



ADVOKATFIRMA
CHRISTIAN HARLANG

BILAG 105
CHRISTIAN HARLANG

899

OVERBRINGES

Østre Landsret
24. afdeling
Bredgade 59
1260 København K

14. juni 2016
J.nr. 600096
CHA/CFJ/PEH

Vedr. sagsnr. B-3448-14 -

m.fl. mod Forsvarsministeriet.

Sagsøgerne har som bilag 1B u5 fremlagt "*Post Operation Report*" fra operation Green Desert dateret 29. november 2004.

Under nærværende sag er bilaget fremlagt som bilag 1B u5. I dette bilag mangler s. 2. som hermed fremlægges som bilag 105 vedhæftet nærværende blad.

Den tekst som sagsøgerne ønsker at påberåbe sig er citeret i sagsøgers replik af 31. januar 2012, s. 23, hvilken side vedhæftes nærværende blad, idet det samtidigt bemærkes, at den forefindes i Ekstrakten s. 257.

Kopi af nærværende skrivelse er samtidig hermed fremsendt til Kammeradvokaten v/ advokat Peter Biering.

Med venlig hilsen


Christian Harlang

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forces for the outer cordon. The later would enable the ING to conduct the search and arrest op in a "protected environment". DANBN also agreed to provide MP mentoring assistance during the ING search and arrest phase. The ISF would remain responsible for arresting, searching and securing evidences. The TSU was chosen to be present at all targets in order to help the ING conduct arrests and secure evidence. DANBN set a precondition that the ING would provide the legal foundation and warrants for the op. ING Bn agreed to this. An agreement that ING/TSU troops should be available for rehearsal at SLB was also made. Furthermore it was agreed that a joint Forward Command Post (FCP) should be established in order to coordinate and control the operation.

3. FORMAL ORDERS

At 232140CNOV copies of the preliminary formal orders were issued to DANBN subunit commanders in order to allow the subunits to prepare for the following formal orders at 241000CNOV. Representatives from [REDACTED] ING Bn [REDACTED] ING Bn and TSU BASRAH were present at DANBN Hq for the formal orders. These orders were given in English and Arabic with coordination between sub unit commanders following the conclusion of the orders.

3. FINAL PREPARATIONS.

3.1. Rehearsal.

Subunit rehearsals were scheduled to occur on completion of orders. This proved to be a complicated matter as the ING and TSU were unable to provide their troops at the required time. This might well have been a result of the way in which the ING work in shifts [REDACTED]

[REDACTED] AS a consequence no rehearsal or mentoring with troops was possible prior to the operation.

3.2. War Gaming.

War gaming was conducted by Bn and Coy commanders. Sub unit commanders had some opportunity to coordinate the main parts of the plan with their counterparts, however the lack of ING platoon and section commanders prevented detailed coordination and fine adjustment of sub units plans to occur.

3.3. Final preparations.

By 241800C all preparations had been concluded and a clear and common understanding of the operation between the sub units formalized. This is worth mentioning as subsequent Bde instructions, including the Bde FRAGO (Reference a.), did not take the complicated chain of command and the problems of establishing common ground fully into consideration. Due to last minute changes DANBN was forced to become involved in the search and arrest phase itself. This hampered the division of responsibility which had been previously agreed and caused ISF commanders on the ground to question the orders they had been given. It also led to ING and TSU questioning DANBN motives for getting more involved [REDACTED]

4. EXECUTION

4.1. Forming up.

Units formed up at 250500CNOV in AAs which had been chosen by IFS so that they could be located in the dark. The movement to targets went according to plan but MNF had to guide the ISF to the tgts. The TSU were delayed by five minutes however they had

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Af *Daily Sitrep 2004-11-25* (bilag 4) fremgår det at Operation Green Dessert var en search- og arrestoperation, der blev gennemført i samarbejde mellem irakiske sikkerhedsstyrker og MNF. Planlægningen var styret af DANBAT (bilag 4).

Af *POST OPERATION REPORT - OP GREEN DESERT* (bilag 5) beskrives Operation Green Dessert som:

"This was the first large scale joint ISF/MNF operation to be planned and executed by DANBN"

Det fremgår endvidere af bilag B, at det oprindeligt blev besluttet, at DANBN skulle udføre search and arrest operationen med støtte fra ING (Iraqi National Guard). Dog således at DANBN havde eneansvaret for målene 1,2 og 4. I løbet af planlægningsprocessen blev det på grund af sparsom information, der var fremskaffet af ING imidlertid besluttet, at DANBN havde ansvaret for de ydre områder, mens ING (Iraqi National Guard) skulle udføre 'search and arrest' delen i dette beskyttede miljø (bilag 5). I sidste øjeblik blev ansvarsfordelingen som det fremgår under "3.3 Final preparations" (bilag 5) imidlertid ændret:

"Due to last minute changes DANBN was forced to become involved in the search and arrest phase itself. This hampered the division of responsibility which had been previously agreed and caused ISF (Red: Iraqi security forces) commanders on the ground to question the orders they had been given. It also led to ING and TSU questioning DANBN motives for getting more involved."

De danske styrkers aktive rolle under Operation Green Desert bekræftes af soldaterne og udtalelser gengivet i artiklen "Danske soldater deltog i Irakisk anholdelse" af Lars Halskov, bragt i Politiken d. 7. januar 2012 (bilag 6). Her har soldat der deltog i operationen forklaret:

