

UPDATE COVERSHEET CURRENT AS OF 230720LMAR03

UPDATE CLEARED BY: Sect. 4 230500LMAR03, SIP 230700LMAR03

(Details incorporated (highlighted) into extant TPs)

**If asked about the veracity of media reporting that the SAS has been in Iraq for a considerable period conducting "covert operations" deep behind enemy lines.**

As BRIG Mcarn stated in the Middle East on 22 Mar 03, the SAS have inserted into Iraq and have been there for couple of days. Any suggestion that they have been there previously is nonsense, in the last couple of days they were given the EXECUTO by Government.

I can confirm that they are deep inside Iraq, but as stated Special Forces provide a unique capability. To ensure the effectiveness of this capability and the security of our personnel, we do not provide specific details on their missions whilst they are still performing operations. This detail includes their locations as well as the detailed timings of any incident.

**If asked about the SAS having killed Iraqi Nationals during their contacts**

I can confirm that elements of the Special Forces Task Group have encountered enemy combatants during their current mission. This has resulted in enemy casualties.

I will not go into the specific details surrounding the contacts that caused these casualties nor will I make public the specific details of their current mission.

I would like to stress though that the primary role of the SAS is strategic reconnaissance and surveillance, which avoids contact with enemy forces, but when necessary they will fight, and do so very effectively.

**If asked about the SAS stopping and treating Iraqi soldiers**

I can confirm that on one occasion after a contact a number of enemy combatants threw down their weapons and surrendered. The patrol did stop to treat enemy wounded before moving on.

**If asked about whether Special Forces took Prisoners as a result of the contacts.**

In general terms, detainee issues are not for open discussion given the sensitive nature of the matter and the fact that the operation is still unfolding.

What I can say is that the ADF will treat any captives in accordance with Australia's international legal obligations.

**How many Iraqi soldiers did the SAS kill?**

It is important to note that numbers killed in any engagement is not an accurate way to assess the success of an operation. Instead it is important to focus on the intention and the results of a mission.

Although our personnel do conduct battle damage assessments we do not look to produce a body count. Estimates of numbers killed are based on many factors including battle damage assessments and eyewitness reports from the troops on the ground.

Australian forces do what is required to complete their mission, in accordance with their rules of engagement.

**Will RAAF Hornets become more involved in strike operations now that the first air to ground mission has been completed?**

To protect the security of our people and to protect the outcome of their missions, we will not speculate on future operations.

What I can say is that the F/A-18s will be open to tasking from the coalition and will perform these tasks in accordance with Australian Rules of Engagement and under Australian National Command.

**Can you define the "target of opportunity" that was attacked by the F/A-18, and confirm it was destroyed?**

We cannot specify this target. As the CDF said, "a target of opportunity is a fleeting target which may include a military leader to a mobile missile battery". Targets selected by Australian forces will be analysed and approved through an Australian oversight and approval process.

As the CDF also said, "this target of opportunity passed all the (legal) tests and then it was engaged but I won't specify what it (the target) was".

**Australian fighters have reportedly been subject to AAA attacks – has any battle damage been sustained?**

Australian aircraft and Australian personnel are safe and sound. Of course, we will not provide any information that specifies our capability. An adversary could use those details against us. This includes any battle damage to our aircraft.

In a major incident we would provide information to the media as it became available, provided it did not jeopardise the safety of our personnel.

**How long can Australia's C-130 Hercules aircraft carry on their rate of effort, given they are reported to have carried more than 1,000,000 pounds of equipment so far, or about 16% of the total airlift within the Coalition?**

The ADF only accepts tasking that is suited to its capability. That our C130 aircraft have undertaken this rate of effort proves the quality of our training and the capability that we provide to the coalition.

Do the P3-Cs provide an "eye in the sky" capability that helps direct the MIF ships towards illegal vessels and the like?

The P3-Cs undertake maritime patrol operations in the Persian Gulf. Part of this tasking would include observing the Gulf and reporting any vessels of interest. This is normal maritime patrol tasking. It is similar to the border patrol operations that our P3-Cs undertake north of Australia.

When will the P3-C contingent return?

The length of the commitment is a decision for the Government.

Following the success with the provision of Naval Gunfire Support during the British beach landing, can we expect more operations of this type by the RAN ships?

Our ships in the Persian Gulf remain ready to undertake tasks appropriate to their capabilities. There is no point speculating on what these tasks may be.

How will HMAS Kanimbla deal with the 50-plus PWs, especially if more PWs are taken?

It is understood that HMAS Kanimbla will pass these PWs to a more suitable location. This will occur in a way that protects their safety, and which ensures they are held in accordance with the normal procedures for holding PW.

