ensures that the resources committed to dealing with them can be focussed as efficiently as possible.

402. For the most part, the appropriate categorisation of a captured person should be apparent, whether through the circumstances under which he or she is captured or through clear indications of status; for example, during International Armed Conflict, the wearing of military uniform is evidence that a prisoner is a combatant and so must be treated as a Prisoner of War (PW). In other types of operation, the legal mandate² given to UK Forces to maintain order may be such that an individual's obviously criminal behaviour (for example looting) merits his arrest and treatment as a criminal detainee.

It is only during **International Armed Conflict**, when an individual's status is not immediately obvious, that it becomes necessary to resort to the procedures whereby status is *formally* determined.³

SECTION I – CHARACTERISING THE OPERATION

403. In order to determine the status of a captured person, it is first necessary to determine whether or not an armed conflict exists⁴ and, if it does, whether that armed conflict is 'international' or 'non-international' in nature. The decision whether an armed conflict exists – whether international or not – is one which is taken at Governmental level with cross-Whitehall consultation, rather than by the military on the ground or by anyone in the chain of command. The type of armed conflict depends upon the status of the parties to the conflict, and the nature of the hostilities. The status and rights of captured or detained persons depend on answering:

- a. Is there an armed conflict, or not? If there is, is it international in nature (and so governed by the Geneva Conventions (GCs) and Additional Protocol I

¹ See Chapter 2.

² For example under a UN Security Council Resolution.

³ See paragraphs 409 - 411.

⁴ The point at which situations of internal disturbances and tensions develop into an armed conflict is open to interpretation. Attempts to define the term 'armed conflict' have proved unsuccessful and states have frequently been reluctant to admit that a state of armed conflict exists, usually for political and diplomatic reasons.

(AP I)) or not (and so governed by Common Article 3, AP II and applicable human rights and national laws)? If the hostilities do not amount to ‘armed conflict’ then the position is governed by applicable national laws.

b. What relationship exists between the captured or detained person and the parties to any armed conflict? Are they a national of a party to the conflict?

c. The geographical boundaries of the conflict and the phase of operations may also be significant. The GCs will not apply to conduct which occurs before the onset or after the end of armed conflict (unless belligerent occupation takes place). Commanders can expect higher authority guidance on whether a state of armed conflict exists or has ceased to exist. The GCs will not apply to conduct which occurs in the territory of a state which is not a party to the armed conflict.

404. Commanders are entitled to expect clear direction about whether their forces are being committed to an armed conflict or specific types of hostilities. Should such direction be unclear, guidance should always be sought through the chain of command.

SECTION II – COMBATANTS AND NON-COMBATANTS⁵

405. There is a distinction to be made between combatants and non-combatants. Each has specific rights and obligations in time of armed conflict and no single individual can be simultaneously a combatant and non-combatant.

During International Armed Conflict, captured combatants are to be treated as PW.

During non-international armed conflict and other operations, captured combatants will **only** be treated as PW where the parties to the conflict have agreed between themselves to do so. Otherwise, captured combatants should be treated as civilians.

406. **Captured Combatants.** During International Armed Conflict, captured combatants are to be treated as PW in accordance with JDP 1-10.1 ‘*Prisoners of War*’. The term ‘combatant’ embraces those persons who have the right under international law to participate directly in hostilities during armed conflict. Combatants include all members of the regularly organised armed forces of a party to the conflict (except medical personnel and chaplains who are non-combatants but are entitled to be treated as PW upon capture).⁶ ‘Combatant’ also includes *irregular* forces under responsible

⁵ See JSP 383 ‘*Joint Service Manual of the Law of Armed Conflict*’, paragraph 15.6.

⁶ See paragraph 110.c ‘Retained Persons.’

command and subject to internal military discipline, who carry their arms openly, conduct their operations in accordance with the laws and customs of war and who otherwise distinguish themselves from the civilian population.⁷ The regulations for the handling of those entitled to PW status are relatively straightforward because their status, treatment, transfer, period and terms of detention are dictated by the terms of a single treaty, GC III. Combatants will usually be entitled to PW status only if engaged in an International Armed Conflict. During other types of hostilities, combatant prisoners will not be entitled to PW status unless the parties to the conflict have agreed otherwise. Where no such agreement exists, combatant prisoners engaged in non-international armed conflict are to be treated as civilians, subject to the domestic law of the country concerned, any international human rights treaties binding on the UK in time of armed conflict and the basic principles of humanity mentioned in Chapter 2.

Non-combatants are those who take no direct part in hostilities. They may include civilians and some types of military personnel.

407. **Captured Non-combatants.**⁸ The term ‘non-combatant’ is primarily applied to those individuals who do not form a part of the armed forces and who otherwise refrain from the commission or direct support of hostile acts. In this context, non-combatants and the civilian population are generally synonymous. However, the term ‘non-combatant’ may also embrace certain categories of person who, although members of or accompanying the armed forces, enjoy special protected status, such as medical officers, chaplains, and civilian war correspondents. By contrast to civilian non-combatants, medical personnel, chaplains etc can be retained in custody if they are needed to minister to PW.⁹

408. Non-combatants who are civilians are protected and must be released from custody as soon as possible unless there is some other legal basis for detaining them or handing them over to local authorities. Where such a legal basis exists, civilian non-combatants not otherwise entitled to PW status¹⁰ are to be treated as protected persons under the GCs and in accordance with JDP 1-10.2 ‘*Internees*’ and JDP 1-10.3 ‘*Detainees*’.⁷

⁷ An organised guerrilla group that meets these requirements is as much part of the armed forces as a regular unit, for example the Viet Cong who fought alongside the North Vietnamese Army against the US during the Vietnam War. Increasingly, the distinction between combatant and non-combatant has become blurred as the spectrum of conflict has broadened to include insurgencies and counter-insurgencies. The situation can be complicated by the failure of some factions to distinguish themselves from the population (for example, insurgents in Iraq or elements of the Taliban in Afghanistan).

⁸ Civilians with the nationality of the opposing belligerent state are entitled to be treated as protected persons.

⁹ See paragraph 110c.

¹⁰ Civilian non-combatants are entitled to PW status if they have received authorisation from the armed forces which they accompany in the form of a GC Identity Card. Specific examples include: contractors, war correspondents, civilian members of military aircraft crews, merchant marine and civil aviation crews, dependents accompanying the force and those engaged in a *levee en masse*: see paragraph 110.

409. The standards of treatment applicable to both combatant and non-combatant prisoners are laid out in Chapter 2.

SECTION III – THE PROCEDURE FOR DETERMINING PW STATUS DURING INTERNATIONAL ARMED CONFLICT

410. Article 5 of GC III states: ‘should any doubt arise as to whether persons, having committed a belligerent act and having fallen into the hands of the enemy’, belong to any of the categories in Art 4 for PW, ‘such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal’.

411. GC III does not indicate how an Article 5 tribunal should be constituted nor in whose mind the doubt must arise in order to compel the institution of such a tribunal. Prior to the 1949 GCs, summary decisions were often made by soldiers of relatively low rank on the battlefield, leading to instances where a captive could be presumed unlawful and executed on the spot, without any investigation to follow. Under GC III, combatants are presumed to be entitled to PW status unless formally declared otherwise and, even if so declared, are entitled to a proper trial of any allegations made against them.

412. Any individual who claims PW status is entitled to an adjudication of that status. Status will normally be determined by a UK military tribunal¹¹ constituted under ‘*The Prisoner of War Determination of Status Regulations 1958*’. It will be for the JTFC’s Legal Adviser and J1 staff to convene any such tribunal, taking legal advice from PJHQ in order to ensure that the tribunal procedure is compliant with the UK’s obligations under the European Convention on Human Rights. Details of the circumstances of the prisoner’s capture which might assist in determining his status, including details of those who captured him and those who were captured with him are to be recorded and handed over with the prisoner. Those found not to be entitled to PW status are to be handed over to the appropriate civil authorities.

British Nationals Captured Abroad

413. In all cases where a British national falls into the hands of UK Armed Forces operating abroad, legal and policy advice should be sought through the chain of command at the earliest possible opportunity, commensurate with mission accomplishment and the safety of the force. Close liaison with the MOD and other Government Departments is required in relation to the handling of any British national captured by British forces overseas.

