

MILITARY AID TO CIVIL AUTHORITIES A GUIDE TO OPERATIONS IN SIERRA LEONE

PREFACE

Background

1. A core responsibility of any Government is to secure its sovereign territory and population. In Sierra Leone, there is a distinction between the defence of Sierra Leone against military threats and public protection in terms of emergencies.
2. All military operations undertaken within Sierra Leone fall under the generic title of Military Aid to Civil Authorities (MACA). This includes the Defence contribution to resilience¹, which is provided at the specific request of the civil authorities but is subject to civil primacy and requires the authorisation of the National Security Council (NSC).

Scope

3. This policy addresses those operations that rely on close civil/military cooperation. The scope includes both MACA operations and all its subdivisions including Military Aid to Civil Power (MACP), Military Aid to Civil Community (MACC), Military Aid to Other Government Departments (MAGD) and regulations in response to an emergency. In addition, the policy will explain the National Security Architecture within which MACA operations are conducted.

Standing Military Commitments

4. There are a number of Standing Military Commitments defined under previous MACP policy that require military support. These include:
 - a. Support to the SLP to police the Land border.
 - b. Support to the Joint Maritime authority and its agencies.
 - c. Explosive Ordnance Disposal (EOD) and Improvised Explosive Device Disposal (IEDD).
 - d. Support to the SLP at the key point deployments (Presidential Lodge etc)
 - e. Employment of Forces Intelligence Security Unit (FISU) and H-Troop² in advanced intelligence collection and analysis.

¹ The ability of the community services, or infrastructure, to withstand the consequences of an incident. It should be noted that in military terminology resilience is defined as, 'the degree to which people and capabilities will be able to withstand, or recover quickly from, difficult situations.

² H-Troop is a military organisation involved in electronic gathering of information.

Purpose

5. This policy informs a broad civil and military readership and, therefore, avoids overuse of military language and terminology. Its purpose is to provide:
 - a. guidance on the nature, planning, Command and Control (C2) and conduct of MACA operations.
 - b. an overview of Sierra Leone's national security architecture regarding the management of emergencies.
 - c. an outline of the different types of MACA operations and some of the planning considerations needed before deploying troops.

CHAPTER 1 – THE CONTEXT FOR MILITARY OPERATIONS IN THE REPUBLIC OF SIERRA LEONE

INTRODUCTION

Strategic Background

101. The Government of Sierra Leone (GoSL) is committed to, and continually improving the country's ability to respond to disruptive challenges at national, regional and local levels. The National Security and Central Intelligence Act (NaSCIA 2002) provides the core framework for civil protection;³ it defines the security architecture around which responders, prepare for emergencies. The National Security Council has overall Ministerial responsibility for the safety and security of the population within Sierra Leone and, therefore, is responsible for emergency preparedness and response. Ministers in Lead Government Departments (LGD) are responsible for contingency planning and response within their specific areas.

102. Not all emergencies are foreseeable, but for those that are, the Government's aim is to identify and mitigate risk well in advance. Horizon scanning and national threat and associated risk assessments seek to identify future disruptive challenges in order to prioritise risks, ensure preparedness and inform capability investment. The Government's capability programme seeks to ensure that a robust infrastructure and response mechanism are in place to contain and deal rapidly, effectively and flexibly with the consequences of disruptive activity. The programme includes all elements required in any response to an emergency, such as planning, equipment, people, training and logistics.

103. The overall objective, at all levels of government, is to enhance resilience through the application of an agreed understanding toward MACA. The National Security Council Coordinating Group (NSCCG) provides the central focus for cross-Government Department (including the Ministry of Defence (MOD)) and inter-agency coordination that enables Sierra Leone to deal effectively with disruptive challenges and crises.

Legal Context for MACA

104. All military operations should be conducted within the scope of the law, both civil and military. Criminal proceedings or civil punitive damages/compensation will be relevant where Government agents act outside the scope of the law. The Legal authority for MACA is given in the following:

- a. **Sierra Leone Constitution 1991.** The constitution states:
 - i. Section 29 of the constitution gives the President⁴ the power to declare a state of emergency to quell either an armed insurrection or to

³ Preparedness to deal with a wide range of emergencies from localised environmental disaster, to terrorist attack.

⁴ This should be interpreted as President, or, agents delegated to represent his authority, namely the NSC and NSCCG. See National Security and Central Intelligence Act 2002.

mitigate the effects of natural disasters on the population and the environment.

ii. Section 165(2) obligates the Republic of Sierra Leone Armed Forces to guard and secure the Republic of Sierra Leone and preserve the safety and territorial integrity of the State.

iii. Section 168(2) states that the Chief of Defence Staff under the control or directives of the Defence Council shall be responsible for the operational control and administration of the Armed forces as a whole.

b. **The National Security and Central Intelligence Act 2002.** Section 39(1) of this Act states that National Security Council may, by Statutory Instrument, make such regulations as it considers necessary for the effective implementation of the said Act.

c. **Police Act 1964.** Section 3 of the Police Act allows MACA utilisation in public emergencies. In addition, section 158(1) states that the Police Council shall advise the President on all major matters of policy relating, inter alia, to internal security, including the role of the Police Force and any other matters as the President shall require.

d. **Defence White Paper.** The Defence White Paper makes room for MACA to be undertaken by the RSLAF through the following conditions:

i. Para 4001 states that the primary task of the RSLAF is to defend Sierra Leone's territorial integrity against external aggressors.

ii. Para 4002 states that the RSLAF may undertake internal security duties when Ministers have given explicit authorisation, normally in response to a request from the civilian Police, and invariably acting under Police primacy and control.⁵

National Response Overview

105. The first response to most emergencies will usually be provided by the local emergency services and authorities. Where local services find that the scale, duration, impact or nature of events places the situation beyond their capacity; then recourse is usually to the NSC through the NSCCG to consider assistance and the designation of a Lead Government Department (LGD). With the guidance of the NSCCG, the LGD must set out arrangements whereby Central Government will be kept abreast of information from local agencies and be in a position to respond as appropriate. The NSC must designate which Government Department will fulfil the function of LGD in any particular situation. The term LGD does not imply that Central Government will always assume responsibility for responding to an incident or emergency; however, in situations that require direct

⁵ The police will have primacy but will not over ride the constitutional Act (Sect 168(2) that CDS will retain operational command of the Armed Forces at all times.

involvement (as an example, terrorist attack) or if there is no alternative (local responses are overwhelmed) central responsibility will be assumed. As Defence is the responsibility of Central Government, the potential or actual involvement of the Armed Forces has to come from at least some form of engagement with Central Government, albeit through the NSC.

