

COPY OF 12

NZDF 03130/DSC/2

July 2009

## See Distribution

### CDF OPERATIONAL DIRECTIVE 21/2009 COMMITMENT OF NZSAS TO AFGHANISTAN – OPERATION WĀTEA<sup>1</sup>

#### References:

- A. Cab Min (09) 5/3a
- B. Afghanistan 2009: Deployment of NZSAS dated 6 Jul 09
- C. CDF Op WNGO Op WĀTEA dated 16 Jun 09
- D. DDIS SMTA 01/09 Afghanistan: Kabul Security dated 15 Jul 09
- E. NZDDP-3.12 NZ Special Operations

## SITUATION

1. Reference A provides the basis for ongoing NZDF operations in Afghanistan. Reference B sought approval<sup>2</sup> for the deployment of a Special Operations Task Force (SOTF) to Afghanistan (ISAF designation TF 81) comprised of up to <sup>PSR(S)</sup> NZSAS personnel, (including NZDF support staff <sup>PSR(S)</sup>2, <sup>PSR(S)</sup>3, an NZDF Legal Officer, and <sup>PSR(S)</sup>), with associated equipment to Kabul, Afghanistan, for up to 18 months from late September 2009. Reference C provided guidance to commence preparations, initiate parallel planning and to deploy a recon team in order to confirm planning assumptions and coordinate support arrangements. This Directive initiates the execution of Op WĀTEA and associated action to enable TF 81 to commence operations on 1 October 2009.

#### Threat Assessment

2. Insurgents will continue to target RC Capital and are likely to intensify efforts during the election period in August 2009, and particularly as operations intensify in the south. Targets are likely to remain government officials and infrastructure, Afghan security forces, ISAF/coalition troops, embassies and hotels. Individual, high-profile incidents will have a disproportionate impact on the perceptions of international actors and the Afghanistan

<sup>1</sup>To free or make way

<sup>2</sup>Subsequently approved by Ministers with Power to Act

political elite located in Kabul. Criminal activity, in particular as a result of political rivalry or friction, is also likely to increase in the lead up to elections and in the aftermath as the results of political deal-making are played out.

3. The capability of both insurgents and criminals to act will be hindered by improved Afghan security force capacity in the capital and ISAF/National Directorate of Security (NDS) intelligence-led operations to disrupt insurgent networks operating in Kabul. Insurgent and criminal capability will be further inhibited not only by friction between rival local groups operating in RC Capital but also by frictions between eastern insurgents and the Taliban senior leadership. Insurgents will also find safe havens in provinces surrounding Kabul as they become increasingly pressurised by ISAF/coalition operations. Military operations in Pakistan may curtail resources from the Federally Administered Tribal Areas (FATA) that have been used to facilitate high profile mass casualty attacks in the capital.

4. Reference D is enclosed at Annex A and provides the basis for the strategic threat appreciation in Afghanistan focussed on Kabul security. Appendix 1 to Annex A is the Intelligence Plan for Op WATEA. The strategic military threat assessment pertaining to NZDF operations in Kabul and RC Capital is assessed as HIGH.

### MISSION

5. The NZDF is to provide a SOTF to ISAF in Afghanistan from September 2009 for up to 18 months in order to maintain stability, defeat the insurgency, mentor the Crisis Response Unit (CRU) and enhance the reputation of the NZDF and GONZ.

### EXECUTION

#### CDF Intent

6. This commitment acknowledges the changing situation in Afghanistan and the GONZ desire for NZ to do more to assist the coalition and GIRoA. Further, the deployment:
- a. Recognises the repeated calls for assistance and in doing so provides a distinctive and complementary role that enhances the NZ and NZDF international reputation;
  - b. Recognises the strategic importance of the Afghanistan situation over the next 12 to 18 months with a potentially fragile post election period, the settling period post the US troop enhancement programme and the need to re-envigorate efforts to defeat an increasingly active insurgency;
  - c. Recognises the inherent vulnerability as NATO moves from stabilisation to transition and the need to conduct greater partnering with the ANSF;
  - d. Acknowledges GONZ concern around the perception of a deteriorating security situation generally, and for the NZ PRT in Bamyán Province; and
  - e. Provides the opportunity for 1NZSAS Gp to enhance Tier 1 task proficiency (Ref E) and skills currency.

7. **Military Strategic End-state.** Reconstitution of TF 81 after 12 to 18 months SF Tier 1 operations, having successfully completed its mission, effectively partnered with the CRU and enhanced the NZDF reputation.

### Concept

8. Three phase operation confirmed as follows:
- a. **Phase 1 – Preparation:** July-September 2009, preparation for deployment including deployment of recon, advance party and main body elements.
  - b. **Phase 2 – Conduct:** October 2009 for up to 18 months to include, Tier 1 SO tasks as part of ISAF SOF to assist Afghan Security Forces provide a secure environment.
  - c. **Phase 3 – Recover and Reconstitute:** March-September 2011, RTNZ, reconstitute in preparation for RWC 11.

### Tasks

9. **CN.** Assign additional personnel and capability to COMJFNZ (as requested by COMJFNZ) in order to prepare TF 81 for operations.
10. **CA.**
- a. Prepare a SOTF for operations in Afghanistan. Preparation, planning and training will focus on the core tasks assigned to TF 81 as outlined below;
  - b. Be prepared to assign additional personnel and capability to COMJFNZ (as requested by COMJFNZ) in order to prepare TF 81 for operations.
  - c. Ensure 1 NZSAS Gp retains the capacity for a regional response at short notice and a domestic counter terrorism capability; and
  - d. Be prepared to reconstitute (in a counter terrorism role) in time to meet potential Rugby World Cup 2011 security commitments.
11. **CAF.** Assist COMJFNZ to deploy, sustain and recover TF 81 and assign additional personnel and capability to COMJFNZ (as requested by COMJFNZ) in order to prepare TF 81 for operations. CAF is no longer required to provide ALO support to Op WATEA as tasked at Reference C.
12. **Director SO.**
- a. Provide lead technical SO advice and support to CDF, COMJFNZ and AC SCI through priority and routine reporting and liaison as appropriate as outlined at Annex B; and
  - b. Direct and coordinate SO functions in concert with CA and CO 1NZSAS Gp and in support of COMJFNZ as appropriate.

13. **COMJFNZ.**

- a. Assist the preparation of TF 81 for operations;
- b. Deploy, sustain and recover TF 81 **PSR(S)2, PSR(S)3** and ;
- c. Be prepared to assign the NZSAS element under OPCON of Commander ISAF and Commander ISAF SOF effective from its arrival in the Afghanistan theatre of operations.

14. **TF 81.** SOTF elements are to deploy in September 2009 to commence operations as TF 81 for ISAF SOF on 1 October 2009. TF 81 is to be prepared to conduct the following tasks:

- a. Special reconnaissance in Kabul and adjacent provinces to identify and detect insurgent forces and Improvised Explosive Device (IED) networks in order to interdict these before they can result in attack against GIRoA, coalition and ANSF elements;
- b. Direct action tasks against insurgent networks in support of ISAF and GIRoA;
- c. Military assistance, support and influence tasks, including training support and mentoring to the CRU; and
- d. NZ national support tasks including support to NZDF elements in Afghanistan including SOLE support to the NZ PRT, VIP protection and hostage rescue as necessary.