¹¹ Usually in the form of a Board of Inquiry.

ANNEX 4A - THE INTERNMENT SERIAL NUMBER

General

4A1. This Annex outlines the recommended format for composing the Internment Serial Number (ISN). The ISN is a unique serial number allocated to a Prisoner of War (PW) or internee to enable identification and tracking by the Prisoner Handling Organisation (PHO) and registration by the International Committee of the Red Cross (ICRC). ISNs are also to be used for detainees. Depending on developments in the course of an operation, it is possible that a detainee may be re-categorised as an internee.

4A2. The ISN is a numerical cataloguing of certain data relating to the PW, internee or detainee. An explanation of the content of the ISN is outlined below. ISNs can be read and, if necessary, generated without recourse to IT systems.

The ISN is not a substitute for completion of Apprehension Records or Capture Cards.

The Internment Serial Number

4A3. The ISN consists of 14 alphanumeric characters:

- a. **Positions 1 and 2 - Country Codes.** The country code of the capturing nation. STANAG 1059 contains a listing of 2-character alphabetic codes representing every country in the world¹. The STANAG cross refers to the 2 and 3-letter International Standards Organisation codes used by the ICRC.
- b. **Positions 3 and 4 - Superior Unit or Formation Identifying Codes.** A 2-character alphanumeric code representing the unit or formation to which the capturing unit is subordinate. These codes will be promulgated by the relevant higher command or Combined Joint Task Force for the particular operation.
- c. **Positions 5 to 10 – Number.** A 6-digit sequential number generated by the unit PW and Internee Registration Unit.
- d. **Positions 11 and 12 - Identifying Nation.** A 2-character alphabetical code from STANAG 1059 identifying the nation to which the captured person owes allegiance.
- e. **Position 13 – Status.** A single character indicating the status of the captured person:

¹ At time of publication, NATO is yet to ratify STANAG 1059 Edition 9 which introduces a 3-character geographical code.

| Character | Meaning |
|------------------|---------------------------------|
| O | Officer |
| S | Other Rank |
| M | Retained Medical Personnel |
| R | Retained Religious Personnel |
| C | Civilian (Internee or Detainee) |

f. **Position 14 – Gender Code.** A single character indicating the sex of the individual:

- (1) F - Female.
- (2) M - Male.

4A4. **Example of an Internment Serial Number.** An ISN of UK-1U-100864- IZ-S-M translates as:

UK UK is the capturing nation.

1U The Capturing Unit was under full command of 1 (UK) Armd Div.

100864 A unique number from a block allocated to the unit.

IZ The Nation to which the PW owes his allegiance (Iraq).

S The PW is an Other Rank.

M The PW is male.

CHAPTER 5 – PLANNING, TRAINING AND ADVICE

SECTION I – PLANNING TO DEAL WITH CAPTURED OR DETAINED PERSONS

501. The level of scrutiny and degree of sensitivity associated with the treatment of any type of captured or detained person means that the Joint Task Force Commander (JTFC) can expect, or should request, clear guidance in the early stages of the planning process. Chief of the Defence Staff's (CDS') Directive, which will include guidance on legal issues and Rules of Engagement (ROE), should also mention arrangements for dealing with captured or detained persons. The Chief of Joint Operations (CJO) will in turn use CDS' Directive to give operational direction in the form of the Joint Commander's (Jt Comd's) Mission Directive. The JTFC can expect that issues related to Prisoners of War (PW), internees and detainees will be covered in more detail in this Mission Directive. If they are not, he may need to request additional guidance. In conducting his own operational estimate, the JTFC should consider whether he has been allocated sufficient resources to establish a viable Prisoner Handling Organisation (PHO) on a scale consistent with wider planning assumptions.

502. The JTFC must then consider his own plan for dealing with captured or detained persons within the Joint Operations Area (JOA). The JTFC must see to it that all personnel involved in this activity are trained, equipped and otherwise logistically supported. There is a variety of pertinent operational and logistical considerations: the number of personnel required to conduct such operations, materiel support, construction or adapting of facilities, a logistical support plan, arrangements to categorise and record captured or detained persons, their subsequent detention, transfer and release, and so on. The key point is that this sort of planning and training must be considered at as early a stage as possible. Commanders should establish planning mechanisms that ensure effective consideration of potential Prisoner Handling (PH) issues and the development of plans and procedures to respond to them in a timely manner. Because such issues have been shown to impact upon operations, intelligence, logistics, engineer, medical, legal, religious and information aspects of the mission, the planning process needs to include all relevant staff disciplines.

503. Particular consideration must be given to the UK's ability to mount an investigation into deaths occurring in custody or any allegations of torture. Procedures will need to be put in place for securing the scene of the incident (it may be a crime), collecting and preserving evidence and the taking of statements from both UK personnel and local witnesses. Arrangements to keep family members informed of the progress of investigations, and for handling the media aspects of such investigations, will also have to be made. Early advice should be sought from Service Police and legal advisers.

Fundamental Planning Issues

504. Important planning issues include, but are not limited to:
- a. Facility location and construction, materials and method.
 - b. The provision of food,¹ clothing and water.
 - c. Sanitation requirements.
 - d. Medical and dental support.
 - e. Interrogation and intelligence-gathering.²
 - f. Communications support.
 - g. Categorisation of captured or detained persons.
 - h. Procedures for recording and reporting details of those held or transferred, the wounded and the dead.
 - i. Security requirements.
 - j. Access to religious support.
 - k. Transportation of prisoners.
 - l. Provision of legal advice.
 - m. Media and press relations.

505. JTFCs should anticipate operational and logistics requirements well in advance of dealing with captured or detained persons, since many of these requirements increase the demands upon units and commanders in the JOA. The types of predictive analytical tools favoured by J3 and operational analysts, which suggest likely numbers or types of prisoners, can be useful in giving an appreciation of the anticipated scale of such operations. However, they cannot be definitive and JTFCs should balance the likely demands against available resources when formulating a plan, while recognising that a gross underestimate of required resources may have adverse consequences. The Prisoner Handling factor should be considered in the estimate process³ and, depending on the circumstances, may merit an estimate process of its own. JTFCs should call for extra resources as the need for them is recognised, in advance of operations taking place. Subject always to Operations Security (OPSEC) and current policy

¹ As far as possible, food should be appropriate to the cultural or religious needs of the captured or detained persons.

² See JDN 3/05 'Tactical Questioning, Debriefing and Interrogation'.

³ See Annex 5A.

considerations, it may be appropriate in some circumstances to engage with the International Committee of the Red Cross (ICRC) during planning for Prisoner Handling.

General Planning Considerations

506. Op TELIC Lessons Identified (LI) echoed many of the issues first identified in the US Army's study of PH operations during the Korean War. Both established enduring conclusions:

- a. Prisoner Handling requires sufficient, qualified administrative and security personnel.
- b. The locations of camps and facilities should be determined in advance, taking into account terrain, water supply and avoiding proximity to major population centres and likely areas of continuing military activity.⁴
- c. Positive identification of each individual prisoner, and the maintenance of personnel records are essential; reliable interpreters will invariably be essential.
- d. The facility Commander must have the authority and means to apply an effective judicial system to enforce discipline among prisoners.⁵
- e. A pre-planned and coordinated intelligence and counter-intelligence programme should be developed to provide a continuous, timely flow of intelligence information from the point of capture to the repatriation phase.⁶

Typical planning considerations are covered in depth in JDP 1-10.1 '*Prisoners of War*', JDP 1-10.2 '*Internees*' and JDP 1-10.3 '*Detainees*'.

SECTION II – PRISONER HANDLING ORGANISATION WITHIN THE JOINT OPERATIONS AREA

507. Experience has shown that dealing with captured or detained persons requires its own Command and Control (C2) organisation and chain of command if it is to operate effectively. In the pre-deployment planning phase of an operation, the Permanent Joint Headquarters (PJHQ) will establish a PHO which reflects the Prisoner Estimate and will identify units to deal with captured or detained persons. The PHO will assume responsibility for all aspects of the evacuation and custody of captured or detained persons once they have been delivered to the Collecting Point, leaving unit

⁴ See Annex 5B.