National level State Security State Classification

106. It is important to classify 'levels' of Security Situation clearly so that all of the offices dealing with a situation can gauge the importance (and most important the degree of urgency required) of the prevailing security climate. The classifications made are as follows:

- a. **Level One.** A Level One security situation is the norm within the country. The JCC and JIC will operate as usual. The NSCCG will continue to meet fortnightly and the NSC monthly. Under a Level One caveat there is no known threat to national security.
- b. **Level Two.** A security situation is assigned as Level Two when the National Security Coordinator (NSCoord) calls an emergency and expanded NSCCG (E² NSCCG) meeting. Only the NSCoord or a delegated officer in his absence can classify a security situation as Level Two. Under the Level Two caveat, there is a growing and potential threat to national security.
- c. **Level Three.** This is the highest level of security situation and is designated when the President calls an emergency and expanded NSC (E² NSC). Only the President, or Vice President (VP) (or a designated Minister in the absence of the President and the VP) can classify a security situation as Level Three. Under the Level Three caveat there is an immediate and significant threat to the national security.

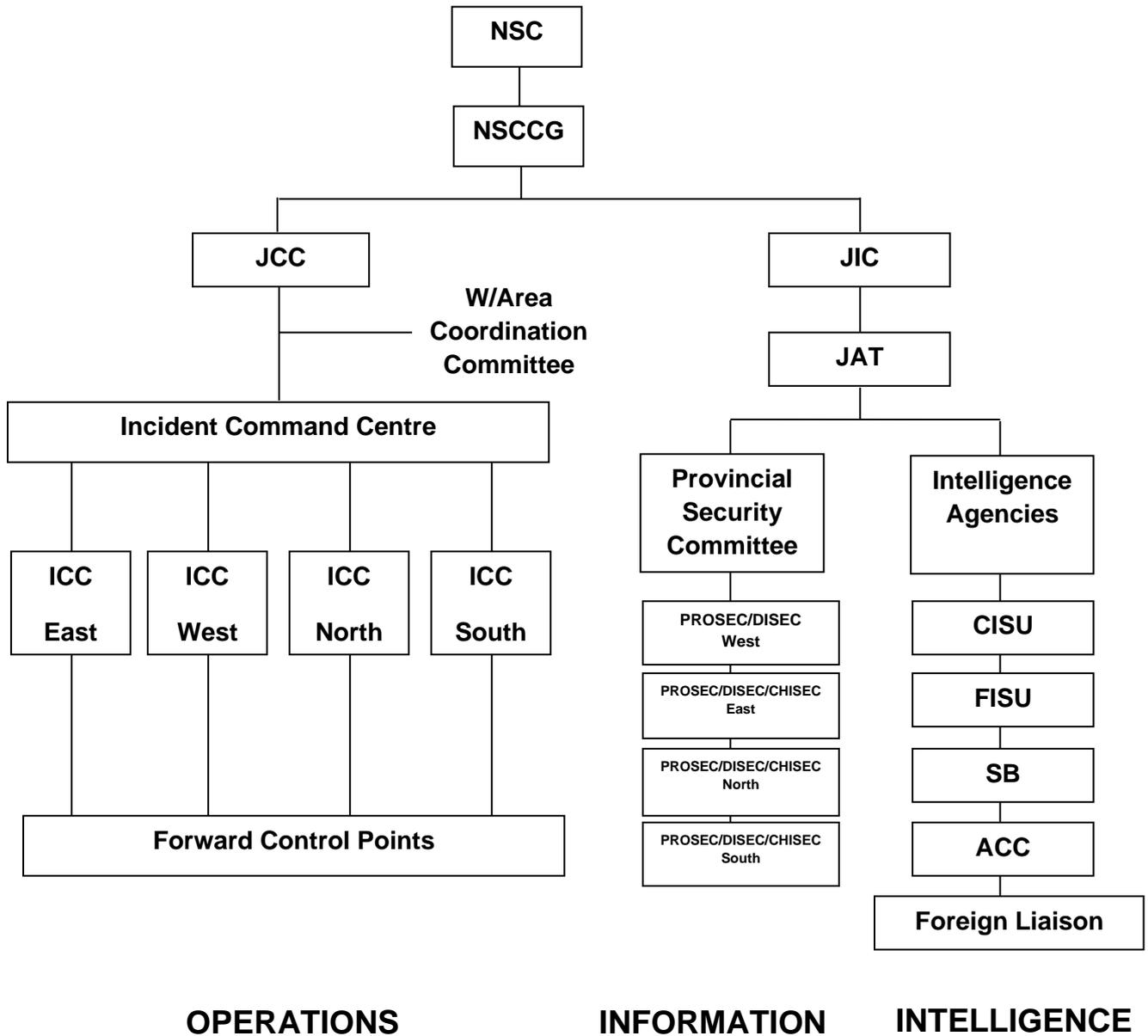
National Coordination

107. A cross-Government response is enabled by the NSC, who in turn will task the NSCCG to be convened to initiate the first response and designate the LGD. Membership of the NSCCG will be determined by the nature of the emergency and the response required from Central Government. It may be appropriate that once the LGD has been established the chair of the NSCCG must be passed onto the LGD to coordinate the response.

Command and Management of MACA

108. The need for a hierarchy of command is recognised by the civil authorities, but does not necessarily imply a formal chain of command between Central Government and local agencies. A core principle of the Police command chain, for instance, is that the Police are operationally independent of Government (a position diametrically opposite to the position of the Armed Forces for whom an operation must be approved by the Defence Minister). There are in practice, however, well-exercised procedures for the control of incidents at both local and regional levels. These procedures will vary between agencies and therefore a multi-agency response to an emergency will require the integration of discrete command structures with different characteristics. The security architecture of Sierra Leone is outlined below.