**Constraints**

15. The following constraints are placed on this deployment:

- a. TF 81 to remain under NZ national command at all times;
- b. Priority may be placed on NZ national tasks as and when required;
- c. SNO TF 81 is to be satisfied that the tasks assigned to the NZSOTF will receive the appropriate level of intelligence, logistic and combat support to ensure force protection and the maximum chance of mission success;
- d. NZDF personnel will not conduct any cross border operations<sup>3</sup>;
- e. The conduct of operations beyond RC Capital and its bordering provinces as directed by COM ISAF SOF is to be authorised by CDF.
- f. NZDF personnel will not be involved in poppy eradication and CDF approval is required for any counter-narcotics operations<sup>4</sup>; and

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<sup>3</sup> In the absence of an internationally recognised border, the Durrand Line will be accepted as the de facto border between Afghanistan and Pakistan for the purposes of this deployment.

- g. Hostage rescue of NZ nationals will require **PSR(S)1** approval.

### COORDINATING INSTRUCTIONS

#### Timings

16. Outline timings are confirmed as follows:

- a. Early September 2009, advance party deploys;
- b. Mid September 2009, main body deploys;
- c. NLT March 2010, decision on the length of deployment; and
- d. Withdrawal of TF 81 will occur on order but NLT March 2011.

17. Cessation of Op WATEA will be subject to consultation between CDF, COMJFNZ and Commander ISAF. TF 81 is to cease employment in the theatre of operations on a date determined by CDF, not before 1 October 2010 but NLT 30 March 2011. COMJFNZ in concert with AC SCI is to advise the deployment duration based on a decision point in March 2010 to enable subsequent mission and recovery planning to occur.

#### Attachments

18. **PSR(S)2, PSR(S)3**

19. **PSR(S)2, PSR(S)3**

20. **Legal Support.** DGDLS is to provide a legal officer to deploy with the first rotation of TF 81 as legal staff officer (LSO) to the OC. The role of the LSO is to provide operational and other legal advice and associated services to the OC on all matters affecting TF 81, including legal constraints on its mandate, the application of LOAC, ROE, detainee handling, claims and contractual relationships within Afghanistan. If the LSO has spare capacity, legal services may be provided to NZ forces deployed as part of Op ARIKI, with the permission of OC TF 81 and in consultation with J09 HQ JFNZ. The LSO will seek guidance and professional direction from DGDLS, DD Ops Law and J09 as appropriate.

#### Legal Considerations

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<sup>4</sup> There is a clear nexus between the Taliban and the narcotics industry and other criminal behaviour. In this regard the NZSAS may be requested to undertake specific operations against Taliban or installations involved in the supply or manufacture of narcotics.

21. **Status.** As a constituent part of ISAF, TF 81 would have legal authority to carry out the ISAF tasks identified in this submission under UN Security Council resolutions 1386 (2001), 1510 (2003) and 1833 (2008). Resolution 1833 expires on 13 October 2009, although it is likely to be extended by the Security Council for a further 12-month period. In the execution of ISAF tasks, TF 81 would be covered by the Military Technical Agreement (MTA) between ISAF and Afghanistan, and related agreements and arrangements which have been entered into between NZ, NATO and the other Member States of ISAF.

22. In addition, TF 81 may also perform national tasks in direct support of the NZ PRT, NZDF personnel providing training assistance to the Afghan National Security Forces, and other NZ military or civilian personnel who are or may be present in Afghanistan for the purpose of providing humanitarian or reconstruction assistance. Accordingly TF 81 personnel would be covered by the MTA between NZDF and Afghanistan when conducting such tasks. Should TF 81 be required to recover hostages as a national rather than ISAF tasking (i.e. rescuing NZ nationals), **PSR(S)2**

23. **Rules of Engagement.** The Rules of Engagement (ROE) have been amended from previous deployments of this nature to reflect that the deployment would fall under ISAF authority rather than that of Operation Enduring Freedom (OEF). Prime Ministerial approval of these ROE was granted at Reference B. These are detailed at Annex C.

24. **Handling of Detainees.** Any persons detained during TF 81 operations in cooperation with the CRU would be detained and processed by the CRU and other Afghan authorities in accordance with Afghan law. If TF 81 personnel were to detain any persons while conducting national tasks, they will comply with the procedures established during previous deployments to Afghanistan, which are consistent with NATO operating procedures and international law. These procedures and detainee authorities are detailed at Appendix 1 to Annex C.

### **Security**

25. **OP SEC.** The re-deployment of TF 81 to Afghanistan is likely to be announced publicly as part of the wider Afghanistan review comment in mid August 2009 and therefore remains classified. The name 'WĀTEA' meaning to free or make way is unclassified except when used in reference to this subject where it is to be classified SECRET (AUS/CAN/NZ/UK/US). The TF 81 role in ISAF SOF, its tasks, deployment dates, locations, and exact personnel numbers also remain classified SECRET (AUS/CAN/NZ/UK/US).

26. **SOLE.** The current SOLE commitment and functional responsibilities will be rolled into the tasks for TF 81. This element maintains an essential training, force protection and situational awareness capability to the NZ PRT and is therefore to be maintained.

### **Partnering**

27. Working with local forces is a feature of current operations in Afghanistan and is critical for the development of a capable ANSF. The Norwegian TF has spent approximately two years developing the current relationship with the CRU in Kabul. This is

a special policing unit operating as part of the Ministry of the Interior's Counter Terrorist Department. CRU is noted as one of the best developed partnering units in the country. TF 81 is to maintain and enhance this relationship and although PSR(IC)4

## ADMINISTRATION AND LOGISTICS

28. **General.** Op WĀTEA will be self contained and self sufficient for local sustainment under ISAF SOF. COMJFNZ will sustain TF 81 through existing supply chains (Op TROY) for national items and for specialist equipment and support in conjunction with 1 NZSAS Gp.

29. **Accommodations.** TF 81 will be taking over an already established footprint of about the same size and organisation. These facilities include sleeping quarters, office areas, vehicle and equipment storage and PSR(S)2, PSR(S)3. The condition of current facilities is assessed as good and will require little modification for NZ purposes.

30. **Strategic Lift.** This deployment will coincide with the next NZ PRT rotation. It is therefore intended that TF 81 utilise other options for strategic lift. While a funding appropriation has been made for commercial charter, COMJFNZ is to review options available including commercial charter, coalition partner air support, or a combination of these with NZDF assets. The most effective deployment concept determined by TF 81 should determine the most preferred option, cognisant of issues concerning both cost effectiveness and ease of management.

31. **Transport.** Planning is to incorporate the movement of up to eight (but more likely six) Pinzgauer (SOV variant) from NZ. Other vehicles (UA SUV) will be procured through existing contracts with numbers TBC post Op ARIKI protected mobility review. A quantity of local vehicles will also be utilised. PSR(S)2, PSR(S)3

32. **Equipment.** TF 81 will provide all of its specialised weapons and equipment for deployment. HQNZDF SMO will provide specialist communications equipment necessary to interface with ISAF SOF, maintain PSR(S)2, PSR(S)3 communications reach back and support tactical requirements. Some specialist equipment will be procured prior to deployment to enable training and integration by TF 81. Some reorganisation of existing equipment in theatre may be necessary with the addition of TF 81 and HQ JFNZ is to manage this process and advise CDF.

