Terms of reference

On 8 March 2005, the following matters were referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 21 June 2005:

- (a) whether any Australian personnel (including employees, contractors and consultants) were present, or had duties which included being present, during any interrogations or interviews (however defined) of persons detained in relation to the war in Iraq, and in particular those persons suspected of having knowledge of Iraq's weapons of mass destruction;
- (b) whether any knowledge of, or concerns regarding, the treatment of those Iraqi detainees was provided to Australian Government departments, agencies and ministers, and what actions resulted from the provision of this information;
- (c) whether the Iraq Survey Group (ISG) were able to report frankly and fearlessly on what they had found, or whether attempts were made to censor or otherwise distort their findings; and
- (d) whether any Australian personnel provided information or concerns to any part of the Australian Government relating to concerns about the functions or reports of the ISG, and what actions resulted from the provision of this information.

Table of contents

Members of the Committee	iii
Terms of Reference	. V
Committee's recommendation	ix
Chapter 1	
Introduction	
Background to the inquiry	1
Establishment of the inquiry	2
Conduct of the inquiry	3
Structure of the report	3
Acknowledgment	3
Chapter 2	
Participation and knowledge of Australian personnel in questioning Iraqi	
detainees	
The Iraq Survey Group (ISG)	5
Concept of operations	6
Duties of senior analyst—Mr Rod Barton	9
Committee view	12
Taking account of the changed circumstances	13
Committee view	14
Chapter 3	
Knowledge of the treatment of Iraqi detainees	
Australian policy toward the treatment of detainees in relation to the war in Iraq	15
The Geneva Convention	16
CDF's directive regarding the policy governing the handling of captives	16
Situation reports (sit reps)	17
May 2004 survey	22
DFAT's activities following the disclosure of abuse of Iraqi detainees	23
Joint statement on the allegations of abuse of Iraqi detainees	25
The June 2004 fact–finding team	26
Committee view	31
Chapter 4	
The Iraq Survey Group and its ability to report frankly and fearlessly	
The ISG reports	33
Committee view	40
Appendix 1 – Tabled documents	41