

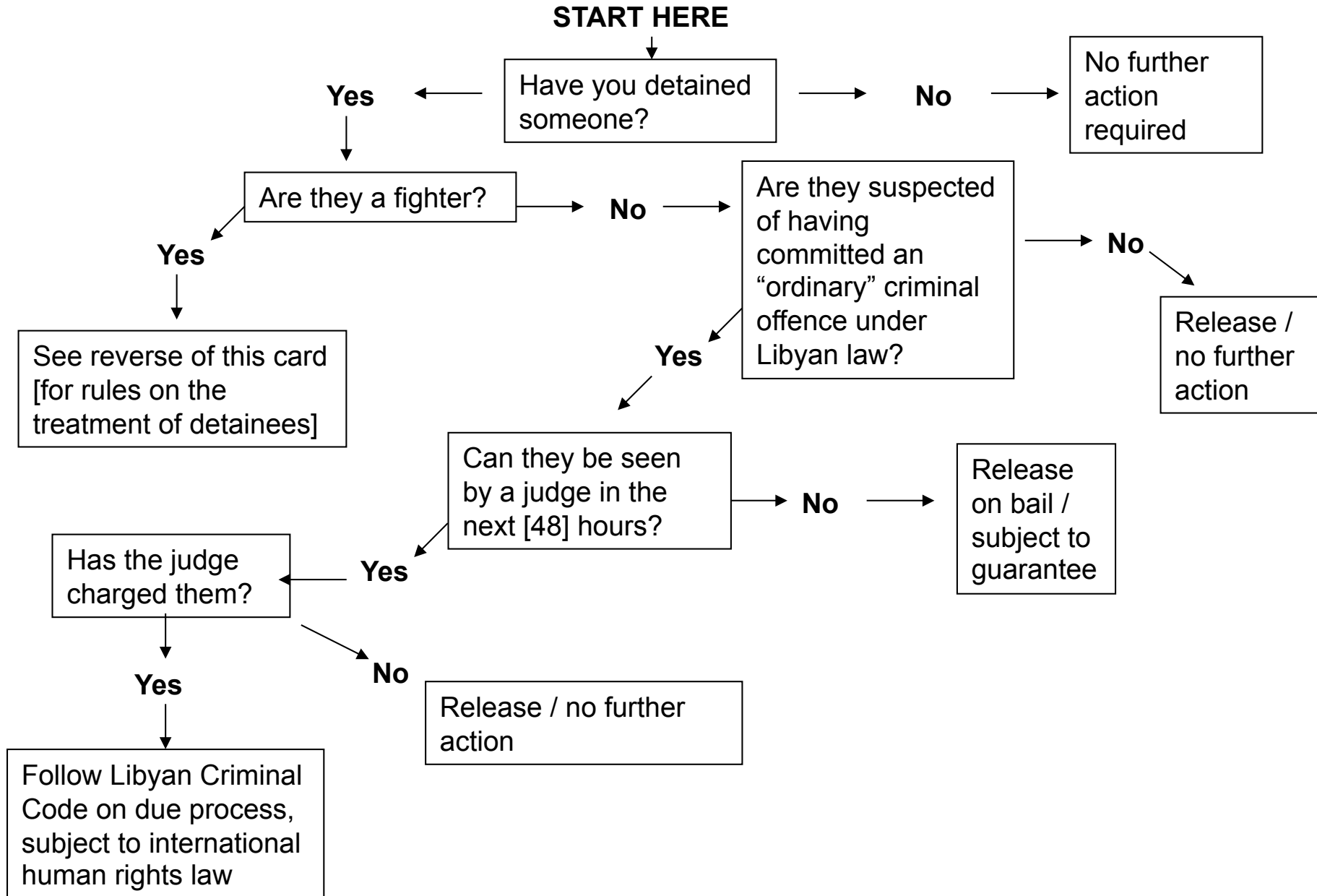
Introduction to Guidelines

"These guidelines were produced to help instruct those civilians who have taken up arms in support of the TNC. Libya is a Party to all four 1949 Geneva Conventions and to both 1977 Additional Protocols. As such, we recognise that in the conduct of hostilities, we are bound by Common Article 3 to the four Geneva Conventions and to the provisions of Additional Protocol II Relating to the Protection of Victims of Non-International Armed Conflicts, as are the government's forces.

We firmly believe that respecting these laws is important, not just as a matter of principle, for the laws of armed conflict aim to ameliorate as much as possible the worst effects of war; but also because adherence to those laws in this conflict will help all Libyans to build peace between themselves when the fighting is over.

We recognise that many of those men and women who have taken up arms in opposition to the Qadhafi regime are not combatants who have been formerly trained in the laws of armed conflict. As such, these guidelines were requested in order to help instruct them, as rapidly as possible, in the fundamental rules which they must respect, in particular those relating to the humane treatment of detainees and to targeting in an armed conflict. The rules have been drawn primarily from the 1978 Red Cross Fundamental Rules of International Humanitarian Law Applicable in Armed Conflicts and the 2006 San Remo Manual on the Law of Non-International Armed Conflict."