⁵ See Annex 2A, Section III.

⁶ See JDN 3/05 '*Tactical Questioning, Debriefing and Interrogation*'

and formation commanders free to conduct operations. A flow diagram showing the relationship between the chain of command and the PHO is at Figure 5.1.

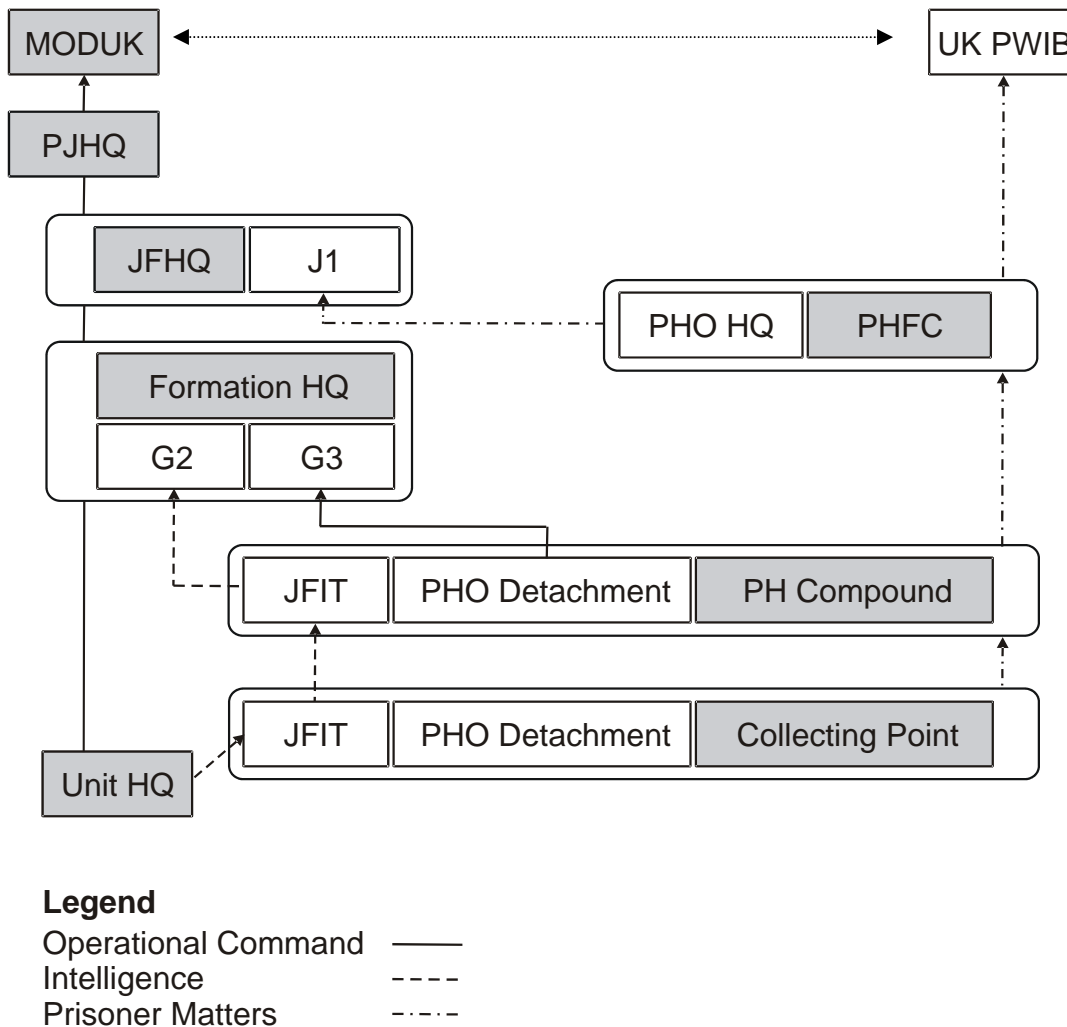


Figure 5.1 – Prisoner Handling Organisation

508. Overall control of the PHO within the JOA will be exercised by the PHO Commander assisted, for operational and logistic matters, by J1, J3 and J4 respectively. The PHO Commander and his staff will be located at the principal Prisoner Holding Facility (PHF)⁷ in the JOA and will head a chain of command, based on intermediate PHFs, extending down to the Collecting Point. Units employed in the escorting and guarding of captured or detained persons will be placed under the command of the PHO Commander. Wherever possible, the PHO will be based on an existing Command structure, such as that of the Guard and Escort Units, and reinforced by members of the Adjutant General's Corps (AGC) Military Provost Staff (MPS). The PHO Commander must be supported by members of the Military Provost Staff.

⁷ For example, PW and Internment Camps or detention facilities.

509. The PHO is flexible, adapting to the size of the operation or campaign and the assessment of likely numbers of captured or detained persons. It has 2 finite points, one at either end of the PH process: the Collecting Point and the PHF. The size of the JOA, the availability and type of transport and the numbers of captured or detained persons involved will all determine whether intermediate PHFs are required.

Core Responsibilities of Key Personnel

510. The core responsibilities of key personnel involved in the PHO are detailed below. They are not intended to be an exhaustive list, and the allocation of responsibilities will alter to reflect the demands of the operational situation. Such responsibilities that are listed remain subject to additions and alterations at the direction of the JTFC. It should be noted that the staff appointments and responsibilities listed below are those required to support the Joint Task Force Headquarters. Component Commanders (CC) may find it necessary to replicate these staff functions within their own Headquarters to the extent necessary to facilitate PH operations at their level.

511. **The Joint Task Force Commander.** The JTFC is responsible for:

- a. Designating the PHO Commander, who will be the single individual responsible for all aspects of PH, to include PHFs and prisoner reporting requirements in the JOA.
- b. Ensuring that the PHO Commander and PHFs comply with applicable laws and regulations.
- c. Liaison with PJHQ to establish the policy for the transfer and repatriation of captured or detained persons.

512. **The Prisoner Handling Organisation Commander.** The PHO Commander is responsible for:

- a. Exercising Tactical Command (TACOM) over all assigned and attached forces and PHFs within the JOA.
- b. Reporting directly to the JTFC on all matters relating to captured or detained persons.
- c. Ensuring the development and implementation of PH policies for the JTFC in accordance with the applicable law and regulations.
- d. Ensuring that all allegations of the mistreatment of captured or detained persons are immediately reported to the Service Police through the appropriate chain of command. This is in order to ensure the prompt investigation of any

such allegations and, where necessary, that such violations are punished and steps taken to prevent a recurrence.

- e. Ensuring that all personnel are properly trained on Rules of Engagement (ROE), the applicable Geneva Conventions (GCs) and all other applicable laws and policies, to include ensuring that personnel have an effective knowledge of the applicable Operating Procedures at the facility.
- f. Ensuring that those commanding intelligence gathering units coordinate directly with J2 and Human Intelligence (HUMINT) (J2X) elements.
- g. Ensuring logistical and medical requirements for the PHF are determined and met.
- h. Coordinating the JTFC's response to ICRC complaints, concerns and observations, ensuring that they have been addressed by the Command.⁸
- i. Coordinating all visits by representatives of the Protecting Power or designated agency.⁹
- j. Coordinating with the JTFC legal adviser for guidance in all matters of planning and execution of operations.
- k. Overseeing the arrangements for the transfer, evacuation for medical treatment and repatriation of all prisoners.¹⁰

513. **Prisoner Holding Facility Commanders.** The PHF Commander (PHFC) is the commander responsible for PH operations at a facility established by UK forces for that purpose. He is responsible through his chain of command for all matters relating to facility operations, to include security, law enforcement, administration, logistics and other operational support requirements. PHFs established on operations will be inspected by Provost Marshal (Army) in his capacity as the Competent Army Authority for detention.¹¹ The PHFC is also responsible for overseeing the provision of support to any intelligence gathering facilities located within his Holding Facility. However, it is the Officer Commanding of the Joint Forward Interrogation Team (JFIT) operating within that facility who is responsible for all matters relating to interrogation, intelligence collection and interaction with other agencies involved in the intelligence or evidence gathering process. The PHFC must be supported by an officer of the Military Provost Staff, and is responsible for:

⁸ See paragraph 116-117.

