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COALITION PROVISIONAL AUTHORITY MEMORANDUM NUMBER 2

MANAGEMENT OF DETENTION AND PRISON FACILITIES

Pursuant to my authority as Administrator of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolution 1483 (2003),

Recognizing the urgent necessity to ensure secure and humane prisons in order to re-establish law and order and provide for the safety of the people of Iraq,

Noting the obligation of the CPA to restore public order and safety and to maintain and ensure fundamental standards for persons detained,

I hereby promulgate the following:

Section 1

Purpose

- 1) This Memorandum prescribes standards to be applied in the Iraqi prison system, under the authority of the Ministry of Justice.
- 2) All prisons within Iraq shall, to the greatest extent practicable, operate in accordance with the following standards until otherwise directed. Any and all existing Iraqi prison regulations are hereby suspended.

Section 2

Basic Principles and Control

- 1) The following standards shall be applied impartially. There shall be no discrimination on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- 2) It shall nevertheless be a requirement, consistent with the need to maintain prison security, to respect the religious beliefs and moral precepts of the group to which a prisoner belongs.
- 3) To ensure these standards are met, the Administrator will remain in full control of the Iraqi prison system and may at any time amend this Memorandum as necessary, or direct other action with respect to the prison system.

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- 4) In addition, CPA officials of the Justice Ministry and Coalition Forces operating under their oversight shall have the right to enter and inspect any Iraqi prison system, and give directions regarding the operation of that system, consistent with the terms of this Memorandum.

Section 3 Register

- 1) In every place where persons are imprisoned there shall be kept a bound registration book with numbered pages in which shall be entered in respect of each prisoner received:
 - a) information concerning his identity;
 - b) the reasons for his commitment and the authority therefor; and
 - c) the day and hour of his admission and release.
- 2) No person shall be received in an institution without a valid commitment order, the details of which shall have been entered in the register.

Section 4 Separation of Categories

Different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment, so that:

- a) men and women shall be detained in separate institutions;
- b) untried prisoners shall be kept separate from convicted prisoners;
- c) persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offense; and
- d) prisoners under 18 years of age shall be kept separate from adults.

Section 5 Accommodation

- 1) Where sleeping accommodation is in individual cells or rooms, each prisoner should occupy by night a cell or room by himself. The central prison administration may make an exception to this rule for special reasons, such as temporary overcrowding.
- 2) Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions.

There shall be regular supervision by night, in keeping with the nature of the institution.

- 3) All accommodation provided for the use of prisoners, and in particular all sleeping accommodations, shall, to the extent practicable, meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.
- 4) In all places where prisoners are required to live or work:
 - a) the windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation; and
 - b) artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.
- 5) The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.
- 6) Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week.
- 7) All bed pans or ablution facilities of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

Section 6 Personal Hygiene

- 1) Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.
- 2) In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be enabled to shave regularly.

Section 7
Clothing and Bedding

- 1) Every prisoner who is not allowed to wear his own clothing shall be provided with an outfit of clothing suitable for the climate and adequate to keep him in good health. Such clothing shall in no manner be degrading or humiliating.
- 2) All clothing shall be clean and kept in proper condition. Underclothing shall be changed and washed as often as necessary for the maintenance of hygiene.
- 3) If prisoners are allowed to wear their own clothing, arrangements shall be made on their admission to the institution to ensure that it shall be clean and fit for use.
- 4) Every prisoner shall be provided with a separate bed, and with separate and sufficient bedding that shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness.

Section 8
Food

- 1) Every prisoner shall be provided by the administration at regular hours with food of nutritional value adequate for health and strength, and of wholesome quality.
- 2) Drinking water shall be available to every prisoner whenever he needs it.

Section 9
Exercise and Sport

Every prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits.

Section 10
Medical Services

- 1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry.
- 2) Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitably trained officers.