Procedure on detaining or capturing people



Rules on the treatment of detainees

Detainees must receive humane treatment AT ALL TIMES, from the moment of capture. DO respect detainees and protect them from harm

Humane Treatment:

- **DO NOT** use any form of physical, sexual or mental violence against any detainee. No form of torture or intimidation is allowed.
- **DO NOT** subject detainees to humiliating or degrading treatment such as displaying them in a publicly humiliating fashion.
- **DO NOT** take revenge on detainees.
- **DO NOT** hold individuals answerable for acts for which they are not personally responsible.
- **DO NOT** remove personal property from the detainees unless this is for security reasons. If any property is removed, a receipt must be provided to the detainee.
- **DO NOT** obey an order to carry out any of these prohibited acts. That order is unlawful.
- **REPORT ANY INCIDENTS OF INHUMANE TREATMENT TO A SUPERIOR OFFICER**

1. Give immediate medical treatment/first aid to anyone who needs it. There is a duty to search for, collect, and aid the injured and wounded from the battlefield of both sides. The dead must also be collected, treated with respect, and buried.

Medical treatment:

- Necessary and additional medical treatment should be available and accessible.
- Attempt to identify the dead. If this is not possible, then record (and if possible, photograph) the personal possessions with which the body is buried. This is to help with subsequent attempts to identify the person. Records of the dead and the location of their burial should be sent to the ICRC.

2. Take detainees to a safe place of detention

Detention Centres must:

- Be located away from the battlefield, be healthy and hygienic
- Be segregated according to gender and age (children (people under 18 years of age) must not be held with adults) and criminal offenders must be held separately
- Provide sufficient food, water, clothing and medical treatment to ensure the health of the detainees

3. Once at a place of detention follow these steps:

a: Provide any further necessary medical treatment.

Capture Card:

- This is necessary to safeguard you from war crimes charges (enforced disappearance of detainees)
- Any change in the detainee's place of detention and/or date of release must be recorded and notified to the ICRC
- Captured fighters have no obligation to give any information beyond name, rank (if military), date of birth and identification number.

b: A capture card must be made and a copy sent to the ICRC

c: Interrogate if necessary. HUMANE TREATMENT must be observed at ALL times

Interrogation:

- Any physical or mental coercion is prohibited to obtain statements. Detainees must not be subjected to violence or intimidation of any kind.

Rules on targeting and the use of violence

- ONLY target Qadhafi forces and others using force against you. Permissible targets include fighters, buildings, facilities and means of transportation being used or could be used for a military purpose.
- DO NOT allow persons who are less than 18 years of age to fight, even if they have volunteered to do so.
- AVOID as far as possible any effect on civilians of an attack against Qadhafi forces.
- DO NOT target fighters who are surrendering or are no longer fighting.
- DO NOT target civilians or places where there are only civilians.
- DO NOT target medical personnel, facilities, transports or equipment. These may be searched if you need to verify they are genuine, but REMEMBER that medical personnel are allowed by law to carry small arms to protect their patients.
- DO NOT target religious personnel.
- DO NOT target UN / ICRC / Red Crescent personnel or facilities.
- DO NOT harm cultural, educational and religious buildings and historic sites unless Qadhafi forces are using them for hostile purposes, and such harm is absolutely necessary.
- Only use the Red Crescent symbol to indicate medical personnel, facilities and transport and under direction of the competent authorities.

REMEMBER!

**FIGHT ONLY FIGHTERS.
ATTACK ONLY MILITARY TARGETS.
SPARE CIVILIANS.**

Protections of detainees

Summary of requirements to be observed by the detaining authority

Detainees are entitled to:

- Adequate medical care
- Access to exercise
- Freedom to practice their religion
- Family contact
- Food and water sufficient for good health
- Safe and adequate housing
- Adequate sanitary facilities
- A procedure to register complaints regarding conditions of their captivity (see following card)
- An independent agent to monitor compliance with these guidelines

SPECIAL PROVISIONS FOR WOMEN

- Female prisoners **MUST** have separate accommodation under female supervision
- Female prisoners may be searched **ONLY** by females
- Female prisoners **MUST** be especially protected against sexual violence

The detaining authority must ensure detainees are not subjected to:

- Any acts of violence, intimidation, or humiliation
- Cruel, inhumane, humiliating, or degrading treatment
- Slave labour
- Dangerous work (for example, mine clearing)
- Any work which assists your military effort

SPECIAL PROVISIONS FOR CHILDREN (PEOPLE UNDER 18 YEARS OF AGE)

- Children **MUST** have accommodation apart from adults unless with their families
- Children **MUST** have food, hygiene and medical care suited to their age
- Children **MUST** be able to continue their schooling

REMEMBER!

THE PURPOSE OF DETENTION IS NOT TO PUNISH BUT TO PREVENT FROM FIGHTING

Procedure in the case of suspected breaches of the rules set out in these guidelines

Anyone who wishes to complain about a suspected violation of these rules, and in particular the mistreatment of detainees or the use of fighters who are less than 18 years of age, should be told the name and contact details of the person who has been designated to deal with complaints.

The complaints will be made in confidence. The person providing the information will be informed before being called as a witness.

Complaints must be investigated promptly, thoroughly, and in an impartial manner by an independent body.