NATIONAL SECURITY ARCHITECTURE



National Security Council (NSC)

109. **Overview.** The National Security and Central Intelligence Act 2002 (NaSCIA 2002) under Section 4(1) established the National Security Council (NSC) to provide the highest forum for the consideration and determination of matters relating to the security of Sierra Leone. An additional mandate of the NSC is to establish “such committees as it considers necessary for the better discharge of its function”. This has resulted in the establishment of the following subcommittees:

- The National Security Council Coordinating Group (NSCCG)
- The Strategic Situation Group (SSG)
- The Joint Intelligence Committee (JIC)
- The Joint Coordination Centre (JCC)
- Provincial Security Committees (PROSECs)

- District Security Committees (DISECs)
- Transnational Organised Crime Unit (TOCU)

110. **Membership.** The NaSCIA 2002 also provides, under Section 17, for the secretariat of the NSC known as the Office of National Security (ONS) headed by the NSCoord. The NSC standard membership is as follows:

- | | |
|---|-----------------|
| • The President | Chairman |
| • The Vice President | Deputy Chairman |
| • The Minister of Finance | |
| • The Minister of Foreign Affairs and International Cooperation | |
| • The Attorney General and Minister of Justice | |
| • The Minister of Internal Affairs | |
| • The Minister of Information and Communication | |
| • The Minister of Local Government and Rural Development | |
| • The Minister of Defence | |
| • The Minister of Agriculture, Forestry and Food Security | |
| • The Minister of Social Welfare, Gender and Children's Affairs | |
| • The Secretary to the President | |
| • The National Security Coordinator | |
| • The Inspector General of Police | |
| • The Chief of Defence Staff | |
| • Head Strategic Situation Group (SSG) | Secretary |

111. The standard membership of the NSC can be complemented by other Ministers of State, or any relevant party, should the Chairman believe that the presence of that office would assist in determining security policy in a particular area. This is likely to be more pertinent in times of a Level Three security situation. Ministers will attend the NSC with their principal advisors. These advisors are the de-facto NSCCG members for that particular Ministry.

112. The NSC, as the highest forum for the consideration of National Security matters, provides the policy that directs all activities relating to the prevention, mitigation and response to all threats to Sierra Leone's national security. It receives technical support by way of analysis, estimations, options and recommendations from the NSCCG.

The National Security Council Coordinating Group (NSCCG)

113. **Overview.** The NSCCG provides the forum for the heads of the primary Security Sector institutions (ONS, SLP & MOD/RSLAF) to deliberate on security issues either as directed by the NSC or as demanded by intelligence input and/ or by the security situation. The output of the NSCCG is security direction to the Security Sector and Intelligence Agencies, or security advice to the President and the NSC. The specific mandate of the group is drawn from the responsibilities of the NSCoord. This allows for the ONS to benefit from the opinions of experts such as from the SLP and the RSLAF. In addition to the pool of military, security and intelligence advisers, in formulating assessments and then advising the NSC on recommended action/s.

114. **Membership.** Standard membership of the NSCCG is as follows:

- The National Security Coordinator
- The Inspector General of Police

- The Chief of Defence Staff
- The Assistant Inspector General of Police, Operations (AIG Ops)
- The Joint Force Commander, RSLAF (JFC)
- The Head of Strategic Situation Group
- Director, Joint Assessment Team (JAT) Secretary

115. The standard membership of the NSCCG can be complemented further by Senior Civil Servants of other Ministries and agencies, or any relevant party, should the Chairman believe that the presence of that office would assist in determining security priorities and direction in a particular area. This is likely to be more pertinent in times of Level Two and Level Three security situations. When the NSCCG is expanded in crises it would be known as the Emergency Expanded NSCCG (E²NSCCG). E²NSCCG members are the de-facto staff support officers for the relevant Ministers and should attend NSC as the Ministers' principal advisors. In this way NSCCG deliberations allow members to represent the view of their principals and acts as an advance warning for policy and direction flowing from the NSC.

The Joint Intelligence Committee (JIC)

116. **Overview.** Section 5 of NaSCIA 2002 provides for the establishment of a Joint Intelligence Committee (JIC) on which representatives of all the Security Sector shall sit. Under Sub-sections 2 and 3 of this Section, the JIC is mandated to approve assessments of intelligence received from the Security Sector and other related open source information which is then processed by the Joint Assessment Team (JAT) and those assessments approved by the JIC shall be forwarded by the NSCoord to the members of the NSC and NSCCG and to other Ministers and officials as appropriate.

117. **Membership.** The standard membership of the JIC is as follows:

- The National Security Coordinator (NSCoord) Chairman
- Director-General, Central Intelligence and Security Unit (CISU)
- Director of Joint Assessment Team (JAT) Secretary
- Director, Defence Intelligence and Security (Ministry of Defence)
- Head of Special Branch (SB)
- Head of Research, Anti-Corruption Commission (ACC)
- Officer Commanding, Forces Intelligence Security Unit (FISU)
- Director, Provincial and Border Security, ONS
- Head, Integrated Intelligence Services, SLP
- Desk Officers of (JAT) would be in attendance up to the time assessments and security updates are discussed

118. The JIC provides the forum, for the Heads of the primary intelligence institutions to deliberate on intelligence and information (I²) which impacts upon the security of the country. It assesses the veracity of the I² it has received and either directs that more intelligence is gathered by the agencies which could include directing the JAT to consolidate the I² into a formal paper which would then be delivered to the NSC or NSCCG and /or briefs the NSC or NSCCG as appropriate.

119. **Process and Timing.** The standard JIC meets weekly. As well as individual Intelligence Heads bringing I² to the weekly meeting, the JIC is primarily served by the JAT⁶

⁶ The JAT is an ONS run organization responsible for the collection, collation and analysis of intelligence and information.

which produces a weekly assessment. This is circulated to all heads of the Intelligence Services ahead of the JIC meetings.

120. **Outline Responsibilities of the JAT.** The JAT receives intelligence reports from all their intelligence agencies (central Intelligence and Security Unit (CISU), Special Branch (SB) Force Intelligence & Security Unit (FISU), Anti Corruption Commission (ACC) and other Open Sources. These reports are all collated and analysed to produce an assessment of an issue and/or situation, detailing the most likely and worst case scenarios (and presenting options and offering recommendations when appropriate) for the JIC. The JIC endorsed assessments are forwarded to the Strategic Situation Group. They may also be forwarded to NSCCG and NSC members as necessary as forward warning for their consideration.

The Joint Coordination Centre (JCC)

121. **Overview.** The Joint Coordination Centre (JCC) is primarily a police-led committee providing the operational counterpart of the JIC. The JIC is chaired by the Assistant Inspector General of Police responsible for Police Operations (AIG Ops).