⁹ See paragraph 118-123.

¹⁰ See paragraph 128-131.

¹¹ See Annex 5C.

- a. Ensuring the humane treatment of captured or detained persons at all times and in all circumstances, including those under interrogation.
- b. Ensuring that captured or detained persons are dealt with in accordance with the applicable laws and policy.
- c. Ensuring the safety, health, well-being and training of all personnel operating the facility.
- d. Ensuring that all allegations of the mistreatment of captured or detained persons are immediately reported to the Service Police through the appropriate chains of command. This is in order to ensure the prompt investigation of any such allegations, that such violations are punished and steps taken to prevent a recurrence.
- e. Ensuring that all personnel are properly trained in ROE, the applicable GCs and all other applicable laws and policies, to include ensuring that personnel have an effective knowledge of the applicable Operating Procedures at the facility.
- f. Planning for and executing effective security of the facility.
- g. Coordinating the escort guard for the transportation of all captured or detained persons entering or departing the facility.
- h. Coordinating with counter-intelligence elements/J2.
- i. Imposing control and discipline over captured or detained persons in a manner that is lawful and in accordance with applicable regulations and policy.¹²

514. **Force Provost Marshal.** The Force Provost Marshal (FPM) is a Royal Military Police Officer who will provide professional and technical oversight of the custodial specialists (MPS) and provide technical guidance to Commanders and Staff on all issues relating to captured or detained persons. Accordingly, the FPM should have access to all custodial facilities in theatre.

515. **J1 Staff.**¹³ J1 have responsibility for:

- a. Accounting for and tracking of the whereabouts of captured or detained persons, to include transfers and release.¹⁴ The provision of adequate IT

¹² See paragraph 204 and Annex 2A..

¹³ The staff responsibilities that follow (paragraphs 515-518) may need to be replicated in CC Headquarters in order to facilitate PH at the tactical level.

¹⁴ Information on the whereabouts of all PW, internees and detainees must be forwarded to the ICRC via MOD Service Personnel Policy (SP Pol) Prisoner of War Information Bureau (PWIB). See paragraphs 124-127.

resources to enable this activity must be addressed at an early stage in consultation with J3.

- b. Nominating officers and staffs to run Collecting Points and PHFs within the JOA.
- c. Determining the status of captured personnel where it is not clear from the outset.¹⁵
- d. Making arrangements for the transfer, evacuation, release and repatriation of captured or detained persons.

516. **J2 Staff.** J2 Staffs are responsible for issuing instructions for the collection, searching and, where appropriate, the tactical questioning and interrogation of captured or detained persons, and for the handling and disposal of captured documents and equipment. No questioning of captured or detained persons is to be undertaken other than by individuals who have completed HUMINT training and in accordance with instructions issued by Chief of Defence Intelligence (CDI).

517. **J3 Staff.** J3 have responsibility for:

- a. Overseeing the delivery of PH training as part of the preparation for operations.
- b. Producing estimates of likely numbers of captured or detained persons before an operation begins (assisted by J2/J5).
- c. Identifying the requirement for officers and staffs to run Collecting Points and Holding Facilities within the JOA.
- d. Issuing instructions for the activation of the PHO.
- e. Selecting locations for Collecting Points and PHF, and issuing orders to units for their construction. J3 staff should seek early advice from Military Provost Staff on the selection of locations.
- f. Identifying and allocating units to the PHO Commander to act as Guards and Escorts and the issuing of orders for these tasks.

518. **J4 Staff.** J4 have responsibility for:

- a. The procurement and provision of construction materials and stores for the establishment of Collecting Points and PHFs.

¹⁵ See Chapter 4.

- b. The allocation of resources and the establishment of the supply chain for the feeding, clothing, movement and accommodation of captured or detained persons.
- c. The production of administrative instructions covering the feeding, clothing, movement and accommodation of captured or detained persons.
- d. Planning for the provision of sufficient resources to meet the requirements of projected numbers of captured or detained persons.
- e. The establishment of medical facilities.
- f. Issuing instructions (with J1) for the medical examination and treatment of captured or detained persons.¹⁶

SECTION III – TRAINING TO DEAL WITH CAPTURED OR DETAINED PERSONS

519. All members of UK Armed Forces are likely to have to deal with captured or detained persons in the course of military operations. The requirement may arise in the context of handling large numbers of PW during armed conflict either in the land environment or when transporting them by air or cartel vessel. The requirement may also arise when conducting non-conflict peacekeeping operations where it may be necessary to intern civilians and/or arrest and detain criminals. Given the increasing complexity of operations, it is likely that members of UK Armed Forces could be required to deal with **all** categories of captured or detained persons during a single operation.

520. Training is vital and must include theory and practical training. The theoretical underpinning for this activity must include the current policy and doctrine, applicable law (to include both UK domestic law and the Law of Armed Conflict (LOAC)¹⁷) and regulations. This training should supplement and build upon the existing LOAC Training given by each of the single-Services. LOAC training is designed to ensure that those who give and carry out orders do so within the law.¹⁸ Practical training is the responsibility of the single-Services and should cover all aspects of the planning, support for and conduct of such activity. It should form part of, and be included in, existing tiered operational training arrangements. Dealing with captured or detained persons should be exercised in single service and joint scenarios. It should also address multinational operations. JTFs have the overall responsibility for

¹⁶ See Annex 5D.

¹⁷ See JSP 381 *'Aide Memoire on the Law of Armed Conflict'* and JSP 383 *'The Joint Service Manual of the Law of Armed Conflict'*.

¹⁸ In addition to its obligations under the GCs to teach LOAC, the UK has pledged to promote the dissemination and training of International Humanitarian Law and Human Rights Law among its military forces (EU Pledge 181 28th IC).

developing, implementing, monitoring and refining standards, policies and Standing Operating Procedures (SOPs) consistent with the applicable laws and regulations. JTFCs are also to ensure the effective routine review of PH operations and related training.

SECTION IV – THE PROVISION OF ADVICE

521. Much of the detailed advice on dealing with captured or detained persons is contained within the 3 tactical publications that accompany JDP 1-10:

- a. JDP 1-10.1 '*Prisoners of War*'.
- b. JDP 1-10.2 '*Internees*'.
- c. JDP 1-10.3 '*Detainees*'.

522. Commanders should also seek advice from Provost Marshal (Army) and Military Provost Staff who are available to assist both in advance of, and during, Prisoner Handling operations.

523. Legal and Policy advice on Prisoner Handling issues should be sought through the chain of command, initially referring to the Commander's Legal Adviser, Policy Adviser and, where deployed, Humanitarian Adviser. Advice is also available from PJHQ J9, who are well placed to engage MOD's Director General Legal Services (Operational and International Humanitarian Law) and the Policy Director's Department on issues relating to PH.

524. Members of the Central Tracing Agency of the ICRC are available to give advice to planning staffs during the planning phase of an operation. Although OPSEC may prevent their early engagement, J1 staff at PJHQ are encouraged to take advantage of this arrangement where appropriate, liaising through MOD DCDS (Pers) Strategic Operations. More generally, where OPSEC and policy considerations permit it, liaison with the ICRC through MOD channels is a valuable source of advice.

ANNEX 5A – THE PRISONER HANDLING FACTOR IN THE ESTIMATE PROCESS

5A1. The significance of the Prisoner Handling factor in influencing the Commander's plan will vary according to the type of operation undertaken and the effects that he wishes to realise. In general, offensive operations will result in more captured or detained persons than defensive operations; Peace Support Operations (PSO) will normally result in the holding of captured or detained persons where local law enforcement authorities are inadequate or absent. The effect of such activities on operations can be quantified as follows:

- a. The obligation to protect and/or guard prisoners reduces the number of troops available for other tasking.
- b. The logistic requirements place an additional burden on Force Logistics.
- c. The requirement to move captured or detained persons places an additional burden on the transport system.
- d. Dealing with captured or detained persons can adversely affect the tempo of operations.
- e. The presence of captured or detained persons in the Joint Operations Area (JOA) may inhibit the Commander's operational flexibility.
- f. The administration of captured or detained persons creates additional pressures on formation staff.
- g. The capture of Prisoners of War (PW) and others may result in improved intelligence and situational awareness.