### Operation Service Profile and Conditions of Service

33. **Operation Commencement Date.** Operation Commencement Date is based on transfer of authority from TF 51 to TF 81 of 1 October 2009. For the purposes of operational allowances and medallic recognition, personnel conducting activities as part of Op WĀTEA will be deployed in September 2009 in order to commence operations on 1 October 2009.

34. **Operational Threat Level.** HIGH.

35. **Environmental Threat Assessment.** HIGH.

36. **Allowances.** Deployed Op WĀTEA personnel are to be paid appropriate operational allowances in accordance with the threat profile above.

37. **Medallic and Veteran Recognition.** Subject to meeting eligibility criteria personnel deployed on Op WĀTEA will be entitled to NZ medallic recognition and relevant veteran status.

### Finance

38. Additional funding has been appropriated for Op WĀTEA against Appropriation Defence: Output 16 and will be managed in accordance with extant policies and procedures for mission expenditure. HQ JFNZ will issue instructions on the tracking and financial management of Op WĀTEA expenditure.

### COMMAND AND SIGNAL

39. **Command and Control.** TF 81 is retained at Full Comd of CDF and assigned OPCOMD to COMJFNZ for formal routine reporting, command and support requirements. COMJFNZ assigns TF 81 OPCON to COM ISAF and ISAF SOF. DSO retains Tech Con of TF 81 in accordance with Reference E.

40. To recognise the specialist nature of this deployment CDF will exercise Full Comd through COMJFNZ (for routine matters) in accordance with the formal relationship expressed above. There will be times, however, when the Tech Con relationship and the priority reporting requirement through DSO/CO 1NZSAS Gp to SNO TF 81 will take precedence when issues of timeliness and clarity are imperative. This arrangement is outlined at Annex D.

41. **Liaison.** DIRLAUTH between HQ NZDF (SCI/DSO), GCSB, NZSIS AND HQ JFNZ is approved on a need to know basis through designated points of contact. DIRLAUTH is granted between DSO, SOLE, ISAF SOF and NOR SOF in theatre in order to facilitate the deployment and transfer of authority. Comd ARIKI will maintain DIRLAUTH with SNO Op WĀTEA. All liaison between NZDF and other GONZ agencies is to be authorised by AC SCI without exception.

42. **Public Information Policy.** Nil release in relation to deployment or tasking to media. All media enquiries subsequent GONZ announcement to be directed to Cdr Shaun Fogarty, RNZN, telephone: \_\_\_\_\_, mobile: \_\_\_\_\_, email: \_\_\_\_\_  
\_\_\_\_\_. DCG, HQNZDF.

43. **Points of Contact.** The following are designated POC for Op WĀTEA: PSR(IC)3, PSR(R)2 and PSR(R)3

a. SCI: \_\_\_\_\_, DDSC-I, HQ NZDF, telephone: \_\_\_\_\_, mobile: \_\_\_\_\_, email: \_\_\_\_\_

b. DSO: \_\_\_\_\_, DSO, HQ NZDF, telephone: \_\_\_\_\_, email: \_\_\_\_\_

c. Defence Legal: \_\_\_\_\_, Deputy Director of Legal Services - Operations Law, HQ NZDF, telephone: \_\_\_\_\_



- d. HQJFNZ: , J33 Global Ops, HQ JFNZ, telephone:  
mobile: PSR(IC)3, PSR(R)2 and  
PSR(R)3
- e. 1NZSAS Gp: email: PSR(R)3
- f. GCSB: telephone: PSR(S)2, PSR(S)3  
email:
- g. SIS:

44. **Reporting.** Routine reporting will be by weekly SITREP through normal HQJFNZ process, including updates via CDF briefs. Priority reporting will be immediate and direct to CDF through DSO initially with follow up through routine reporting channels as necessary.

45. **Acknowledgement Instructions.** Acknowledge on SWAN to PSR(R)2, PSR(R)3, PSR(IC)3

## J. MATEPARAE

Lieutenant General  
Chief of Defence Force

### Annexes:

- A. Strategic Intelligence Estimate Op WĀTEA.
- B. Intelligence Management Plan.
- C. ROE and Detainee Policy.
- D. Op WĀTEA Command and Control Diagram.

### Enclosures:

- 1. Afghanistan 2009: Deployment of NZSAS dated 6 Jul 09.
- 2. CDF Operational Warning Order: Commitment of NZSAS to Afghanistan – OP WĀTEA.

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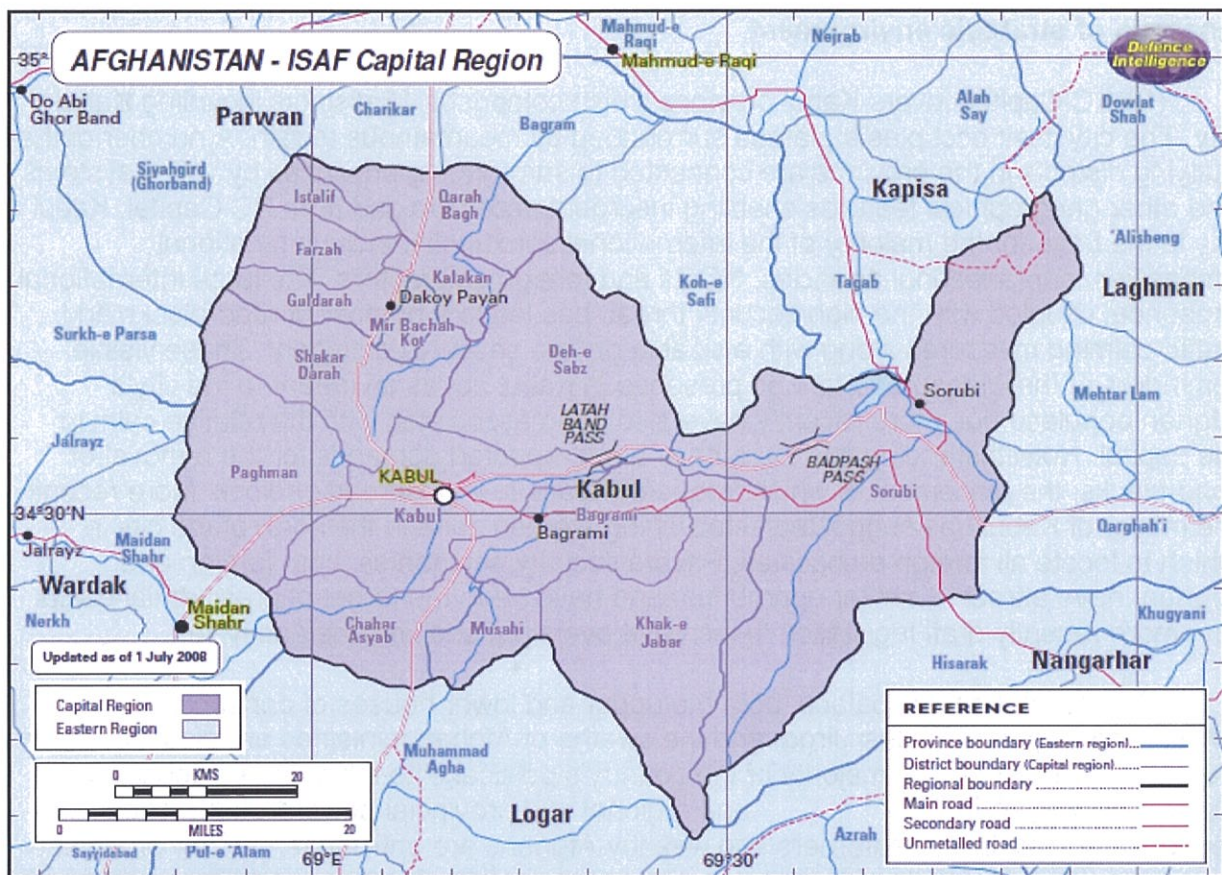
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ANNEX A TO  
NZDF 03130/DSC/2  
DATED JUL 09