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- 3) The services of a qualified dental officer shall be available to every prisoner.
- 4) In women's institutions there shall be special accommodation for all necessary prenatal and postnatal care and treatment. Arrangements shall be made wherever practicable for children to be born in a hospital outside the institution. If a child is born in prison, this fact shall not be mentioned in the birth certificate.
- 5) Where nursing infants are allowed to remain in the institution with their mothers, provision shall be made for a nursery staffed by qualified persons, where the infants shall be placed when they are not in the care of their mothers.
- 6) The medical officer shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary health measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical or mental defects that might hamper rehabilitation, and the determination of the physical capacity of every prisoner for work.
- 7) The medical officer shall have responsibility for the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed.
- 8) The medical officer shall report to the prison master whenever he considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment.
- 9) The medical officer shall regularly inspect and advise the prison master upon the:
 - a) quantity, quality, preparation and service of food;
 - b) hygiene and cleanliness of the institution and the prisoners;
 - c) sanitation, heating, lighting and ventilation of the institution;
 - d) suitability and cleanliness of the prisoners' clothing and bedding; and the
 - e) observance of the provision concerning physical education and sports, in cases where there is no technical personnel in charge of these activities.
- 10) The prison master shall take into consideration the reports and advice that the medical officer submits in accordance with this regulation and, in case he concurs with the recommendations made, shall take immediate steps to give effect to those recommendations; if they are not within his competence or if he does not concur with them, he shall immediately submit his own report and the advice of the medical officer to higher authority.

Section 11
Discipline and Punishment

- 1) Discipline and order shall be maintained with firmness, but with no more restriction than is necessary for safe custody and well-ordered community life.
- 2) No prisoner shall be employed, in the service of the institution, in any disciplinary capacity.
- 3) This standard shall not, however, impede the proper functioning of systems based on self-government, under which specified social, educational or sports activities or responsibilities are entrusted, under supervision, to prisoners who are formed into groups for the purposes of treatment.
- 4) The following shall always be determined by the law or by the regulation of the competent administrative authority:
 - a) conduct constituting a disciplinary offense;
 - b) the types and duration of punishment that may be inflicted; and
 - c) the authority competent to impose such punishment.
- 5) No prisoner shall be punished except in accordance with the terms of such law or regulation, and never twice for the same offense.
- 6) No prisoner shall be punished unless he has been informed of the offense alleged against him and is given a proper opportunity to present his defense. The competent authority shall conduct a thorough examination of the case.
- 7) Where necessary and practicable, the prisoner shall be allowed to make his defense through an interpreter.
- 8) Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishments shall be completely prohibited as punishments for disciplinary offenses.
- 9) Punishment by close confinement or reduction of diet shall never be inflicted unless the medical officer has examined the prisoner and certified in writing that he is fit to sustain it.
- 10) The same shall apply to any other punishment that may be prejudicial to the physical or mental health of a prisoner.

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- 11) The medical officer daily shall visit prisoners undergoing such punishments and shall advise the prison master if he considers the termination or alteration of the punishment necessary on grounds of physical or mental health.

Section 12 Instruments of Restraint

- 1) Instruments of restraint, such as handcuffs, chains, irons and strait-jacket, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints. Other instruments of restraint shall not be used except in the following circumstances:
 - a) as a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a judicial or administrative authority;
 - b) on medical grounds by direction of the medical officer; and
 - c) by order of the prison master, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property; in such instances the prison master shall at once consult the medical officer and report to the higher administrative authority.
- 2) The patterns and manner of use of instruments of restraint shall be decided by the central prison administration. Such instruments must not be applied any longer than is strictly necessary.

Section 13 Information to and Complaints by Prisoners

- 1) Every prisoner on admission shall be provided with written information about the regulations governing the treatment of prisoners of his category, the disciplinary requirements of the institution, the authorized methods of seeking information and making complaints, and all such other matters as are necessary to enable him to understand both his rights and his obligations and to adapt himself to the life of the institution.
- 2) If a prisoner is illiterate, the aforesaid information shall be conveyed to him orally.
- 3) Every prisoner shall have the opportunity each week day of making requests or complaints to the prison master of the institution or the officer authorized to represent him.

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- 4) It shall be possible to make requests or complaints to the inspector of prisons during his inspection. The prisoner shall have the opportunity to talk to the inspector or to any other inspecting officer without the prison master or other members of the staff being present.
- 5) Every prisoner shall be allowed to make a request or complaint, without censorship as to substance but in proper form, to the central prison administration, the judicial authority or other proper authorities through approved channels.
- 6) Unless it is patently frivolous or groundless, every request or complaint shall be promptly dealt with and replied to without undue delay.