5A2. The Commander's consideration of the Prisoner Handling factor in the estimate process will take place in a number of steps:

- a. **Step 1.** The Intelligence Staff assess whether the operation is likely to result in the capture or detention of persons. In making this assessment, they will take into account a number of factors:
 - (1) The likely outcome of the operation.
 - (2) The size of the enemy force.
 - (3) The enemy's likely Courses of Action (CoAs).
 - (4) The enemy's cultural and religious background.

- (5) The state of the enemy's morale.
 - (6) The overall progress of the campaign.
- b. **Step 2.** If the Intelligence received in response to Step 1 indicates the likelihood of the operation resulting in the taking of prisoners, this is considered under the Estimate heading of 'other relevant factors.'
- c. **Step 3.** Having considered the impact of prisoners on the plan, provision is included in the 'summary of possible tasks' and troops allocated to the task. This will normally include the requirement for interpreters to support the Intelligence gathering effort and/or to process the prisoners.
- d. **Step 4.** Once the Commander has selected his CoA, details of the Prisoner Handling plan are to be included in the 'Execution' paragraph of his Orders. Depending on the potential impact on the operation, the need to make a specific plan may be reflected in the Concept of Operations (CONOPS). Prisoner handling must always be included in the Coordinating Instructions for the execution of the plan.

5A3. Prisoner handling and its effect on an operation will always be one of the planning imponderables. Rarely will the Commander be able to make a plan secure in the knowledge that its success will be guaranteed. Such planning should assume a worst-case scenario. Given the diffuse nature of contemporary operations, prisoners of whatever status may be captured by any number of different units and across all environments. In operations, the unexpected almost always happens¹ and the unplanned arrival of large numbers of prisoners into the JOA can throw plans into chaos.

¹ During the 1991 Gulf War, US Helicopter Squadrons were faced with having to deal with hundreds of Iraqi PW who had surrendered when confronted by helicopters. Other Iraqi soldiers had surrendered to an Unmanned Aerial Vehicle.

ANNEX 5B – CAMP INFRASTRUCTURE - GENERAL PROVISIONS

5B1. The detailed construction requirements for Prisoners of War and Internment Camps are outlined in the subordinate publications accompanying JDP 1-10. The principles of construction common to all types of holding facility, which should be considered during the initial planning of Prisoner Handling operations, are:

- a. Camps must only be sited upon land.¹
- b. The site should be selected with care to take account of:
 - (1) The likely attitude of the local population.
 - (2) The threat of guerrilla or enemy activity.
 - (3) The extra burden which the establishment of a camp will place upon the Joint Force Logistic Component.
 - (4) The influence of terrain on construction, access and security.
 - (5) Climatic conditions.
 - (6) Proximity to existing infrastructure such as road, rail, airhead and local amenities such as water and electricity.
 - (7) Proximity to potential target areas.
 - (8) The potential to make use of existing real estate in order to reduce the logistic burden.
- c. Minimum construction requirements should allow for:
 - (1) Accommodation.
 - (2) Kitchen and messing facilities.
 - (3) Ablutions.
 - (4) Latrines.
 - (5) Fences of double barbed wire around each enclosure and compound with doubled barbed wire top guards.
 - (6) Guard Towers.

¹ GC III: 22.

- (7) Lighting.
- (8) Vehicle Access.
- (9) Communication.
- (10) Waste Disposal.
- (11) Fire Precautions.
- (12) On-site Facilities, including:
 - (a) A discrete area for a Joint Forward Interrogation Team compound.
 - (b) An enclosure Command Post and Admin Office.
 - (c) A Medical Centre.
 - (d) A facility for the storage and issue of clothing and equipment.
 - (e) A facility for the conduct of religious services.
 - (f) Provision of IT SP including PW reporting software.

ANNEX 5C – ADVISORY VISITS AND INSPECTIONS

5C1. The purpose of advisory visits and inspections is to assess the management, administration, infrastructure and security of the Camp or Facility. Such inspections and visits provide an opportunity for both the chain of command and those placed in charge of Camps and Facilities to ensure best practice and compliance with the UK's obligations under international law.

5C2. Inspections or advisory visits can be conducted by:

- a. The International Committee of the Red Cross (ICRC).
- b. Representatives of the Protecting Power.
- c. The Provost Marshal Army (PM(A)) or officers and warrant officers of the Provost Branch directed by PM(A).

5C3. **Protecting Power and International Committee of the Red Cross.**¹

Representatives from the Protecting Power and members of the ICRC may visit and inspect any location where Prisoners of War (PW) and internees are being held by UK Armed Forces. In general, these inspections will be authorised under the terms of GC IV.²

Provost Marshal (Army)

5C4. **General.** PM(A) (or his nominated representative), as the Competent Army Authority and Inspectorate (CAA&I) for custody and detention, should visit and inspect all PW and Internment Camps within an operational theatre. PM(A) may also inspect Unit Holding Areas (UHA) where PW, internees or detainees are held.

5C5. **Provost Marshal (Army) Inspectorate Staff.** PM(A) inspections will be conducted by dedicated Custodial Staff from HQ PM(A) wherever possible, although, if the operational situation precludes this, the authority to inspect may be delegated by PM(A) to his Provost Staffs in theatre under the management of the Force Provost Marshal (FPM).

5C6. **Purpose of Inspections and Advisory Visits.** The PM(A) inspection is intended to **advise** the chain of command on matters of custody and **provide guidance** on procedures and management.

5C7. **Timing of the Inspections and Advisory Visits.** PM(A)'s Military Provost Staff (MPS) and Provost Staff (FPMs) will have been involved in the construction of

¹ See Chapter 1, Sections III and IV.

² GC IV relative to the protection of civilian persons in time of war.

PW and Internment Camps. In order to monitor and advise upon areas of compliance, PM(A) or his nominated representative should conduct advisory visits or inspections:

- a. Within 1 month of the facility becoming operational.
- b. Every 12 months thereafter.
- c. Whenever there is an adjustment to the facility, for example an increase in holding capacity or structural adjustments.
- d. On an ad hoc basis when directed to do so by PM(A) or when requested to do so by the facility Commander.

5C8. **Areas for Inspection.** The full inspection procedure can be found in the Provost Manual Volume 3. The following list, although not exhaustive gives an outline of the areas to be inspected by PM(A) or his Inspectorate Staff:

- a. Structure.
- b. Manning.
- c. Orders.
- d. Documentation.
- e. Property.
- f. Segregation areas.
- g. Frequency of custody checks of the person.
- h. Search policy and procedure.
- i. Exercise and work policy.
- j. Complaints procedure.
- k. Incident procedure.
- l. Fire procedure.
- m. Visit procedure.
- n. Use of restraints.

In consultation with the appropriate specialist staff, the inspection should also cover: the provision of food and water; hygiene and sanitation; medical provision; and the arrangements under which individuals' detention is periodically reviewed.

5C9. Camp Commandants or Unit HQ Staff should accompany the Inspectorate or Advisory Team.

Inspection Report

5C10. Following each inspection, a report is to be produced outlining the areas inspected and confirming whether the standards for each area have been met. The report should cover:

- a. Areas of compliance.
- b. Areas where standards may be improved.
- c. Factors contributing to non-compliance, for example lack of logistic provision.
- d. Corrective action required and guidance on how to achieve compliance.

5C11. Camp Commandants will be advised of the recommendations within that report on completion of the inspection. This is to allow for any immediate remedial action to be taken and for the Camp Commandants' comments to be included. The report will advise on necessary improvements. A copy of the report should be forwarded to:

- a. HQ PM(A).
- b. Camp Commandant.
- c. Formation Commander.
- d. Theatre Commander.
- e. PJHQ (for J1).
- f. MOD SP Pol for PWIB.