### STRATEGIC INTELLIGENCE ESTIMATE - OP WĀTEA

#### Afghanistan: Kabul security



1. (S) This strategic intelligence estimate provides an assessment of the developing security situation in RC Capital. It is produced in support of Op Wātea. The information cut-off date is 14 July 2009.

POC: PSR(IC)3  
PSR(IC)3

, DTeIN: PSR(IC)3  
, DTeIN: PSR(IC)3

#### Assessment base

2. (R) This DDIS SIE on RC Capital draws on a range of available sources. These include secret intelligence and open source reporting as well as allied assessment.

## Review of situation

3. (C) The capital region is a target for insurgents keen to generate international headlines and demonstrate their capacity to challenge the authority of the Afghan government and the international community. A number of sophisticated high profile attacks and rising violence in the surrounding provinces have resonated particularly keenly with international actors based in the capital as well as the Afghan political elite. Rampant criminality, including kidnapping and other violent crime, has further contributed to perceptions of widespread insecurity.

## Analysis of strategic environment

4. (C) RC Capital covers Kabul province which comprises 15 districts including Kabul city. The city itself occupies a plateau surrounded by mountainous terrain. A number of the outlying districts in the province are connected to surrounding provinces by valley systems and other geographical features enabling insurgent access to and from RC Capital. Kabul city is the base for the majority of the international community, including national embassies, supranational agencies, NGOs and foreign contractors. The large international presence, coupled with the high security threat, has led to a number of road-blocks and traffic-calming measures along with a sizable private security contingent. These visible reminders of the widespread foreign presence in Kabul act as an irritant to the city's Afghan populace but, more recently have also been associated with the relative calm in the capital. Notwithstanding this there have been repeated demands for the removal of road-blocks, the placement of which frequently leads to widespread gridlock. More recently the mayor of Kabul has suggested establishing a green zone in the north of the city in which to locate all foreign embassies. Private security companies, both foreign and Afghan, have attracted similar opprobrium and have been the target of presidential edicts and more recently draft legislation to increase oversight and limit their activities.

5. (C) The presidential palace, both the upper and lower houses of parliament (Meshrano Jirga and Wolesi Jirga) and the swathe of Afghan ministries are also located in Kabul. Consequently, the majority of the country's political elite maintain residences in Kabul including ~~PSR(S)1~~ and regional and provincial powerbrokers (often former warlords). Both westerners and wealthy Afghans are enticing targets for organised criminal groups. Incidents of kidnapping and assassination, in some cases associated with political motivations, occur frequently.

6. (C) In August 2008 Afghan security forces took over lead security responsibility for most of Kabul province with the exception of Surobi district to the east (see map on p2). The transfer appears to have had no negative impact on local security conditions. Indeed Afghan forces and the NDS have been credited with preventing several attacks. ISAF continues to provide significant support and demonstrate a robust and visible presence in Kabul. The police presence in the city is to be increased by 4,800 in time for the election though new recruits are likely to receive under half the requisite training before the polls in August. Fighters undertaking high profile attacks have frequently masqueraded as members of the Afghan security forces. ~~PSR(S)1~~

(C) **Kabul's security force structure** Afghan security forces present for duty in RC Capital number approximately 12,000. The Afghan army in Kabul comprises the Capital division and the headquarters service support brigade with approximately 3,000 present for duty (from an assigned number of 3,700). Police in Kabul number approximately 9,000. As well as the still considerable international troop presence in Kabul city French, Italian and Turkish contingents operate in the outlying districts of the province.

7. (S) Insurgents have been more active in provinces surrounding Kabul since 2008. The area around Kabul was a HIG stronghold up until the Taleban drive on Kabul in 1996 and reporting over the past 18 months has indicated the reactivation of some of these dormant networks. But many insurgents operating in the area have nominal and fluid allegiances, often seeking funding and direction from multiple sources, including the Taleban's eastern command shura in Peshawar (nominally responsible for the insurgent campaign in the east including Kabul), the Haqqani network and possibly Al Qaida. PSR(S)  
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### Stakeholder capability

8. (S) **Insurgent:** The number of insurgents assessed as active in the capital region is relatively low. Reporting indicates that different groups have offered greater potency by combining resources in order to conduct operations and attacks within the city itself are often a result of insurgent cooperation and collusion at senior levels. It is important to note that such cooperation can be short-lived and at times limited to individual attacks. Insurgents from the surrounding provinces of Kapisa, Laghman, Nangarhar, Parwan and Wardak compose the majority of insurgents active in Kabul at any one time. But the bulk of high profile attacks are influenced by actors from outside the Kabul region. For suicide bombings in the capital reporting indicates collaboration between the Haqqani network, Al Qaida affiliates and Taleban elements, as well as Pakistani militants within the FATA, in planning and training. Delivery and facilitation is then provided by local HIG and Taleban elements.

(S) **Most recent high profile attack** The sophisticated and coordinated attacks on February 11 are the most recent manifestation of insurgent capability in RC Capital. 21 Afghans, including government personnel and security forces, were killed when eight attackers targeted three government buildings. Five gunmen attacked the Ministry of Justice whilst two suicide bombers targeted the Prisoner Affairs Department. A separate suicide bomber also attacked the Ministry of Education. The attacks occurred within 30 minutes of each other in different areas of the capital. The media were quickly made aware of the incidents by insurgents. The Taleban publicly claimed responsibility for the attack, ostensibly in response to mistreatment of Taleban prisoners in Afghan prisons, but subsequent reporting suggested Haqqani network involvement. The incidents exhibited many of the hallmarks of previous complex attacks in Kabul. They demonstrated insurgent intent and capability and indicated the existence of an IED network within the capital with a panel of targets.

9. (S) Within RC Capital itself the districts of Surobi, Musahi and Paghman have been safe havens for insurgents. Surobi district, the only district in which lead security responsibility was not transferred to Afghan security forces, is connected by two valley

systems (Uzbeen and Tagab) to neighbouring Kapisa. This allows ease of ingress and egress to the capital and also sits astride the key Kabul-Jalalabad highway. Persistent reporting points to the presence of foreign suicide bombers being harboured in the district prior to launching attacks in Kabul and along the Kabul-Jalalabad highway. In August 2008 10 French soldiers were killed and 21 wounded in the district during an insurgent attack (Norwegian special forces were part of the reaction force that evacuated the wounded) though this attack was likely to have been a purely local initiative undertaken in defence of a previously untrammelled sanctuary area.