Section 14
Communications and Contacts with Others

- 1) Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits.
- 2) Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with the diplomatic and consular representatives of the State to which they belong.
- 3) Prisoners who are nationals of States without diplomatic or consular representation in Iraq and refugees or stateless persons shall be allowed similar facilities to communicate with the diplomatic representative of the State that takes charge of their interests or any national or international authority whose task it is to protect such persons.
- 4) Prisoners shall be permitted to read publications that do not pose a threat to security, and to hear wireless or television transmissions as authorized or controlled by the prison administration.
- 5) Access shall be granted to official delegates of the International Committee of the Red Cross (ICRC) whenever sought, to be conducted at mutually arranged times. ICRC delegates shall be permitted to inspect health, sanitation and living arrangements and to interview all detainees in private. They shall also be permitted to record information regarding the detainee and to pass messages to and from the family of the detainee subject to reasonable censorship by the prison authorities.

Section 15
Books

Every institution shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it.

Section 16
Religion

- 1) If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis.
- 2) A qualified representative appointed or approved under paragraph (1) shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times.
- 3) Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, any prisoner may refuse to receive a visit of any religious representative, his attitude shall be fully respected.
- 4) So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending the services provided in the institution and having in his possession the books of religious observance and instruction of his denomination.

Section 17
Retention of Prisoners' Property

- 1) All money, valuables, clothing and other effects belonging to a prisoner which under the regulations of the institution he is not allowed to retain shall on his admission to the institution be placed in safe custody. An inventory thereof shall be signed by the prisoner. Steps shall be taken to keep them in good condition.
- 2) On the release of the prisoner all such items shall be returned to him except in so far as he has been authorized to spend money or send any such property out of the institution or it has been found necessary on hygienic grounds to destroy any article of clothing. The prisoner shall sign a receipt for the articles and money returned to him.

- 3) Any money or effects received for a prisoner from outside shall be treated in the same way.
- 4) If a prisoner brings in any drugs or medicine, the medical officer shall decide what use shall be made of them.

Section 18
Notification of Death, Illness, Transfer, etc.

- 1) Upon the death or serious illness of, or serious injury to a prisoner, or his removal to an institution for the treatment of mental afflictions, the prison master shall at once inform the spouse, if the prisoner is married or the nearest relative and shall in any event inform any other person previously designated by the prisoner.
- 2) A prisoner shall be informed at once of the death or serious illness of any near relative. In case of the critical illness of a near relative, the prisoner should be authorized, whenever circumstances allow, to visit the relative either under escort or alone.
- 3) Every prisoner shall have the right immediately to inform his family of his imprisonment or his transfer to another institution.

Section 19
Removal of Prisoners

- 1) When prisoners are being removed to or from an institution, they shall be exposed to public view as little as possible and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form.
- 2) The transport of prisoners in conveyances with inadequate ventilation or light, or in any way that would subject them to unnecessary physical hardship, shall be prohibited.
- 3) The transport of prisoners shall be carried out at the expense of the administration and equal conditions shall obtain for all of them.

Section 20
Institutional Personnel

- 1) The prison administration shall provide for the careful selection of every grade of the prison personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of the institutions depends.

- 2) The prison administration shall constantly seek to awaken and maintain in the minds both of the prison personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used.
- 3) To secure the foregoing ends, prison personnel shall be appointed on a full-time basis as professional prison officers and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness.
- 4) The personnel shall possess an adequate standard of education and intelligence.
- 5) Before entering on duty, the personnel shall be given a course of training in their general and specific duties.
- 6) All members of the personnel shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect.
- 7) The prison master of an institution should be adequately qualified for his task by character, administrative ability, suitable training and experience.
- 8) He shall devote his entire time to his official duties and shall not be appointed on a part-time basis.
- 9) When two or more institutions are under the authority of one prison master, he shall visit each of them at frequent intervals. A responsible resident official shall be in charge of each of these institutions.
- 10) The prison master, his deputy, and the majority of the other personnel of the institution shall be able to speak the language of the greatest number of prisoners, or a language understood by the greatest number of them.
- 11) Whenever necessary, the services of an interpreter shall be used.
- 12) In institutions that are large enough to require the services of one or more full-time medical officers, at least one of them shall reside on the premises of the institution or in its immediate vicinity.
- 13) In other institutions the medical officer shall visit daily and shall reside near enough to be able to attend without delay in cases of urgency.

- 14) In an institution for both men and women, the part of the institution set aside for women shall be under the authority of a responsible woman officer who shall have the custody of the keys of all that part of the institution.
- 15) No male member of the staff shall enter the part of the institution set aside for women unless accompanied by a woman officer.
- 16) Women prisoners shall be attended and supervised only by women officers. This does not, however, preclude male members of the staff, particularly doctors and teachers, from carrying out their professional duties in institutions or parts of institutions set aside for women.
- 17) Officers of the institutions shall not, in their relations with the prisoners, use force except in self-defense or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations. Officers who have recourse to force must use no more than is strictly necessary and must report the incident immediately to the prison master of the institution.
- 18) Prison officers shall be given special physical training to enable them to restrain aggressive prisoners.
- 19) Except in special circumstances, staff performing duties that bring them into direct contact with prisoners should not be armed. Furthermore, staff should in no circumstances be provided with arms unless they have been trained in their use.

Section 21 Inspection

There shall be a regular inspection of penal institutions and services by qualified and experienced inspectors appointed by a competent authority. Their task shall be in particular to ensure that these institutions are administered in accordance with existing laws and regulations and with a view to bringing about the objectives of penal and correctional services.

STANDARDS APPLICABLE TO SPECIAL CATEGORIES A. PRISONERS UNDER SENTENCE

Section 22 Classification of Prisoners

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- 1) The medical services of the institution shall seek to detect and shall treat any physical or mental illnesses or defects that may hamper a prisoner's rehabilitation. All necessary medical, surgical and psychiatric services shall be provided to that end.
- 2) These principles require individualization of treatment and for this purpose a flexible system of classifying prisoners in groups; it is therefore desirable that such groups should be distributed in separate institutions suitable for the treatment of each group.

Section 23 Treatment

- 1) The treatment of persons sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to prepare them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.
- 2) To these ends, all appropriate means shall be used to the extent possible, including religious care, education, vocational guidance, training and employment counseling, in accordance with the individual needs of each prisoner, taking account of his social and criminal history, his physical and mental capacities and aptitudes, his personal temperament, the length of his sentence and his prospects after release.
- 3) For every prisoner with a sentence of suitable length, the prison master shall receive, as soon as possible after his admission, full reports on all the matters referred to in the foregoing paragraph. Such reports shall always include a report by a medical officer, wherever possible qualified in psychiatry, on the physical and mental condition of the prisoner.
- 4) The reports and other relevant documents shall be placed in an individual file. This file shall be kept up to date and classified in such a way that it can be consulted by the responsible personnel whenever the need arises.

Section 24 Classification and Individualization

- 1) The purposes of classification shall be:

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- a) To separate from others those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence, or pose a danger to themselves or others;
 - b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.
- 2) So far as possible separate institutions or separate sections of an institution shall be used for the treatment of the different classes of prisoners.

Section 25 Privileges

Systems of privileges appropriate for the different classes of prisoners and the different methods of treatment shall be established at every institution, in order to encourage good conduct, develop a sense of responsibility and secure the interest and cooperation of the prisoners in their treatment.

Section 26 Work

- 1) Prison labor must not be of an afflictive nature,
- 2) All prisoners under sentence may be required to work, subject to their physical and mental fitness as determined by the medical officer.
- 3) Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day.
- 4) So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after release.
- 5) Where prisoners are employed in work not controlled by the administration, they shall always be under the supervision of the institution's personnel. Unless the work is for other departments of the government the full normal wages for such work shall be paid to the administration by the persons to whom the labor is supplied, account being taken of the output of the prisoners.
- 6) The precautions specified in Iraqi law governing labor and working conditions to protect the safety and health of workers shall be equally observed in institutions.
- 7) The maximum daily and weekly working hours of the prisoners shall be fixed in accordance with Iraqi law governing labor and working conditions.

- 8) The hours so fixed shall leave one rest day a week and sufficient time for education and other activities required as part of the treatment and rehabilitation of the prisoners.
- 9) There shall be a system of equitable remuneration of the work of prisoners,
- 10) Under the system prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of their earnings to their family.
- 11) The system should also provide that a part of the earnings should be set aside by the administration so as to constitute a savings fund to be handed over to the prisoner on his release.

Section 27
Education and Recreation

- 1) Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction. The education of illiterates and young prisoners shall be compulsory and special attention shall be paid to it by the administration.
- 2) So far as practicable, the education of prisoners shall be integrated with the educational system so that after their release they may continue their education without difficulty.
- 3) Recreational and cultural activities shall be provided in all institutions for the benefit of the mental and physical health of prisoners.

