

Z.J09

**From:** WAATEA.SNO PSR(IC)3  
**Sent:** Friday, 21 May 2010 3:33 p.m.  
**To:** JFNZ.COMJFNZ  
**Subject:** RE: [SECRET] ISAF Detention Directive EXTERNAL RELEASE

FILE: 03130/2/WAATEA VI
FOLIO: 34
27 MAY 2010
MD 392 No.: ECDR 4=
MD 392 FOLIO No.: 5311

CLASSIFICATION: SECRET

Ack wilco.

Thanks for looking at this for us.

Regards

PSR  
(IC)  
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SNO TF81

**From:** JFNZ.COMJFNZ [PSR(IC)3 ]  
**Sent:** Friday, 21 May 2010 5:32 a.m.  
**To:** WAATEA.SNO  
**Cc:** SWAN - HQNZDF.DSO; SWAN - 1NZSAS.CO; SWAN - HQNZDF.ADSF; SWAN - JFNZ.J09; SWAN - JFNZ.J3  
**Subject:** ISAF Detention Directive

PLEASE INDICATE DATES TO
REVIEW BY J ON .....
OR
DESTROY ON ARCHIVE

SECRET

03130/2

- References:** A. OP WAATEA 03130/LEG SITREP 05/10 dated 9 May 10  
 B. ISAF Detention Operations and Notification Directive dated 13 Apr 10
- You were correct at Ref A in identifying the potential for "mission creep" in respect of detainee handling, which could eventually lead TF 81 / NZDF into *de facto* detention ops. It was therefore right and prudent for you to flag this issue, and I look to you to raise any similar issues in the future. This ISAF Directive has been the subject of discussions between my staff and HQNZDF, including DSO, and there is agreement that this Directive does not cause an issue of TF 81 *de facto* handling detainees.
  - I am satisfied that the additional responsibilities imposed by this Directive do not get TF 81 into the business of detainee handling. Much of the policy does not apply to TF 81 and its operations. The day-to-day effect of the Directive on TF 81 will be the obligations to:
    - Report detentions carried out by partnered forces, which given the fact that TF 81 is presently assisting them by carrying out biometric data capture, including recording names, is a relatively minor additional tasking which cannot realistically be said to make those detained by ANSF into detainees of TF 81; and
    - Encourage the ANSF to follow the policy and report accordingly, which also is not a significant imposition on TF 81; and which also could not be seen to make anyone detained by ANSF into a TF 81 detainee. I am sure you will have recognised that encouraging will need to be handled tactfully, as it has the potential to lead the ANSF and other Afghani authorities to deduce that ISAF has limited regard for Afghan sovereignty.
  - TF 81 is directed to comply with Ref B.

P. J. STOCKWELL  
A\  
COMJFNZ