122. **Membership.** Standard membership of the JCC is as follows:

- The Assistant Inspector General of Police, Operations (AIG Ops) Chairman
- The Director of the Operation Support Division (D OSD) Dep Chairman
- The Regional Police Commander, Western Area (Reg Pol West)
- The Chief Superintendent Operations (Ch Supt Ops)
- Representative from the Office of National Security (preferably Secretary of JIC)
- The Chief of Operations, Joint Force Headquarters (COO JFHQ)
- The Provost Marshal/Commanding Officer, Joint Provost Unit (PM/CO JPU)
- The Staff officer 2 Operations, Joint Force Headquarters (SO2 Ops JFHQ)
- The Chief of Operations, Correctional Services
- The Operations Officer, Joint Coordination Centre (Ops JCC) Secretary

123. **Outline Responsibility of the JCC.** The JCC works at the operational level of command. It plans and coordinates joint SLP and RSLAF operations on the direction given by the NSCCG. The JCC also provides operational level command and control for national level security incidents.

124. **Process and Timing.** The JCC is the National Operational Planning and Coordination centre. The JCC works at two levels. The Joint Coordination Committee level 1 (JCC1) is Police led, chaired by AIG, Ops and normally meets weekly. During operations and incidents, when the JCC is fully activated, it will meet two or three times a day to direct and coordinate the work of the Level 2. The Joint Coordination Centre level 2 (JCC2), is also Police led and chaired by the AIG Ops and normally meets weekly, but when fully activated operates on a permanent 24 hour basis. It is staffed by the Police GOLD Operations Team⁷ and SO2 liaison officers from the RSLAF and other security agencies. Unless dealing with a major country wide armed insurgency, or threat to the country's international borders, the SLP will always take the lead in the JCC. However, planning is undertaken collectively in the full knowledge of the capabilities and limitations of all of the organisations represented. Once planning is completed and the Chairman has issued unambiguous written directions, separate operation orders and directions will be delivered by heads of Service and Ministries

⁷ See Para 501 (b)

as appropriate. If time permits, the JCC will prepare joint contingency plans and joint operational orders

127. **Incident Command Centres.** At the Provincial level, the Incident Command Centres (ICCs) operate at the Regional Command level and receive their directions from the JCC. They are activated only when there is a major operation or major incident to command. They do not meet on a regular basis, but when activated operate on a permanent 24 hour basis as necessary. The ICCs are police-led and based at the Regional Police Headquarters of each province – North, South east, and West. The ICCs are chaired by the Regional Police Commanders and include the Police SILVER Command Teams and representatives from the RSLAF (usually the Brigade Commander) and the Provincial Security Coordinator, ONS. Members are also drawn from other security sector agencies as appropriate. An ICC will command any number of Forward Control Points in its Region.

128. **Forward Control Points.** The Forward Control Points (FCPs) are the Police-led Divisional Tactical level grouping, to which the detailed tactics to be employed are determined, and control of the forces and agencies on the ground at the scene of the operation or incident is exercised. The FCP is commanded by the Police Divisional Commander and supported by the Police BRONZE Command Team and the RSLAF Battalion Commander and his Command Team. Any number of FCPs can be commanded by an ICC depending on the extent of the operation or incident.

Provincial and District Security Committees (PROSECs and DISECs)

129. **Overview.** Provincial Security Committees (PROSECs) and District Security Committee (DISECs) are the key regional fora that bring together primary security players, local government administrators, civil society representatives and traditional leaders to encourage and foster the participation of the local community in dealing with security as it affects their areas. They are, however, non-executive. PROSECs and DISECs are run by the ONS who provide the Secretariat to each of these committees to ensure they focus on security-relevant issues. Sub sections 8(b) of the NaSCIA 2002 mandates the Provincial and District Security Committees to “provide early warning to the Government of the existence or likelihood of any security threat to the province/district (respectively), to the country or to the Government.”

130. **Membership.** Standard membership of a PROSEC and a DISEC is as follows:

a. **PROSEC**

- The Resident Minister Chairman
- The Provincial Secretary Dep Chairman
- The Chairman of the Local Council
- Senior District Officer (SDO)
- Regional Police Commissioner (SLP)
- Brigade Commander (RSLAF)
- Two persons nominated by the Chairman in consultation with other PROSEC members
- The Provincial Security Coordinator (ONS) Secretary

b.

DISEC

- District Officer (DO) Chairman
- Chief Administrator
- Chairman District Council
- Local Unit Commander – Sierra Leone Police (SLP)
- Battalion Commander
- Two persons nominated by the Chairman in collaboration with DISEC members
- The District Security Coordinator (ONS) Secretary

131. **Outline Responsibility of PROSECs and DISECs.** PROSECs and DISECs provide the opportunity for local security issues to be aired before they get out of control. They also provide members with a conduit to the NSCCG (and ultimately the NSC). They can recommend action from attendees, but they do not have executive powers to undertake operations. However, in special situations, like border/community involvement in security, disaster management at the district/provincial level, PROSECs and DISECs constitute the core around which the implementing team/group is formed. In such circumstances therefore these committees in collaboration with key stakeholders (Red Cross, Health, Fire Service etc) coordinate the implementation/response as directed by the NSCCG. In addition, they monitor and report security activity through the ONS chain of command.

132. **Process and Timing.** PROSECs and DISECs meet fortnightly and weekly respectively. In addition, an emergency session of either committee can be called as agreed by their members to discuss immediate security issues. DISECs forward their reports through their respective PROSECs and onto the ONS Headquarters. PROSECs forward their reports to the NSCCG through ONS.

CHAPTER 2 – OPERATIONS IN SUPPORT OF MILITARY AID TO THE CIVIL AUTHORITIES (MACA)

Defence Aim

201. The Defence strategic aim is 'To deliver security for the people of Sierra Leone by defending them, including against terrorism, and to act as a force for good by strengthening international peace and security'. Within Sierra Leone, the MOD contributes to security through the application of specific Defence capabilities in support of the civil authorities, so called 'Standing Commitments'.