Section 28
Social Relations and After-Care

- 1) Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his family as are desirable in the best interests of both.
- 2) From the beginning of a prisoner's sentence consideration shall be given to his future after release and he shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the institution as may promote the best interests of his family and his own social rehabilitation.
- 3) Services and agencies, governmental or otherwise, that assist released prisoners to re-establish themselves in society shall ensure, so far as is possible and

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necessary, that released prisoners are provided with appropriate documents and identification papers, have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season, and have sufficient means to reach their destination and maintain themselves in the period immediately following their release.

- 4) The approved representatives of such agencies shall have all necessary access to the institution and to prisoners and shall be taken into consultation as to the future of a prisoner from the beginning of his sentence.
- 5) It is desirable that the activities of such agencies shall be centralized or coordinated as far as possible in order to secure the best use of their efforts.

B. INSANE AND MENTALLY ABNORMAL PRISONERS

Section 29 Psychiatric Care

- 1) Persons who are found to be insane shall not be detained in prisons and arrangements shall be made to remove them to mental institutions as soon as possible.
- 2) Prisoners who suffer from other mental diseases or abnormalities shall be observed and treated in specialized institutions under medical management.
- 3) During their stay in a prison, such prisoners shall be placed under the special supervision of a medical officer.
- 4) The medical or psychiatric service of the penal institutions shall provide for the psychiatric treatment of all prisoners who are in need of such treatment.

C. PRISONERS UNDER ARREST OR AWAITING TRIAL

Section 30 Untried prisoners

- 1) Persons arrested or imprisoned by reason of a criminal charge against them, who are detained either in police custody or in prison custody but have not yet been tried and sentenced, will be referred to as "untried prisoners", hereinafter in these rules.

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- 2) Prisoners who have not been convicted are presumed to be innocent and shall be treated as such.
- 3) Without prejudice to legal rules for the protection of individual liberty or prescribing the procedure to be observed in respect of untried prisoners, these prisoners shall benefit by a special regime that is described in the following rules in its essential requirements only.
- 4) Untried prisoners shall be kept separate from convicted prisoners.
- 5) Young untried prisoners shall be kept separate from adults and shall where possible be detained in separate institutions.
- 6) Untried prisoners shall sleep singly in separate rooms.
- 7) Within the limits compatible with the good order of the institution, untried prisoners may, if they so desire, have their food procured at their own expense from the outside, either through the administration or through their family or friends. Otherwise, the administration shall provide their food.
- 8) An untried prisoner shall be allowed to wear his own clothing if it is clean and suitable.
- 9) If he wears prison dress, it shall be different from that supplied to convicted prisoners.
- 10) An untried prisoner shall always be offered an opportunity to work, but shall not be required to work. If he chooses to work, he shall be paid for it.
- 11) An untried prisoner shall be allowed to procure at his own expense or at the expense of a third party such books, newspapers, writing materials and other means of occupation as are compatible with the interests of the administration of justice and the security and good order of the institution.
- 12) An untried prisoner shall be allowed to be visited and treated by his own doctor or dentist if there is reasonable ground for his application and he is able to pay any expenses incurred.
- 13) An untried prisoner shall be allowed to inform immediately his family of his detention and shall be given all reasonable facilities for communicating with his family and friends, and for receiving visits from them, subject only to restrictions and supervision as are necessary in the interests of the administration of justice and of the security and good order of the institution.

14) for the purposes of his defense, an untried prisoner shall be allowed to apply for free legal aid where such aid is available, and to receive visits from his legal adviser with a view to his defense and to prepare and hand to him confidential instructions. For these purposes, he shall if he so desires be supplied with writing material. Interviews between the prisoner and his legal adviser may be within sight but not within the hearing of a police or institution official.

D. CIVIL PRISONERS

Section 31 Debtor Prisoners

Persons imprisoned for debt shall not be subjected to any greater restriction or severity than is necessary to ensure safe custody and good order. Their treatment shall be not less favorable than that of untried prisoners, with the reservation, however, that they may possibly be required to work.

Section 32 Entry into Force

This Memorandum shall enter into force on the date of signature.


L. Paul Bremer, Administrator
Coalition Provisional Authority

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