Given the number of boardings accomplished by RAN personnel in the Persian Gulf, is it fair to assume that female members will take part in a boarding operation similar to the one that netted the anti-shipping mines?

There are many female members that are onboard our ships in the Persian Gulf and they are able to undertake any number of duties. You may remember that last week, Today Tonight featured a story on a female boarding party commander who was well trained and equipped to undertake her duties as required. The main point is that our people are well trained and equipped and capable of undertaking their duties regardless of their gender.

What can you tell us about the death of an Australian Journalist?

There have been reports have been received that an Australian journalist has been killed by a car bomb in Northern Iraq: details are being confirmed. However, we offer our sympathies to the family and friends of the journalist.

Further questions on the incident should be directed to DFAT.

However, Australians in Iraq should heed the travel advice issued by the Department of Foreign Affairs and Trade: namely, that Australians should not visit Iraq, and that Australians in Iraq should leave immediately by road, if feasible (air services have ceased).

- As part of the package of service conditions for personnel deployed on Operation Falconer, Defence may in some circumstances assist family members to relocate to be with extended family for support during the deployment.

**PRISONERS OF WAR/DETAINEES. ( removed 'not going to speculate from these TPs as ADF personnel have held PW)**

- The ADF will treat all captives humanely and will comply with the laws of armed conflict to which Australia is bound.
- In general terms, detainee issues are not for open discussion given the operational and other sensitive matters involved

The ADF has mechanisms in place to ensure that incidents involving captives are managed appropriately. Instructions have been issued through the chain of command. Australia's legal obligations have been duly considered and are reflected in the measures adopted by the ADF. Advice from the Attorney General's Department has been obtained on these issues.

- During their operations in Iraq, Australian forces will comply with the laws of armed conflict by which Australia is bound. This will impact directly on the treatment of any captives taken by Australian forces.
- The hand over of captives to a Coalition partner may be one option that is appropriate in a given situation.
- Whatever a captive's legal status, and whether or not the Geneva Conventions or any other conventions are specifically applicable to them, the ADF will treat all captives humanely. Issues of status, rather than treatment, are longer-term matters that may prove complex.

ADF members on the ground in the Middle East clearly understand their obligations.

**COMMAND AND CONTROL**

- Australia will independently and comprehensively determine what operations, if any, Defence Force personnel will conduct against Iraq.
- Whilst the US will be leading the coalition force of the willing no ADF elements will undertake, nor can they be made to undertake, any tasks without the approval of the Australian National Commander (ANC) BRIG McNarn. As the ANC, BRIG McNarn has the authority to determine what activities if any Australian personnel may and may not undertake. In making such determinations BRIG McNarn takes into account the requirements of the Australian government. Such requirements include the mandatory adherence to Australian rules of engagement and the need to act in Australia's interest.

Obviously, as a member of a coalition operation situations may arise where it is appropriate for some ADF elements to participate in specific operations under the control of a coalition member. Equally,

**LAWS OF ARMED CONFLICT (SEE ALSO ROE PAGE 35 AND TARGETING PAGES 38-40)****Treachery and Perfidy**

- The Law of Armed Conflict prohibits acts of treachery.
- Acts of treachery would include a force attacking its enemy after inviting it to negotiate by flying a white flag.
- In addition, any act that abuses the good faith in which combatants provide protection to non-combatants, such as wounded soldiers, is in direct breach of LOAC.
- ADF members on the ground in the Middle East clearly understand their obligations under LOAC to perform honourably on the battlefield.

Australian rules of engagement require ADF members to comply fully with LOAC.

- As a nation state, and as part of the global community, Iraq is required to comply with LOAC. There have been reports that indicate that Iraq has said that it is willing to comply with obligations. These statements must be turned into actions.
- The coalition partners will hold individual Iraqi military and political leaders accountable for their actions on the battlefield, including any breaches of LOAC.

**CHEMICAL WEAPONS, USE OF (SEE ALSO NBCD/PPE PAGE 27)****On media reports that Saddam Hussein's regime has authorised the use of chemical weapons in the defence of Baghdad:**

We very much hope that Iraqi military forces will not use such weapons, but Saddam Hussein's regime has a track record in this regard.

- There is already intelligence material to suggest that they could potentially be used, particularly as the regime's grasp on power begins to crumble.
- Our forces are equipped to operate in a chemical, biological or radiological environment in Iraq.
- But there is always a risk of casualties in such a high threat environment as one where these weapons were used.

**HARASSMENT/VILIFICATION OF ADF MEMBERS IN AUSTRALIA**

- We have had some reports about harassment of ADF personnel and their families in Australia, but they are vastly in the minority.
- As the Chief of the Defence Force has said, this is regrettable. I am sure that the majority of Australians share the pride with which our Defence personnel wear their uniforms and go about their duty.