Standing Military Commitments

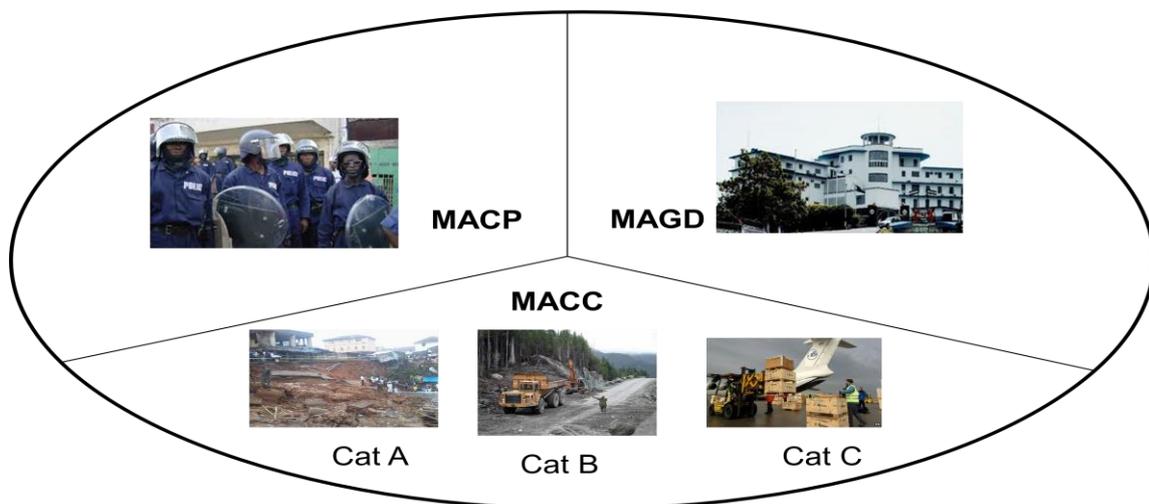
202. The Defence aim and Standing Commitments provide a framework on which the MOD bases its detailed planning for the size, shape and capability development of the Armed Forces. They reflect the full range of operations that Defence expects to undertake. Defence activities undertaken in Sierra Leone fall under the heading of MACA and involve a multi-agency approach, controlled by the NSCCG.

203. This Chapter provides detailed information on the subdivisions of MACA and some of the planning considerations needed in the execution of MACA.

SECTION I – MILITARY AID TO THE CIVIL AUTHORITIES

204. **Introduction.** Military operations in Sierra Leone in support of other agencies or Governmental departments are placed under the overarching title of MACA. MACA is subdivided into three: Military Aid to other Government Departments (MAGD), Military Aid to the Civil Power (MACP) and Military Aid to the Civil Community (MACC). These operations are distinct from one another legally and politically, as well as in terms of military implications.

Military Aid to the Civil Authority



205. The provision of MACA is guided by 3 criteria:

- a. Military aid should always be the last resort. The use of mutual aid, other agencies, and the private sector must be otherwise considered as insufficient or be unsuitable.
- b. The Civil Authority lacks the required level of capability to fulfil the task and it is unreasonable or prohibitively expensive to expect it to develop one.
- c. The Civil Authority has a capability, but the need to act is urgent and it lacks readily available resources.

SECTION 2 – MILITARY AID TO OTHER GOVERNMENT DEPARTMENTS (MAGD)

206. **Introduction.** Military Aid to other Government Departments (MAGD) is assistance provided by the Armed Forces on urgent work of national importance, or in maintaining supplies and services essential to the life, health and safety of the community.

207. The provision of MAGD requires the use of emergency powers and can only be undertaken with the explicit authorisation of Ministers and the National Security Council (NSC) in response to a specific request from the appropriate Lead Government Department (LGD). The MOD has capabilities that can be utilised for MAGD operations, but time for training and possible equipment procurement may be required. Careful planning and sufficient lead time are a key requirement for successful MAGD operations.

Principles

208. The principles under which MAGD is authorised are:

- a. Service personnel are used only as a last resort; other options such as the use of managers and supervisors or private contractors should be pursued first.
- b. The Armed Forces do not train for MAGD tasks. Training can be given after a request for assistance has been authorised by the NSC.
- c. The Armed Forces have to be assessed as capable of fulfilling the task required.
- d. In considering the authorisation of a MAGD task, the NSC must consider the second order effect on other military operations.
- e. MAGD is sensitive and, therefore discussed on a limited distribution.
- f. MAGD is coordinated at the national level in response to a request from OGDs.
- g. Service personnel may only deploy armed in exceptional circumstances and act under the military chain of command at all times.

Planning Timelines

209. The formal warning time for MAGD deployments will vary:

a. For disease related emergencies, there is likely to be a period when the scale of the emergency is being quantified before a request for assistance is made. This period may offer an opportunity for contingency planning and possibly some training.

b. In the case of industrial disputes, warning may be as little as 7 days as a result of political and industrial sensitivities. However, the LGD is likely to be aware of the threat of strike action in advance. For civil industrial disputes (prisons, energy, water etc), the requesting Government department would formally seek MOD's assistance through the NSC/NSCCG once it is clear industrial action is inevitable. The MOD would then commence preparations as soon as the NSC's directive has been given.

Industrial Disputes

210. The deployment of Service personnel for the maintenance of essential supplies⁸ and/or services could easily be perceived as 'strike breaking', especially in a long-running dispute. Passions can run high, and it is important that the deployment of service personnel does not exacerbate a situation, reinforcing the point that deployment should only be in extremis. The Police are responsible for the protection of persons and property and for the maintenance of law and order. Consequently:

a. If threatened or attacked, Service personnel should seek police assistance in the first instance.

b. If Service personnel are confronted by pickets, they should act on the advice given by the Police.

c. In the event that no Police are present, Service personnel are to withdraw from situations that would result in injury to themselves or others, or damage to equipment placed in their charge, pending the arrival of police assistance.

d. Service personnel should not be authorised to conduct any form of law enforcement activity, including that related to public order duties, as part of MAGD.

e. If Service personnel are attacked unexpectedly, and police protection proves inadequate, they would be entitled to use minimum reasonable force in self-defence with a view to extricating themselves.

Presentation

211. MAGD deployments are politically sensitive and potentially controversial. It is therefore essential for the LGD to deal with the media and manage public expectation. However, when assistance is provided at the national level, a media handling strategy will be necessary and should be controlled by the NSCCG. Comments on industrial disputes are to be avoided by the military. Publicity should not normally be actively sought and media enquiries should be directed to the NSCCG or LGD.

⁸ This might include power supply, water distribution, prison management, port/airport control, even fuel distribution if the need was deemed critical to maintaining services essential to life, health and safety of the public.

Training

212. In some cases, the provision of MAGD support requires special training in skills not normally found within the Armed Forces⁹. The allocation and training of appropriate force elements required to undertake temporary tasking may result in a delay to the deployment. Therefore, MAGD support requests must be made well in advance of the requirement to allow appropriate training to take place.

213. Any special training will be designed to enable Armed Forces personnel to provide a basic capability that temporarily replaces or augments a specific civilian capability. In the case of support provided during industrial disputes, it also ensures that military forces' support is designed to focus on the protection of life, rather than contributing to a particular outcome of the dispute.

214. The existence of a contingency plan does not imply any guarantee that resources can be made available, or that training has taken place or will take place. Decisions to undertake training and to deploy armed forces support are taken on a case by case basis.

Legal Authority

215. The Attorney General is responsible to the NSC for ensuring that all actions recommended by the NSC and subsequently undertaken by the intelligence agencies and Security Services are legal.

SECTION 3 – MILITARY AID TO THE CIVIL POWER

216. **Introduction.** Military Aid to the Civil Power (MACP) is the provision of military assistance (armed if appropriate) to the Civil Power in its maintenance of law, order and public safety, using specialist capabilities or equipment, in situations beyond the capability of the Civil Power¹⁰. This will include support in the Counter Terrorism role.

217. MACP is initiated by the Civil Power informing the NSCoord of a situation requiring Ministry of Defence's (MOD) assistance and articulating the effect they wish to achieve. The normal route for MACP to be initiated is through the NSC and the MOD which will determine how best the request should be met and how to achieve the desired effect. In general, assistance may take the form of advice, or the conduct of specific activities, but will always be subject to availability of forces, unless it is a niche capability. The use of Service personnel in MACP is again a sensitive subject and the NSCCG will be intimately involved in the control of such operations.

Presentational Issues and Aspects

218. Given that MACP tasks are undertaken in support of the police operations and investigations, public presentation of these operations and investigations will be subject to legal and operational security restrictions. As a result, most MACP support receives no publicity. Exceptions are made only with the agreement of the Police or the NSCCG.

219. Armed Forces personnel may be required to give written or oral evidence in court because of their involvement in police or civil power operations and therefore, commanders should be alert to the need for accurate record keeping. Under exceptional circumstances,

⁹ Examples may include support to the Fire Service, disease management, disaster relief, support to prisons etc

¹⁰ A Civil Power is a civil authority that has constitutional or statutory responsibility for the maintenance of law and order.

when either the safety of an individual or the security of operational capability might be compromised, the MOD will request the Police or other civil power representatives to take suitable protective measures.

MOD Authorisation

220. Units should not, except in the most exceptional circumstances, give assistance to the Civil Power without prior ministerial authorisation, obtained through the NSC. Units that receive requests for assistance should ask the Civil Power to route its request to NSCCG and then to the MOD. The ONS acts as the facilitator for all issues affecting armed forces' support to the Police. Police forces must apply for MACP support via the NSC, rather than direct to the MOD.

221. There are only 2 occasions on which Service personnel may be deployed to assist a Civil Power, when such a deployment has not received the prior approval of the NSCCG and MOD. These are:

- a. Deployment under Military Assistance to the Civil Community (MACC) Category A – See Chapter 2, Section 4.
- b. Routine MACP deployments covered by standing ministerial approval, where the authority to deploy has been delegated to a military commander, such as Explosive Ordnance Disposal (EOD) and Search and Rescue (SAR) operations. The majority of such military commitments are articulated as Standing Military Commitments (see para 4).

Command

222. **MOD.** The NSCCG has responsibility for MOD MACP policy and the conduct of MACP operations. The command of a MACP operation will be via the Joint Coordination Centre (JCC) which will manage the deployment of troops at the operational level. Direction and level of response will be articulated to the JCC by the NSC(CG) through the ONS NSCoord, with authority to deploy troops being granted by the NSC. Command of troops will remain with the military.

223. **Command Relationships.** Overall responsibility for the resolution of criminal and terrorist incidents lies with the Police, and the direction of operations at the scene will rest with the Police Commander. Service personnel deployed under MACP arrangements will take direction from the senior police officer dealing with the operation, irrespective of rank, to enable the delivery of authorised effect. However, command and tactical control of Service personnel will remain with a military commander.

Rules of Engagement

224. The Rules of Engagement (ROE) are outlined in Appendix 1 to Chapter 2. These form the agreed legal basis and can be adjusted with Ministerial approval should the situation require it. The ROE must be explained in detail to all those deploying on a MACP operation at the onset.

SECTION 4 – MILITARY AID TO THE CIVIL COMMUNITY

INTRODUCTION

225. Military Aid to the Civil Community (MACC) is the provision of unarmed military assistance that is categorised as:

- a. **Category A.** Emergency assistance to the civil authorities in times of emergency such as natural disasters or major emergencies.
- b. **Category B.** Routine assistance for special projects or events of significant value to the civil community.
- c. **Category C.** Attachment of volunteers to appropriate organisations.

226. The responsibility, both operational and financial, for dealing with civil emergencies and with projects to benefit the civil community, lies with the civil authorities. Requests for support should come from the Governmental department to the NSCCG for consideration, which in turn may decide to task the MOD.

Principles

227. The following principles should be considered:

- Armed Forces do not maintain standing forces for MACC tasks.
- Assistance is provided on an availability basis and the Armed Forces cannot make a commitment that guarantees assistance to meet specific emergencies.
- MACC tasks must have a defined timeline.
- The use of the military during a sudden major emergency is often seen as a positive use to the Armed Forces.

228. MACC (Cat A) is the only element of MACA that, under exceptional circumstances, could be evoked without recourse to the NSC/NSCCG for authorisation, but only if time did not permit and there was an immediate threat to life.

CATEGORY A (EMERGENCY ASSISTANCE)

Context

229. When there is a civil emergency because of a natural disaster or malicious threat, responsibility for the immediate response lies with the emergency services. The NSC/NSCCG may request military assistance if they conclude civil resources are found to be locally inadequate and/or such resources are not available within a timeline that would assist in the saving of life or the alleviation of distress.

230. Exceptionally, support can be provided by individual units without reference to higher authority, under the NaSCIA 2002. This authorisation has to be caveated, notably if there is a requirement for an urgent response and only within the capacity of the local military commander.

Request Procedures

231. Requests for MACC Cat A assistance should be passed directly to the local military unit. If time allows, the request will then be passed onto the MOD and NSC/NSCCG for

consideration and authority. However, if time precludes this, the local military commander may use his judgement, but must still inform the MOD at the earliest opportunity of the action taken.

CATEGORY B (ROUTINE ASSISTANCE)

232. The Services may in some circumstances be able to provide routine assistance to civil authorities. However, Defence requirements will always take priority. In addition, assistance will only usually be given to public authorities or non-profit making organisations. The costs for the provision of troops, can, at the discretion of the MOD, be defrayed but all other costs (Materials, fuel etc) must fall to the benefactor.

233. The criteria against which all assistance requests will be assessed are:

a. **Social Value.** The task must be of social value to the community. This is clearly a matter of judgement, but in principle the broader the benefit to the community, the more likely the proposal will meet with approval. A sponsor's charitable status is not of itself sufficient reason to allow military aid; there must be other justification that will benefit the wider community.

b. **Military Training Value.** The task must represent good training value, the equivalent of which is not available, within the same costs, during routine Defence activities. Alternatively, it must provide significant public service value for Defence. Service personnel will not be used as a source of cheap labour and will be required to work as organised bodies under military command.

CATEGORY C (ATTACHMENT OF VOLUNTEERS)

234. Applications for individual volunteers to serve with appropriate organisations on schemes, which are of social benefit to the civil community, should be forwarded to the appropriate authorising HQ, from where it will then follow the normal procedure for obtaining approval for temporary attachment. Acceptance will be subject to service requirements and the suitability of the volunteer in the view of both the MOD and the organisation concerned.

235. The length of each attachment will be judged on its merits, but the attachment should not exceed a period of one year.

RULES OF ENGAGEMENTS

1. The agreed rules of engagement for any MACP operation are outlined below and are known as the 'Green Card'. This forms the basis for MACP operations and may only be adjusted with Ministerial approval. The ROE are to be briefed to all police and soldiers deployed on MACP operations. The baseline ROE is as follows:

GREEN CARD 'A'

GUIDANCE FOR THE USE OF FIREARMS BY ARMED FORCES OF SIERRA LEONE

GENERAL GUIDANCE These rules do not affect your general right to self defence:

- **Do not use more force than is necessary.**
- **Firearms must only be used as a last resort.**
- Take all possible precautions not to injure anyone other than your target.
- Your firearm must always be 'made safe'; that is no live round is to be carried in the breech, and in the case of automatic firearms the working parts are to be forward, unless you are ordered to make your firearm ready or you are about to fire.

WARNING - Warning before firing

a. A **warning** should, if practicable, be given before opening fire; it should be as loud as possible and must include an order to stop attacking and a statement that shots will be fired if the orders are not obeyed. For example:

"I am armed; stop what you are doing and stay where you are or I will fire"

("Me nar polis wit gun; lef watin u dae do now en tap ou sai u dae or ar go faya u") or words to that effect.

b. You may fire without warning in circumstances where the giving of a warning, or any delay in firing, could lead to the death or serious injury to a person whom it is your duty to protect, or to yourself, or to another member of the public or security forces.

OPENING FIRE – If you are to open fire you are to:

- First fire one or two warning shots in the air if practicable.
- Fire only aimed single shots to stop the crime.
- Fire no more rounds than necessary.

You may open fire against an armed criminal and persons if:

- (i) He is **using** or is **about to use** a firearm or any other weapon, or exploding an explosive device, and

- (ii) There is danger that you or any member of the security forces, or a person whom it is your duty to protect, may be killed or seriously injured.
- b. (i) He (or another armed criminal or person with whom he is operating) is holding a hostage captive under threat to kill the hostage, and
 - (ii) There is an immediate danger that the armed criminal(s) or person(s) will carry out or participate in carrying out the threat and there is no other way of ending the danger to the hostage.
- c. He is in the course of **placing an explosive charge** in or near any vehicle, aircraft, ship, building or installation which, if exploded, would endanger the life or cause serious injury to you or another member of the security forces, or any person whom it is your duty to protect, **and there is no other way to protect those in danger.**
- d. He has **killed** or taken part in the killing or attempted killing of any person, or has held any **hostage** captive under threat of death, and does not surrender when called upon to do so, but only if you have reason to think that he is in possession of a firearm, and if there is no other way of effecting his arrest.

NOTE:

1. Firearm includes a grenade or any other form of hand held explosive device.

CHAPTER 3 – COMMAND AND CONTROL

Military Support Request Considerations

301. The command and planning structure outlined in Para 501 is responsible for identifying the most appropriate capabilities required in order to achieve the desired effect or outcome. When considering requests for military assistance, civilian authorities and organisations should identify the desired effect or outcome. Whilst effects based terminology may not be readily appreciated across the civil authorities, the identification of an effect or desired outcome gives a request substance and, depending on the situation, availability of appropriate military assets and agreement by NSC and MOD, justifies the provision of appropriate Armed Forces support. It is, therefore, essential that Provincial, District and Chiefdom Security Committees (PROSEC, DISEC, CHISEC) provide the civil authorities with the effects required in the formulation of support requests.

Suitability of Armed Forces Support

302. When considering military assistance, it is important to bear in mind both the qualitative and the quantitative characteristics of the Armed Forces:

- a. The Armed Forces are relatively small when compared to the numbers of personnel in the emergency services and local authorities.
- b. The skills, the equipment, and the capabilities of the Armed Forces are designed for military use and focused on expeditionary operations. Both the applicability and the public impact of deploying military capabilities, skills and equipment should be taken into account when undertaking operations in Sierra Leone. Using Armed Forces personnel to undertake civil tasks may damage their ability to prepare for the tasks they are regularly asked to perform in the course of their normal duties.
- c. The Armed Forces are not designed to provide an emergency response service.
- d. The Armed Forces do not have a monopoly of equipment suitable for use in emergencies. Some relevant specialist skills and equipment within the Armed Forces often have civil counterparts and equivalents more suited to the civil environment.

Legal Considerations

303. **General.** All operations must be conducted within both civil and military law. Failure to comply with this principle may result in criminal and/or civil law proceedings being brought against individuals, or the MOD. Unlike the Police and some other civil agencies, members of the Armed Forces have no powers over and above those of the ordinary citizens. They have the same personal duty as anyone else to abide by the law at all times.

304. **Primary Legislation.** The use of the Armed Forces is governed by:
- a. The Constitution of Sierra Leone 1991.
 - b. National Security and Central Intelligence Act 2002.
 - c. Police Act of 1964.