10. (S) **Criminal activity:** Whilst there is likely to be some degree of overlap between insurgent and criminal activity in and around Kabul our understanding of the criminal networks in RC Capital remains limited. Alongside likely insurgent-criminal relationships, reporting suggests links between criminal groups in the capital **PSR(S)1**

. Many of these individuals are likely to be connected to the narcotics industry. Consequently many criminal groups are likely to have access to substantial funding and **PSR(S)1**

. Kidnappings, probably for ransom purposes, are the most frequently occurring manifestation of organised crime in Kabul.

11. (S) **Afghan security forces:** International actors and Afghan officials are united in their belief that the transition of lead security responsibility (in all but one district of Kabul) has been a success. In spite of consistently high levels of threat reporting there have been no major incidents for five months. The Afghan response to the most recent large-scale attack in February reportedly exhibited an increased level of professionalism and an improved efficiency in terms of a swift, decisive follow-up. The removal of four senior police officials in Kabul in February, associated with charges of incompetence or corruption, and their replacement with apparently professional and competent officers has also improved the prospects for policing in the capital.

(S) **Ali Shah Paktiawal** The **PSR(S)1** head of Kabul's Criminal Investigation Division Ali Shah Paktiawal was one of the Kabul police officials removed in February. Paktiawal is a former mujahideen commander with reportedly close links to the upper echelons of the Afghan government (President Karzai has referred to him in the past as a 'Pushtun hero'). **PSR(S)1**

. Paktiawal's activities and connections are judged to be characteristic of the close inter-connections at play in Kabul's security sector, **PSR(S)1** and its political elite. Despite his removal Paktiawal **PSR(S)1**

and will probably preserve his access to senior officials.

12. (S) **ISAF/Coalition:** Despite the transition of lead security in Kabul, ISAF/Coalition troops continue to provide high levels of support in the capital, including crucial intelligence capability for targeting insurgent networks. ISAF/Coalition forces have also conducted operations to disrupt insurgent freedom of movement and staging areas. Operations in districts within RC Capital such as Surobi are judged to have curtailed some insurgent activity though in most cases these areas remain viable safe havens. Increased ISAF operations outside the capital region in surrounding provinces such as Wardak, where

incident levels remain high, are also likely to have contributed to a more stable security environment in Kabul.

### Vulnerabilities

13. (S) **Insurgents:** Local insurgents have complained of harassment from rival groups and it is likely that competing interests and parochial objectives amongst local groups have hindered the formation of a monopolising insurgent movement. Reporting in the past has also highlighted constraints imposed on insurgents by a lack of finances and materiel. More significant tensions between the Taliban's Peshawar shura and senior Taliban leaders based out of Quetta may have a still greater impact on insurgent capabilities in and around the capital. PSR(S)1

14. (S) Improved intelligence-led operations in the capital are also a risk for insurgent operations. The arrests in June of seven individuals alleged to have been carrying out suicide attacks in Kabul suggest that insurgent networks operating in the capital are increasingly vulnerable. The increasing confidence and competence of Afghan security forces in Kabul means this trend is likely to continue. Separate anecdotal reporting suggests that outside the capital some insurgents in provinces around Kabul are struggling in the face of renewed ISAF and Afghan security force pressure in recent months. PSR(S)1

15. (S) We assess that the critical enabler for insurgent groups attempting to carry out high profile mass casualty attacks is the support and resources from both Afghan and Pakistani insurgent groups in Pakistan. These include the Haqqani network, Al Qaida affiliates and Pakistani militants in the FATA. Military operations represent a threat to this insurgent centre of gravity. Whilst PSR(S)1  
, sustained operations against Pakistani militants and their Al Qaida guests are likely to reduce tangible support for high profile attacks around Kabul. The Haqqani network will continue to provide training and recruits for suicide bombers and IED attacks in the capital though supply routes for these resources will also be affected as long as military operations continue in the FATA. But despite calls from Mullah Omar for insurgents of all stripes to focus efforts on fighting in Afghanistan we judge that most Pakistani groups will remain focused on internal struggles or peace deals rather than supporting operations across the border.

16. (S) **Afghan security forces:** Afghan security forces appear to have improved since the transition of security responsibility in 2008. But collusion between the security sector and insurgents, as witnessed in previous successful high profile attacks in the capital, remains a risk and recent reporting suggests that insurgents are keen to increase their infiltration of Afghan security forces. PSR(S)1

PSR(S)1

### **Estimate**

17. (S) Insurgents will continue to seek to target RC Capital and are likely to intensify efforts as elections approach as a means of demonstrating the incapacity of the Afghan government and ISAF/coalition forces to provide security. Targets are likely to remain government officials and infrastructure, Afghan security forces and ISAF/coalition troops and embassies. As operations intensify in the south the Taleban will also look to divert attention from increased pressure on their principal battlegrounds in Helmand and Kandahar. Individual, high-profile incidents will have a disproportionate impact on the perceptions of international actors and the Afghanistan political elite located in Kabul.

PSR(S)1

, is also likely to increase both as elections near and in the aftermath as the results of political deal-making are played out.

18. (S) But the capability of both insurgents and criminals to act will be hindered by improved Afghan security force capacity in the capital and ISAF/NDS intelligence-led operations to disrupt insurgent networks operating in Kabul. Capability will be further inhibited not only by friction between rival local groups operating in RC Capital but also by frictions between eastern insurgents and the Taleban senior leadership. Insurgents will also find safe havens in provinces surrounding Kabul increasingly pressurised by ISAF/coalition operations. Targeting these operations may be perceived by local insurgents as a greater imperative to undertaking attacks in the increasingly unsympathetic environment within the capital. We assess that Afghan insurgent groups based in Pakistan will continue to provide resources for 'spectacular' attacks in Kabul. But military operations in Pakistan against Pakistan militant groups in the FATA may curtail resources that have been used to facilitate high profile mass casualty attacks in the capital.



## INTELLIGENCE MANAGEMENT PLAN: OP WĀTEA

### Reference:

- A. JWP 2-00 (2<sup>nd</sup> Edition) Intelligence Support to Joint Operations March 2003.
- B. NATO AJP-2.5(A) Captured Persons, Materiel and Documents dated 8 August 2007.

### Purpose

1. The aim of this Intelligence Management Plan (IMP) is to describe the operational intelligence support that will be provided to commanders of TF 81, describe the operational intelligence architecture and detail the intelligence reporting requirements for deployed elements .

### Scope

2. The IMP intends to achieve the centralised control of the intelligence effort by identifying:
- a. Areas of Intelligence Responsibility (AIR) and Areas of Intelligence Interest (All),
  - b. The components of a core operational intelligence support architecture,
  - c. The CDF's and COMJFNZ's Critical Information Requirements (CCIRs),
  - d. Defining the responsibilities of any in-theatre Intelligence Liaison Officers, and
  - e. Define responsibility for the provision of security support and reporting.