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ANNEX 5D – MEDICAL SUPPORT TO PERSONS CAPTURED OR DETAINED BY UK FORCES ON OPERATIONS

SECTION I – INTRODUCTION

5D1. This Annex¹ provides direction on the standards of medical support that should be provided to persons captured or detained by UK forces whilst on operations. It outlines the legal provisions and ethical principles that underpin this provision of medical care. It is impossible to cover every eventuality. However, these principles and those of good medical practice and clinical governance endure. Wherever possible, detailed guidance is provided. The contents of this Annex should be understood by all medical personnel who may be liable for deployments and their planning staffs.

5D2. British Forces are both rapidly deployable and expeditionary. During War and other Armed Conflicts, the provisions of the Geneva Conventions (GCs) apply. These give detailed guidance regarding the medical support that is to be provided to Prisoners of War (PW). In situations where military personnel are deployed on missions which do not amount to engaging in international armed conflict, they may still be required to capture and detain people. The status of these persons will vary according to the specific operation. However, all captured personnel, regardless of categorisation, will require medical assessment and treatment.

5D3. The provisions and principles that can be applied to the medical support of captured or detained persons are based upon medical ethics, United Nations (UN) declarations and other international law, including the GCs. The humanitarian principles that these instruments embody are to be applied on all military operations by UK forces. Medical support must be provided with impartiality. There shall be no discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The medical care provided must be ethical and comply with best practice. Additionally, medical personnel have a responsibility for monitoring the standards of health and hygiene within a UK holding facility.

5D4. When ‘intact’ enemy medical facilities are captured, this event should be reported through the chain of command. Their incorporation into the medical organisation for the treatment of captured or detained persons should be considered. Similar consideration should be given to retaining captured enemy medical personnel.² They can contribute to the management of captured or detained persons, particularly

¹ See DMSD/29/3/5 Surgeon General’s Policy Letter 01/05 dated 6 Jan 05.

² See paragraph 110c.

where there would otherwise be language or cultural difficulties. They may also be useful where they have a particular expertise of an endemic disease not normally seen in the UK and in managing psychological disorders in captured or detained personnel.

5D5. The normal rules and standards of consent, record keeping, use of chaperones and medical confidentiality apply.³ Informed consent for examinations and treatment may be verbal or written and must be recorded in the medical records.⁴ Informed consent for medical photography must be obtained in writing. The UN has issued a set of ethical principles⁵ that relate to the involvement of healthcare personnel when treating captured or detained persons. These standards of professional conduct apply at all times. These principles are:

- a. Health personnel, particularly registered medical practitioners, charged with the medical care of captured or detained persons, have a duty to protect their physical and mental health and provide treatment of the same quality and standard as is afforded to others within their care. Therefore, standards of medical care, confidentiality and documentation should be the same as those used for members of the UK or Allied Forces. Whilst medical documents must be held separately from other personal records, personal records can document that a medical examination has taken place and any instructions issued by the medical officer that are necessary to facilitate patient care.
- b. It is a gross contravention of medical ethics, as well as an offence under applicable international instruments and UK law⁶ for health personnel, particularly registered medical practitioners, to engage, actively or passively, in acts which constitute participation in, complicity in, incitement to or attempts to commit torture or other cruel, inhuman or degrading treatment or punishment.
- c. If health personnel become aware of such treatment they have a responsibility to report this to the Commander of the facility and also up the medical chain of command.
- d. Health personnel are only to be involved in professional relationships with captured or detained persons for the purposes of evaluating, protecting or improving their physical and mental health.
- e. Health personnel are not to:

³ General Medical Council (2001) '*Good Medical Practice*'.

⁴ General Medical Council (2004). '*Protecting and Providing Information*'.

⁵ United Nations (1982). '*Principles of Medical Ethics in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment*'. General Assembly Resolution 37/194.

⁶ Criminal Justice Act 1988, Section 134.

- (1) Apply their knowledge and skills in order to assist in the interrogation of captured or detained persons in a manner that may adversely affect their physical or mental health; this includes certifying or stating that a subject meets a specific mental or physical standard for interrogation.
- (2) Certify or to participate in the certification of the fitness of captured or detained persons for any form of treatment or punishment that may adversely affect their physical or mental health, or to participate in any way in the infliction of any such treatment or punishment.
- (3) Question captured or detained persons about matters unless they are relevant to their medical care.

f. Health personnel must not participate in any procedure for restraining a captured or detained person unless such a procedure is determined to be in accordance with purely medical criteria as being necessary for the protection of the physical or mental health or the safety of the subject himself, of his fellow prisoners or detainees, or of his guardians, and presents no hazard to his physical or mental health.

5D6. It is legal for the capturing power to interrogate captured or detained persons in order to obtain tactical or strategic information. However, no physical or mental torture or any other form of coercion may be used. The wounded and sick may also be questioned, but not if it would adversely affect their health. Procedures will vary depending upon whether or not the subject is a patient within a medical facility.

a. **In-Patients.** Questioning will not normally take place within a medical facility or when a patient is receiving treatment for an acute condition. However, a responsible officer from the detaining power may seek permission from the officer in charge of the medical facility to question a captured or detained person.⁷ The officer in charge, in consultation with the clinician directly responsible for the subject's treatment, should make an assessment as to whether questioning will seriously affect their patient's health.⁸ The assessment and any advice given, including time limitations, must be recorded in the clinical record. If the responsible officer decides to proceed with questioning, against medical advice, the medical officer must refer this matter through the medical chain of command.

b. **Out-Patients.** When a subject is being treated on an out-patient basis or within a primary care setting, medical staff should issue the officer responsible

⁷ JSP 383 *The Joint Service Manual of the Law of Armed Conflict*, paragraphs 8.34-8.34.1.

⁸ British Medical Association (July 2004) *Healthcare of Detainees in Police Stations* (2nd Edition) paragraph 3.4.

for looking after the subject with appropriate written instructions to ensure continuity of care. This may include instructions for the administration of medication or advice relating to a limitation in activity. It is the responsibility of the detaining officer to ensure that this medical care is not compromised.

SECTION II - MINIMUM STANDARDS FOR PROVISION OF MEDICAL TREATMENT TO CAPTURED OR DETAINED PERSONS^{9,10,11}

- 5D7. The following minimum standards of medical treatment must be provided:
- a. All sick or injured persons should be treated according to medical need and without regard to status or national origin.
 - b. They are to be treated humanely and are entitled to the same medical attention as that afforded to friendly forces.¹² This does not necessarily imply the provision of additional resources.
 - c. The medical officer shall, at least daily, see all who are sick, all who complain of illness and any to whom their attention is specially directed. Captured or detained persons should not be prevented from presenting themselves to the medical officer for examination.
 - d. They should be treated, evacuated and 'returned to duty' (that is, transferred back to normal holding facilities) using the same clinical criteria that are applied to the detaining nation's own injured.
 - e. Those requiring specialist treatment should be transferred to specialized institutions, military or civil hospitals either within or outwith theatre. Where hospital facilities are provided within an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained personnel.
 - f. Nations may cooperate to provide centralised treatment facilities, although legally the nation who first took the subject into custody retains a responsibility for them wherever they are held or treated. If there are any doubts over a nation's compliance with humanitarian principles or Treaty

⁹ United Nations (30 August 1955) '*Standard Minimum Rules for the Treatment of Prisoners*'.

¹⁰ Geneva Convention Relative to the Treatment of Prisoners of War. Adopted on 12 August 1949.

¹¹ JSP 383.

¹² JWP 4-03 '*Joint Medical Doctrine*', paragraph 302b.

obligations, legal advice should be obtained before captured or detained persons are transferred to the care of that nation.¹³

g. They are to be provided free of charge their medical care and the appliances necessary for their maintenance in good health, for example:

- (1) Pharmaceutical preparations.
- (2) Dressings.
- (3) Immunizations.
- (4) Spectacles.
- (5) Dentures.
- (6) Other prostheses.

h. Medical examinations and inspections should only be conducted with the informed, written consent of the individual. Those who withhold consent are only to be subjected to an external visual inspection. Standard UK consent forms will need to be modified to suit the cultural and linguistic needs of the subject. The Permanent Joint Headquarters should issue instructions outlining the format consent forms should take. The medical officer shall conduct medical inspections and examinations:

- (1) As soon as reasonably practicable after admission to the holding facility, with a view to discovering any physical or mental illness.
- (2) When required, to determine the fitness of those PW who are eligible for work.¹⁴ These examinations shall have particular regard to the nature of the work which they may be required to do. If any PW considers he is incapable of working, he shall be permitted to appear before the medical officer. The medical officer may recommend the exemption of a PW from work.
- (3) Medical inspections shall be held at least once a month. They shall include checking and recording each subject's weight. The purpose is to monitor the general state of health, nutrition and cleanliness of prisoners and to detect contagious diseases. Screening for endemic diseases such as tuberculosis may need to be undertaken employing the most efficient methods available.

¹³ See paragraph 128.

¹⁴ Internees and detainees are not eligible for work. See paragraph 207f, footnote 9.

(4) Medical inspections of captured or detained persons shall be held prior to their transfer of care from one institution or facility to another and upon discharge or release.¹⁵

- i. The services of at least one qualified medical officer, with some knowledge of psychiatry, must be available at every holding facility. Individuals who, due to mental illness, are found not to be responsible for their own actions or are unable to state their identity should not be held in holding facilities. Arrangements must be made, whenever possible, to remove them to a suitable medical facility as soon as possible. The medical or psychiatric service of the holding facility shall provide for the psychiatric treatment of all others who are in need of such treatment. Those who, owing to their physical or mental condition, are unable to state their identity, shall be handed over to the medical service. The identity of such prisoners shall be established by all possible means.
- j. The services of a qualified dental officer shall be available to every captured or detained person.
- k. In women's institutions there should be special accommodation for pre-natal and post-natal care and treatment. Arrangements should be made wherever practicable for children to be born in a hospital outside the holding facility. If a child is born in a holding facility, this fact shall not be mentioned in the birth certificate.
- l. The detaining authorities shall, upon request, issue to every captured or detained person who has undergone treatment, a report indicating the nature of his illness or injury, and the duration and kind of treatment received. A duplicate of this report and the medical records shall be held by the detaining medical authority.
- m. If someone is injured, for any reason, whilst in the holding facility the medical officer should, on request, provide the individual with a written statement in case he needs to claim compensation at some future time. The report should be a factual account of the medical findings and treatment. A copy of this statement should be held in the medical records.
- n. The burial or cremation of a captured or detained person shall be preceded by a medical examination of the body with a view to confirming the cause of death. Clinical records should be made that will enable a subsequent written report to be made and, where necessary, establishing identity. The nature of the medical examination required will depend upon the circumstances of the death and will, whenever possible, be sensitive to local

¹⁵ British Medical Association (July 2004). *Healthcare of Detainees in Police Stations* (2nd Edition).

customs and religious practices. Where the cause of death or identity cannot be established, advice must be obtained from the Executive and the medical chain of command.

- o. If a captured or detained person brings in any drugs or medicine, the medical officer should decide what to do with them.
- p. No captured or detained person may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the person concerned and carried out in his interests.
- q. Medical staff providing treatment should, when required, have access to an interpreter.

SECTION III - HYGIENE STANDARDS^{16,17,18}

5D8. Whilst it is an Executive responsibility to run holding facilities, medical authorities must be involved in their planning. It should be remembered that captured or detained persons may pose a risk to those guarding them from bad hygiene practices or endemic disease. The medical authorities will need to develop a preventive medicine strategy, provide a primary health care service (sometimes utilising enemy medical personnel), and ensuring that the guarding force has adequate medical support.

5D9. Whilst the Executive are responsible for the hygiene standards within a holding facility, medical personnel must conduct regular inspections to ensure that standards are maintained. The medical authorities must audit this activity and may need to direct environmental health staff to assist medical officers in this task. The results of these inspections must be reported to the Commander of the facility. Inspections should include note of:

- a. The quantity, quality, preparation and service of food.
- b. The hygiene and cleanliness of the institution and the prisoners.
- c. The sanitation, heating, lighting and ventilation of the institution.
- d. The suitability and cleanliness of the prisoners' clothing and bedding.

¹⁶ United Nations (30 August 1955). '*Standard Minimum Rules for the Treatment of Prisoners*'.

¹⁷ GC III.

¹⁸ Allied Joint Publication (AJP)-4.10(A) '*Allied Joint Medical Support Doctrine*'. (Ratification Draft, Sep 2005), Chapter 1.

- e. The observance of the rules concerning physical education and sports (in cases where there are no technical personnel in charge of these activities).

5D10. The Commander should take into consideration the reports and advice that the medical officer submits and, when he concurs with the recommendations made, shall take steps to implement them; if they are not within his competence or if he does not concur with them, he should submit his own report and the advice of the medical officer to higher authority. The medical officer shall report to the Commander and to the medical authorities whenever he considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment. Where standards fall below an acceptable level, this must be reported to the Commander of the holding facility and through the medical chain of command. In order to conduct the inspections detailed in paragraph 5D9, medical personnel must have some knowledge of the standards that should have been provided. However, the medical authorities are only responsible for providing medical services and monitoring the health and hygiene standards.

ANNEX 5E – GENERAL GUIDANCE FOR THE TRANSPORT AND ESCORTING OF CAPTURED OR DETAINED PERSONS

5E1. This Annex sets out the principles for the transport and escorting of Prisoners of War (PW), internees and detainees. It deals primarily with the transport and escorting of the able-bodied. Escort and transport arrangements for the wounded and sick are to be made and carried out in accordance with medical advice.¹

The Transport of Prisoners of War, Internees and Detainees

5E2. The evacuation or movement of prisoners from their point of capture or apprehension to the facility where they will remain in captivity may be as simple as a move from the Collecting Point directly to the Camp. Alternatively, it may be a series of moves through a number of staging points, over long distances, to a final destination.

Principles

5E3. Whether the move is short or long, staged or direct, a number of principles govern the evacuation process for captured individuals:²

- a. They should be protected from unnecessary danger throughout the evacuation. Where available, they are to be issued, if necessary, with items such as helmets, body armour and chemical, biological, radiological and nuclear (CBRN) equipment.
- b. The evacuation of captured persons is to be conducted humanely. They are to be provided with sufficient food of a standard similar to that made available to UK troops, but account is to be taken of their dietary habits. Adequate provision for water, additional clothing and protection against the elements should be made.
- c. Evacuation should ideally be direct from a Collecting Point or Unit Holding Area to the PW, Internment Camp or Detention Facility, but where this is not possible there should be as few intermediate holding areas as possible.
- d. Wounded and sick prisoners are to be evacuated under escort through the same casualty evacuation system as UK troops. Ambulances are not to be used to transport fit prisoners.

¹ See Annex 5D.

² GC III: 19 and GC III: 20.

- e. Prisoners are not to be evacuated outside the theatre unless the move is authorised by MOD. Legal and policy advice will be called for whenever such extra-territorial evacuations are envisaged.³
- f. Once prisoners have arrived at the Collecting Point, their evacuation becomes the responsibility of the Prisoner Handling Organisation Commander, who will provide the escorting troops for the move to their next destination.

Methods of Evacuation Movement

5E4. It is unlikely that there will be dedicated transport for the evacuation of captured persons. Their movement will often be based on the return journeys of vehicles and aircraft delivering combat supplies forward to the general area from which prisoners are to be moved. Transport arrangements will be coordinated by the J1 and J4 staffs at the formation headquarters concerned. The movement of prisoners on foot will only be carried out where there is no transport available and immediate evacuation is essential for operational reasons.