CHAPTER 4 - FUNDING ARRANGEMENTS FOR MILITARY AID TO THE CIVIL AUTHORITIES

General

401. MACA activity is, with a few specific exceptions¹¹, not funded within the Ministry of Defence (MOD) budget and is, therefore, conducted on a repayment basis. The NSCCG shall provide from government funds and manage centrally a separate budget requirement for all MACA tasks. Costs for emergency MACA tasks will be defrayed under one of the following categories:

- a. There are 3 main charging levels that can be used:
 - i. **Full Costs.** These cover all costs, both direct and indirect, incurred in providing the assistance, and will include basic pay and allowances of the individuals involved in incurring the costs personnel involved.
 - ii. **Marginal Costs.** This involves the recovery of costs that would not otherwise have been incurred by the MOD. Marginal costs may be applicable when a task undertaken on behalf of the civil authorities¹² is also considered to be of direct benefit to MOD, or can be combined with a task or activity that the MOD would undertake on its own behalf (for example when a MACA task provides training for the Armed Forces in defence-related tasks).
 - iii. **Waived Costs.** No costs are charged to the Civil Authority in situations where life is at risk or in exceptional other circumstances. The decision to waive costs would normally be taken centrally, by the NSC and directed at the time of tasking. Many MACP tasks will fall into this area.

402. **Financial Principles.** There are 4 financial principles governing military assistance:

- a. Defence funds are granted for Defence purposes. Where work is done by the Armed Forces for other purposes, the MOD is required to secure reimbursement for the costs incurred.
- b. Defence assistance must be safeguarded against risks through appropriate insurance and indemnity arrangements.
- c. Service personnel must not be used as cheap labour or in competition with commercial firms.
- d. The basis of any financial charge may vary according to the nature of the assistance to which it relates. Adherence to the charging levels at paragraph 401 generally requires the MOD to recover the full costs of assistance provided to any

¹¹ Military Standing commitments (Para 4).

¹² Certain MACC (Cat A & B) may fall into this area.

outside body. Charging full costs avoids subsidising non-defence tasks. It also acts as a useful mechanism to limit the amount of assistance requested to the minimum necessary. However, where there is imminent danger to life (MACC C Cat A), or certain MACP operations, charges are waived.

403. **Charging Policy.** The charging policy may change from one of the charging levels to another during an operation. For instance, marginal costs may be charged in the early stages of an operation, but the charges may increase to full-costs, where the period of assistance becomes extended and starts to cause detriment to MOD's primary responsibilities. Full costs are also likely to be recovered where:

- a. There are extended or repeated calls for the same MOD support. Support for annual events will, for instance, be charged at full costs. Regular use of the same MOD resources is likely to attract full costs, even if they are being used by different civil authorities.
- b. The civil authorities are capable of making alternative arrangements (for instance through mutual aid), but have not done so.
- c. The civil authority itself charges for the service they are providing (through the military), or have an additional budget allocation for the overall task.

Approval and Cost Recovery – Responsibility and Procedures

404. Provision of MAGD and MACP support requires Ministerial approval through the NSC. The NSC can decide to reduce or waive costs should they regard it as being in the national interest¹³ to do so. The decision on the level of cost recovery is made on a case-by-case basis, taking into account the factors outlined above.

¹³ MOD will not waive costs on grounds of national security. Those aspects of national security for which the MOD has responsibility are funded within the Defence budget. A MACA request might be related to national security, but would by definition fall within the responsibilities, and therefore the budget, of the requesting Department or agency. Whilst the MOD may decide that the provision of Armed Forces' support can be agreed on grounds of national security, it should not be taken as an indication that costs will be waived in whole or in part. The circumstances under which it is in the national interest to waive costs are liable to vary, and the decision rests entirely with MOD Ministers. It is the general rule that the national interest is best served by ensuring that the Defence budget is spent on Defence.

CHAPTER 5 – OPERATIONAL MANGMENT OF A MACA TASK

The Decision making Process

501. The decision-making process is layered to ensure that decisions are made and actions undertaken by the most appropriate level of command. These levels are as follows:

- a. **Strategic Level.** The NSC and the NSCCG are the strategic level planners. These organisations formulate policy and provide broad direction. During a period of heightened tension these 2 organisations become known as **PLATINUM**.
- b. **Operational Planning and Coordination Level.** The JCC conducts operational planning and prepares contingency plans, orders/instructions and coordinates operations to implement NSC/NSCCG directions. The JIC coordinates intelligence gathering at the operational level. When coordinating a major operation or major incident the JCC/JIC combination becomes known as **GOLD**.
- c. **Regional Command Level (ICC/Brigade HQ/PREOSEC).** The incident Command Centres (ICCs) are joint SLP/RSLAF organisations brought together to deal with major security operations and major incidents with the Provincial Security Coordinator, ONS in attendance. Membership could include other PROSEC members if appropriate. ICCs provide regional level planning command and implementation of orders/directions from the JCC. These organizations also provide regional 12 for their own use as well as passing this 12 to the JIC. When commanding a regional security operation or major incident the ICC becomes known as **SILVER**.
- d. **District/Divisional Control Level (FCP/Battalion (DISEC).** The Forward Control Point (FCP) is a Police led mobile tactical control headquarters operating on the ground to control the assets deployed to the operation or incident. This is the only level that moves in order to be close enough to the incident to see what is happening but not get involved. When deployed it is known as **BRONZE**.

GLOSSARY OF TERMS

ACC	Anti Corruption Commission
AIG	Assistant Inspector General
CISU	Central Intelligence and Security Unit
DISEC	District Security Committee
E ² NSC	Emergency Expanded NSC
E ² NSCCG	Emergency Expanded NSCCG
EOD	Explosive Ordnance Disposal
FCPs	Forward Control Points
FISU	Forces Intelligence Security Unit
GoSL	Government of Sierra Leone
ICC	Incident Command Centre
JAT	Joint Assessment Team
JCC	Joint Coordination Centre
JFC	Joint Force Commander
JIC	Joint Intelligence Committee
LGD	Lead Governmental Department
MACA	Military Aid to Civil Authorities
MACC	Military Aid to Civil Community
MACP	Military Aid to Civil Power
MAGD	Military Aid to Governmental Department
MOD	Ministry of Defence
NaSCIA 2002	National Security and Central Intelligence Act 2002
NSC	National Security Council
NSCCG	National Security Council Coordinating Group
NSCoord	National Security Coordinator
ONS	Office of National Security
PROSEC	Provincial Security Committee
ROE	Rules of Engagement
RSLAF	Republic of Sierra Leone Armed Forces
SB	Special Branch
SDO	Senior District Officer
SLP	Sierra Leone Police
SSG	Strategic Situation Group
TOCU	Transnational Organised Crime Unit