### Concept for TF 81 Intelligence Support

3. TF 81 will operate a top secret All Source Intelligence Cell (ASIC) primarily focused on providing threat warning information and target packages for SNO TF 81. This cell will be provided top secret connectivity in order to facilitate in-theatre intelligence support as well as support located in NZ. Dedicated NZ based reachback intelligence support and analysis will be located at 1 NZSAS Gp and GCSB. Operational Security (OPSEC) is a fundamental component of the intelligence support provided for TF 81 and the "need to know" OPSEC principle will be strictly applied to all intelligence activity relating to TF 81.

4. This IMP does not address procedural matters which are the province of orders and SOPs. This IMP supersedes all previous IMP's for this operation, which should now be destroyed.

### Area of Intelligence Responsibility and Intelligence Interest

5. **Areas of Intelligence Responsibility (AIR).** Kabul and its six surrounding provinces form the AIR. The main focus of operations will be initially Kabul City and its surrounding provinces with the latitude to deploy anywhere in Afghanistan for approved tasks. Bamian Province is also included in the AIR due to the significant number of NZDF personnel operating in this province and the potential for TF 81 to be deployed there in a contingency capacity.

6. **Areas of Intelligence Interest (All).** The All is defined as Afghanistan. The All also includes threats to the AIR from Pakistan.

### **Coalition Relationship**

7. The lead nation for the ISAF coalition is the United States. HQ ISAF is responsible for the dissemination of up to NATO SECRET material. ISAF SOF is responsible for the dissemination of intelligence product for SOF units operating in Afghanistan. NZDF personnel are imbedded at ISAF SOF, <sup>PSR(S)2, PSR(S)3</sup> and CENTCOM (Tampa).

### **Relationship with National Agencies**

8. **Government Communications Security Bureau (GCSB).** <sup>PSR(S)2, PSR(S)3</sup>

DETAILS OF GCSB SUPPORT

9. **NZ Security Intelligence Service (NZSIS).** <sup>PSR(S)2, PSR(S)3</sup>

DETAILS OF NZSIS  
SUPPORT

10. **Intelligence Liaison.** DDIS retains responsibility for the intelligence liaison function with NZ national agencies.

### **NZDF Relationship with International Intelligence Agencies**

11. **Intelligence Liaison.** The intelligence liaison

a. DDIS retains responsibility for all extant intelligence liaisons with international agencies, to include:

- (1) A direct relationship with DIO, DIGO, DIS, NGA, DIA, BND and JID.
- (2) A relationship through sister agencies for ONA, ASIS, DSD, AFP, SIS (UK), GCHQ, CIA and NSA.

- b. J2 HQ JFNZ retains DIRLAUTH for intelligence liaison with CENTCOM (through NZ NLT Tampa) and J2 HQ ISAF.
- c. S2 TF 81 is responsible for the establishment and coordination of in-theatre intelligence liaison.

### Intelligence Architecture

12. **General Overview.** The aim of the all source intelligence architecture created for the TF 81 deployment is to provide deployed elements with trained intelligence personnel, classified IT systems and intelligence end product that is appropriate and sustainable for a Tier One 18 month deployment. This includes the provision of threat warning and time sensitive intelligence.

13. The concept intelligence reach-back support for TF 81 is for this support to be coordinated through the J2 branch HQ JFNZ utilising the SWAN network. PSR(S)2, PSR(S)3

14. **NZDF Deployed Intelligence Assets.** TF 81 will have an intelligence cell in support. This cell consists of an S2 and two intelligence operators and will:

- a. Refine target packages supplied by ISAF SOF,
- b. Create target packages, and
- c. Coordinate reachback support,
- d. Conduct in-theatre intelligence liaison.

15. An additional intelligence analyst will be posted to ISAF SOF Fusion Cell in order to assist with the creation of target packages. This role is also expected to assist with providing input as to the suitability, from an intelligence support perspective, of tasks under consideration by the SNO TF 81.

16. NZDF intelligence assets that will be deployed in direct support of TF 81 (technical control PSR(S)2, PSR(S)3) include:

- a. PSR(S)2, PSR(S)3
- b. PSR(S)2, PSR(S)3

17. **Intelligence Communications/Network Architecture.** The NZDF IT/Communications systems deployed to provide intelligence connectivity TF 81 include:

- (1) PSR(S)2, PSR(S)3
- (2) PSR(S)2, PSR(S)3
- (3) SWAN (Secret)
- (4) DIXS with appropriate collective accounts (Restricted).

- (5) INTERNET with appropriate collective accounts (Unclassified).
- (6) PSR(S)2, PSR(S)3
- (7) PSR(S)2, PSR(S)3

18. A diagram of the NZDF IT/Communications systems deployed to provide intelligence connectivity TF 81 is attached at appendix three.

### Intelligence Collection Assets.

19. On deployment of TF 81 collection priorities will be established and adjusted by SNO TF 81 through the S2 cell. Priority One will always be reserved for the force protection of deployed NZDF elements. Priority Two tasks to be determined by SNO TF 81.

20. PSR(S)2, PSR(S)3

21. **HUMINT.** TF 81 does not deploy with trained NZDF HUMINT qualified personnel. As a consequence of this NZDF personnel deployed with TF 81 are not mandated to conduct HUMINT operations that involve source handling or paying money for information. Debriefing of Afghan nationals and liaison contacts is to be conducted under the direction and guidance of the TF 81 S2.

22. **Biometrics.** Biometric data is to be collected in accordance with reference B (annex K, appendix 3) and will conform to ISAF SOP's. Biometric equipment and Biometric equipment management will be confirmed prior to deployment.

23. **Document Exploitation (DOCEX).** Documents and materiel collected during the course of the operation will be handled in accordance with reference D (chapters 5-8) and will conform to ISAF SOP's.

### NZDF/NZ Government Intelligence Focal Points.

24. The following positions are nominated as in-theatre intelligence focal points for TF 81:

- a. NATO HQ SOCCE LO.
- b. PSR(S)2, PSR(S)3
- c. PSR(S)2,
- d. PSR(S)2, PSR(S)3
- e. NZDF Integree ISAF SOF J2 Fusion Cell.
- f. PSR(S)2,  
PSR(S)3

25. The following positions are nominated as out of theatre intelligence focal points for TF 81:

- a. SNR TAMPA.
- b. JSAC.
- c. PSR(S)2, PSR(S)3

NZDF personnel deployed non operationally  
within a partner intelligence service

## Operational Intelligence Support Components

26. **PSR(S)2, PSR(S)3**

27. **IMINT.** IMINT support will be provided by Geospatial Intelligence Organisation (GIO). GIO will also facilitate and confirm in-theatre IMINT and geospatial support **PSR(S)2, PSR(S)3**

28. **Reachback Support.** Reachback intelligence support for TF 81 is to be coordinated through the S2 at 1 NZSAS Gp. **PSR(S)2, PSR(S)3**

29. **Linguistic support.** TF 81 linguistic support is to be confirmed.

## Intelligence and Security Management Responsibilities

30. **DDIS Responsibilities.** DDIS will have intelligence reporting and coordination responsibilities for:

- a. Strategic Military Threat Assessments,
- b. Strategic Intelligence Estimates,
- c. Oversight of the NZDF intelligence collection policy, including the strategic CCIRM process,
- d. Intelligence reports on strategic threat trends and developments,
- e. Support to Military Operations (SMO) planning,
- f. Inter-agency intelligence liaison within NZ.
- g. **DSyD Responsibilities.** DSyD will, as required, provide:
  - (1) Direction and advice on all counter-intelligence matters and countermeasures in response to espionage, sabotage and subversion, and
  - (2) Protective security advice, including advice on physical and personnel security measures.
- h. **SMO Responsibilities.**
  - (1) Technical control of TF 81 **PSR(S)2, PSR(S)3**
  - (2) Coordinate **PSR(S)2, PSR(S)3** TF 81.
  - (3) JSAC support for TF 81.
- i. **GIO.**
  - (1) GIO is responsible for IMINT and geospatial oversight and support, especially during PDT, for TF 81. This includes the referencing and storage of imagery collected by TF 81.

31. **NZDF CIS.** NZDF CIS is responsible for information assurance advice to TF 81, including advice on INFOSEC and COMSEC matters as required.

32. **J2 HQ JFNZ.** J2 HQ JFNZ will have intelligence reporting and coordination responsibilities to TF 81 for intelligence reports on Afghan operational threat trends and developments (especially with regard TG Crib and Bamian Province).

33. **TF 81 S2.** TF 81 S2 will have intelligence reporting and coordination responsibilities for:
- a. All TF 81 incident intelligence reports being forwarded to DSO (cc DDIS, 1 NZSAS Gp and COMJFNZ),
  - b. Daily and weekly intelligence summaries and reports to DSO (cc DDIS, 1 NZSAS Gp and COMJFNZ),
  - c. Reporting requirements of ISAF SOF,
  - d. Security and Counter Intelligence reports (on occurrence).

#### **NZDF Embedded Intelligence Staff Responsibilities.**

34. **NZDF Integree ISAF SOF J2 Fusion Cell.** This role is expected to assist with the collection and creation intelligence for TF 81 target packages. This role is also expected to assist with providing advice as to the suitability, from an intelligence support perspective, of tasks under consideration by the SNO TF 81.

35. PSR(S)2, PSR(S)3

36. PSR(S)2, PSR(S)3

37. **NZ NLT TAMPA.** This role is expected to facilitate additional intelligence support for TF 81 operations (if required) from CENTCOM.

38. **TG CRIB.** TG Crib is responsible for providing daily and weekly intelligence summaries / reports to TF 81 on activity in Bamian Province.

#### **Intelligence Requirements**

39. **Intelligence Requirements.** CDF and COMJFNZ Critical Information Requirements (CCIR's) are attached at appendix two.

#### **Appendices:**

1. PSR(S)2, PSR(S)3
2. CDF and COMJFNZ CCIR.
3. Diagram of NZDF IT/Communications systems deployed to provide intelligence connectivity for TF 81.

PSR(S)2, PSR(S)3

(issued separately)

**CDF/COMJFNZ COMMANDERS CRITICAL INTELLIGENCE REQUIREMENTS**

1. CDF's/COMJFNZ's Commanders Critical Intelligence Requirements (CCIR's) are:
  - a. Significant changes in the threat environment (including IED/suicide type threats) in Kabul and TF 81 Area of Intelligence Responsibility (AIR),
  - b. Specific threats to TF 81 and Camp Warehouse (Kabul),
  - c. ANSF capacity and effectiveness in TF 81 AIR, and
  - d. ISAF capacity and effectiveness in TF 81 AIR.



DIAGRAM OF NZDF IT/COMMUNICATIONS SYSTEMS DEPLOYED TO PROVIDE  
INTELLIGENCE CONNECTIVITY FOR TF 81

(Reserved)

## OP WĀTEA RULES OF ENGAGEMENT (ROE)

### Application

1. The following Rules of Engagement (ROE) apply to all members of the NZSAS TF (TF 81) deployed as part of **Operation WĀTEA** within the territory or airspace of Afghanistan.

### Definitions

2. The following definitions apply to these ROE:

- i. **ANSF** means the Afghan National Security Forces.
- ii. **PSR(S)3**
- iii. **Collateral damage** means the unintended destruction of property, which occurs incidental to the authorised and legitimate use of force.
- iv. **PSR(S)3**
- v. **CRU** means the Critical Response Unit of the Afghan Ministry of the Interior.
- vi. **Designated persons** means:
  - a) All members of ISAF other than TF 81;
  - b) All members of the CRU while they are acting in cooperation with ISAF;
  - c) All members of the ANSF while they are acting in cooperation with ISAF;
  - d) Any persons designated by either the Commander ISAF (COM ISAF), or Commander ISAF Special Operations Forces (COM ISAF SOF), and approved by the Commander Joint Forces NZ (COMJFNZ); and
  - e) Any persons designated by COMJFNZ in respect of a national task.
- vii. **Designated property** means property (including areas) designated by:
  - a) COM ISAF, or COM ISAF SOF, and approved by COMJFNZ; or
  - b) COMJFNZ in respect of a national task.

- viii. **Detention** means the arrest or apprehension of a person and the deprivation of the person's liberty.
- ix. **Hostile act** means the use of force by any person or group against one or more members of TF 81, **designated persons** or **designated property** where death or serious injury is likely to result.
- x. **Hostile intent** means that there is an imminent intent to commit a **hostile act**. The existence of **hostile intent** may be judged by either:
  - a) The threatening individual or unit's capability and preparedness to inflict imminent or immediate damage; or
  - b) Information, particularly intelligence, which indicates an intention to conduct an imminent or immediate attack.
- xi. **Incidental casualties** means the unintended death or injury of civilians, which occurs incidental to the authorised and legitimate use of force.
- xii. **ISAF** means the International Security Assistance Force in Afghanistan.
- xiii. **Deadly force** means force that is intended or likely to cause death or serious injury.
- xiv. **Minimum force** means the minimum degree of force that is necessary, reasonable and lawful under the circumstances to achieve the objective. It includes the full range of force, up to and including **deadly force**.
- xv. **Self defence** means the use of reasonable force to protect any member of TF 81 or any other **designated person** against a **hostile act** or **hostile intent**.

### Rules of Engagement

- 3. The following specific numbered ROE are authorised:
  - A Use of **minimum force**, up to and including **deadly force**, is permitted for individual or unit **self defence** or in defence of **designated persons** against a **hostile act** or demonstration of **hostile intent**.
  - B Use of **minimum force**, up to and including **deadly force**, is permitted in defence of **designated property**.
  - C Use of **minimum force**, up to and including **deadly force**, to achieve the mission is permitted.
  - D PSR(S)3 TF81 personnel were permitted to use approved weapons systems for authorised purposes.
  - E Entry into territory or airspace outside of Afghanistan for the purpose of conducting operations PSR(S)3 is prohibited.