- a. **Evacuation on Foot.** Whilst foot movement may be acceptable for small groups over short distances, it is an unsatisfactory method of moving larger numbers over longer distances, except as a last resort where there is no other way of evacuating prisoners from a combat zone. Where there is no alternative to the movement of captured persons on foot, the normal support to marching bodies such as straggler transport, medical support and victualling must be provided. For their own protection, escorts may be mounted in open vehicles, but not on motor cycles.
- b. **Evacuation by Road.** Movement by vehicle is the most likely method of evacuation. Vehicles are to be covered with side and rear flaps secured to reduce the possibility of escape and to shield prisoners from media attention. Whenever possible, an evacuation convoy should include recovery and support vehicles. Escorts should not travel in the rear of vehicles with prisoners and should deploy to cover the whole convoy.
- c. **Evacuation by Rail.** Captured persons moved by rail will normally be moved in passenger coaches. Where this is the case, doors are to be locked where possible and escorts should be dispersed along the length of the train in compartments or areas separate from prisoners. If passenger coaches are not available and the operational situation requires the evacuation of individuals in freight vans, the doors are to be secured and escorts are either to travel on their own in every third van with doors open, or in mesh enclosures in the vans.

³ See paragraph 129. Such guidance should be sought through the chain of command.

When the train stops, escorts should dismount and deploy to cover the entire length of the train.

d. **Evacuation by Air.** When being evacuated by air, captured persons are to be further searched immediately before entering the aircraft. In the aircraft, escorts are to be positioned to prevent prisoners gaining access to the flight deck or controls. Escorts on aircraft are to be armed with pistols rather than rifles.

e. **Evacuation by Ship.** Wherever possible, captured persons are to be held below decks in secure accommodation. Where the nature of the accommodation is unduly restrictive, individuals are to be allowed on deck in small groups, at the discretion of the escort commander. They are to be instructed in emergency drills, and sufficient lifesaving equipment is to be provided for those embarked.

The Escort

5E5. **Role of the Escort.** The role of the Escort is both to protect and prevent able-bodied PW, internees or detainees from escaping or being liberated. The responsibility of an Escort for those in its charge begins at the despatching facility and ends when they are handed over to the staff of the destination facility.

5E6. **The Size of Escorts.** The Escort is to consist of a formed body of troops. Each situation will be different and local factors will determine the number of escorts required, sufficient to deter escape attempts.

Planning the Move

5E7. In order to plan the move, the following details must be ascertained:

a. **The Number of Prisoners to be Escorted.** This is a key factor in determining the size of the Escort.

b. **The Condition and Morale of the Prisoners.** Tired and cooperative captives do not need as many escorts as those who are fresher and better motivated.

c. **The Method of Movement.** Movement on foot offers more opportunities for escape than vehicle movement. Certain types of movement such as movement by truck, train and air require specific precautions to be taken by the Escort.

- d. **The Terrain.** The terrain across which the prisoners are to be moved will influence the numbers in the Escort and the method of movement. For example, movement across close or difficult terrain will usually call for more escorts than movement across a desert.
- e. **Enemy Activity.** Any likelihood of enemy interference with the move will require an Escort capable of taking offensive action to protect itself and keep prisoners under escort.
- f. **The Location of Other Units on the Route.** Before departure, the Escort should familiarise itself with the location of units on its planned route in order to be able to seek assistance or make rest stops in the course of the journey.
- g. **The Communications Plan.** The Escort is to be in communication at all times with the headquarters of the formation through whose area of operations it is moving.

LEXICON OF TERMS AND DEFINITIONS

The primary reference for the terms and their definitions used in this Lexicon is indicated in parentheses.¹ They will be submitted as candidate terms for incorporation into JWP 0-01.1 ‘*UK Glossary of Joint and Multinational Terms and Definitions*’ following ratification of this publication.

Combatant

Members of the armed forces of a party to the (armed) conflict (other than medical personnel and chaplains) are combatants and have the right to participate directly in hostilities. This category includes *irregular forces* who are under responsible command and subject to internal military discipline, carry their arms openly and otherwise distinguish themselves from the civilian population. (JSP 383² paragraph 4.2)

(Criminal) Detainee

A non-combatant who has been detained because he has committed, (or is suspected of committing), a criminal offence against the laws of the territory in which he has been captured or against UK Forces, or an offence against the law applied in an occupied territory. (JSP 383 paragraph 15.40)

Internee

During an international armed conflict or belligerent occupation, an internee is defined in GC IV as a civilian who is interned for imperative reasons of security or because he has committed an offence against the detaining power. During international armed conflict, a civilian interned by UK Forces for committing a criminal offence against members of UK Forces will be an internee and not a detainee. During an internal armed conflict, an internee is a civilian who is interned for security reasons. (JSP 383 paragraph 9.31). A civilian who, during an internal armed conflict commits a criminal offence is a detainee (see (Criminal) Detainee).

Law of Armed Conflict

A body of international law, whose purpose is ‘to protect combatants and non-combatants from unnecessary suffering and to safeguard the fundamental human rights of persons who are not, or are no longer, taking part in the conflict (such as prisoners of war, the wounded, sick, and shipwrecked) and of civilians’. (JSP 383 paragraph 1.8)

¹ JWP 0-01.1 ‘*United Kingdom Glossary of Joint and Multinational Terms and Definitions*’, AAP-6 ‘*NATO Glossary of Terms and Definitions*’.

² JSP 383 ‘*The Joint Service Manual of the Law of Armed Conflict*’

Non-Combatant

Those who have no right to participate directly in hostilities. Although usually synonymous with the civilian population, some members of the armed forces of a state (medical personnel and chaplains) are classed as non-combatants. (JSP 383 paragraph 4.2.2)

Occupation

Territory is considered to be occupied when it is actually placed under the authority of external military forces. Occupation extends only to territory where that authority has been established and can in fact be exercised. (JSP 383 paragraph 11.2)

Prisoners of War

Those entitled to Prisoners of War (PW) status. This category includes combatants and persons who accompany the armed forces without being members thereof (for example war correspondents or contractors) provided that they are authorised by the armed force which they accompany. (JSP 383 paragraph 8.3)

Protected Persons

During international armed conflict ‘...those who at any time and for any reason find themselves ‘in the hands of a party to the conflict or Occupying Power of which they are not nationals’ (GC IV Article 4). Those enemy civilians interned by UK Forces will usually be protected persons. (JSP 383 paragraph 9.17)

Protecting Power

The Protecting Power is a non-belligerent state which has been designated by a party to the conflict and accepted as such by other parties to the conflict. (AP I, Article V)

LEXICON OF ABBREVIATIONS

| | |
|--------|---|
| AP | 1977 Protocols Additional to the Geneva Conventions of 1949 |
| C2 | Command and Control |
| CC | Component Commander |
| CDI | Chief of Defence Intelligence |
| CDS | Chief of the Defence Staff |
| CoA | Course of Action |
| COD | Concise Oxford Dictionary |
| CONOPS | Concept of Operations |
| CJO | Chief of Joint Operations |
| CIB | Civilian Information Bureau |
| DFID | Department for International Development |
| FCO | Foreign and Commonwealth Office |
| GCs | Geneva Conventions |
| HUMINT | Human Intelligence |
| ICC | International Criminal Court |
| ICRC | International Committee of the Red Cross |
| IO | International Organisation |
| JFIT | Joint Forward Interrogation Team |
| JOA | Joint Operations Area |
| JTFC | Joint Task Force Commander |
| JTFHQ | Joint Task Force Headquarters |
| LI | Lessons Identified |
| LOAC | Law of Armed Conflict |
| MCTC | Military Corrective Training Centre |
| MPS | Military Provost Staff |
| NGO | Non-Governmental Organisation |
| NIB | National Information Bureau |
| OC | Officer Commanding |
| OPSEC | Operations Security |

| | |
|--------|--|
| PH | Prisoner Handling |
| PHF | Prisoner Holding Facility |
| PHFC | Prisoner Holding Facility Commander |
| PHO | Prisoner Handling Organisation |
| PJHQ | Permanent Joint Headquarters |
| POA | Point of Apprehension |
| PSO | Peace Support Operations |
| PW | Prisoner(s) of War |
| PWIB | Prisoner of War Information Bureau |
| | |
| RAMP | Reception Arrangements for Military Patients |
| ROE | Rules of Engagement |
| | |
| SIB | Special Investigation Branch |
| SOP(s) | Standing Operating Procedure(s) |
| SP Pol | Service Personnel Policy |
| | |
| TACOM | Tactical Command |
| | |
| UAV | Unmanned Aerial Vehicle |
| UHA | Unit Holding Area |
| UN | United Nations |