- F PSR(S)3 TF81 personnel were authorised to operate within a particular area of operation (AOO). Entry into territory or airspace outside AOO not permitted without requisite approval.
- G Identification of targets is accepted if made by visual means or PSR(S)3 other specified objective means
  
- H Attack on PSR(S)3 is permitted, as they have been declared hostile.
- I Actions which could result in **incidental casualties** and **collateral damage** are permitted if the action is essential for mission accomplishment and the expected **incidental casualties** and **collateral damage** are proportionate to the concrete and direct military advantage anticipated.
- J PSR(S)3 TF81 personnel were authorised to conduct systematic observations of various areas places, persons or things by the use of various means
- K PSR(S)3 TF81 personnel were authorised to conduct operations in a particular manner provided they conformed to LOAC/IHL at the appropriate juncture
- L PSR(S)3 Rule permitting specified category of operations only where essential
- M Unrestricted carriage of small arms is permitted.
- N PSR(S)3 The use of certain devices was permitted
- O Unrestricted use of visual illumination is permitted.
- P PSR(S)3 Rule controlling a method of warning
- Q PSR(S)3 Rule controlling a method of warning
- R PSR(S)3 Rule controlling a method of warning
- S Seizure of any property in the possession of a person who is **detained** is permitted if no member of the **CRU** or **ANSF** is present to effect the seizure.
- T Questioning of any person who is **detained** is permitted if no member of the **CRU** or **ANSF** is present to conduct the questioning.

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PSR(S)3

- U** Search of any person who is **detained** is permitted if no member of the **CRU** or **ANSF** is present to conduct the search.

**Note:** Any **search** conducted by the TF 81 under this ROE is to be conducted in accordance with the NZFOR ISAF Individual Guidance for the Detention of Non-ISAF Personnel, which is issued separately (see Annex Three).

- V** **Detention** of a person is permitted if:
- (a) No member of the **CRU** or **ANSF** is present to detain the person; and
  - (b) The person has demonstrated **hostile intent**, is committing a **hostile act**, or is interfering with mission accomplishment.

The person must either be released when he or she poses no further threat to the mission or, with the prior approval of COMJFNZ and CDF, handed over to an appropriate Afghan authority.

**Note:** Any person who is **detained** by the TF 81 under this ROE is to be handled in accordance with the NZFOR ISAF Individual Guidance for the Detention of Non-ISAF Personnel, which is issued separately (see Annex Three).

- W** Observed indirect fire is permitted.
- X** PSR(S)1 Rule governing use of sensitive equipment
- Y** Unrestricted use of non-explosive land barriers and obstacles is permitted.
- Z** PSR(S)1 Rule governing use of specified non-lethal technique
- AA** PSR(S)3 Rule governing use of specified non-lethal technique
- AB** Action to secure the recovery PSR(S)3 taken hostage is permitted with the prior approval of PSR(S)3

#### **Additional Orders**

4. The Commanding Officer 1 NZSAS Group and the Senior National Officer (SNO) of Operation WATEA are to ensure that personnel under their command are familiar with the law of armed conflict (LOAC), particularly as it applies in a non-international armed conflict, and with these ROE.
5. The SNO may promulgate additional ROE and/or amplified ROE guidance applicable to units under his command. Prior to this the SNO is to submit them through COMJFNZ to CDF for review and approval.
6. NZDF commanders are to ensure that all modified or supplemental ROE:

**SECRET**

**~~AUS/CAN/NZ/UK/US EYES ONLY~~**

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- i. remain compatible with the intent of these ROE; and
- ii. result in more definitive guidance to subordinate commanders.

**SECRET**

**~~AUS/CAN/NZ/UK/US EYES ONLY~~**

## INDIVIDUAL GUIDANCE FOR THE DETENTION OF NON-ISAF PERSONNEL

### Authorisation

1. NZ ISAF personnel are only authorised to search and detain a person in accordance with this card where Afghan National Security Forces (ANSF) are not present or reasonably available to do so. If an arrest and/or detention is effected by ANSF in the presence of ISAF personnel, then the individual is not considered to be an ISAF detained person and the provisions of this card do not apply.
2. **Authority to Detain.** You are authorised to detain non-ISAF personnel if necessary for:
  - i. The defence of any personnel or property you are authorised to protect;
  - ii. The accomplishment of the mission.
3. **Detention Authority.** As soon as practicable after a detention has taken place, the decision to continue to detain must be considered by an appropriate ISAF Detention Authority. A Detention Authority is made up with a NZ Senior National Officer (SNO), a Provincial Reconstruction Team (PRT) Commander, Base Commander and a Patrol Commander.

### Immediate Actions at the Scene of Detention

4. **Documentation.** Full details of the individual and the circumstances surrounding detention are to be recorded including: DTG of detention, place of detention, reasons for detention, name and unit of the detaining soldier/officer, name and unit of officer authorising detention, details of the detained person including name, gender, home and home of record and whether or not the International Committee of the Red Cross (ICRC) have been informed. Such information is to be transmitted to the relevant NZ SNO without delay. The NZ SNO is to allocate each detainee a national detainee number.
5. **Use of Force.** Minimum force may be used to effect a detention or restrain a violent detainee. The use of plasticuffs by NZFOR ISAF personnel, who have been trained in their use, is authorised. NZFOR ISAF personnel are authorised to use minimum force to stop a detainee escaping. In any circumstance requiring the use of force against a detainee, deadly force is not to be used unless necessary to prevent an act which constitutes an immediate threat to life of personnel you are authorised to protect. Persons detained by ISAF are to be treated with respect and dignity and in compliance with applicable international law and human rights law standards. No one shall be subjected to torture or to inhumane or degrading treatment or punishment, including the use of stress positions.
6. **Search.** The detainee is to be searched for any articles of evidential value, or items which may be used to inflict self-injury or injure those effecting the detention. Such items

are to be removed. In all cases receipts are to be provided. Weapons or contraband found in a detained person's possession shall be retained for the period of detention. Direction on the disposal of weapons and contraband, such as drugs, will be issued by the chain of command. Precise details of all searches are to be recorded and retained. In all circumstances the dignity of persons being searched shall be respected.

- i. *Gender Considerations.* Female detainees are only to be searched by female members of NZFOR ISAF (unless there are pressing operational reasons which makes this impracticable, in which case all such searches are to be witnessed by one other member of NZFOR ISAF).
- ii. *Juveniles/Children.* Extreme care is to be taken when searching juveniles and children and all searches are to be witnessed by one other member of NZFOR ISAF.

7. **Rights of a Detainee.** The detainee must be informed, in a language that he or she understands, of the reasons for detention and given an information sheet detailing his or her rights as a detainee. Where this is not possible, then the detainee is to be given this information at the earliest opportunity.

8. **Release.** If there is no requirement for continued detention, the detainee is to be released. When a detainee is being released, detainees should be returned to their home, or to their place of original detention. Detainees are not to be left in remote locations to fend for themselves.

### **Transfer and Movement**

9. Personnel detained by NZFOR ISAF personnel are not to be transferred or handed over to ANSF or other ISAF coalition forces without the prior approval of COMJFNZ or CDF.

10. If there is a requirement to transport detained persons between locations, full details of the individual and the circumstances surrounding the detention are to be maintained and are to be transported with the detained individual. As a general rule, the detaining unit/sub unit is required to provide the guards and transport to move a detained person between locations.

11. Wherever possible detained persons should be moved in a vehicle/aircraft. Movement on foot should be a last resort and only conducted over short distances.

12. Where the transfer/movement of a detainee is conducted over a large distance or prolonged period of time, then the guarding unit is to ensure that regular breaks are taken and that food and water is available. A detainee may be restrained by the use of plasticuffs or handcuffs whilst being transported provided that they are fitted only by individuals trained in their use. A detainee is not to be secured to any part of a vehicle or any other static object.



### OPERATION WĀTEA COMMAND ARRANGMENTS

