



GLOBAL STAR SECURITY SERVICES

YOUR SHIELD OF SECURITY

APPREHENDING PERSONS POLICY

POLICIES & PROCEDURES

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1. PREAMBLE

In all aspects of its security activities, Global Star Security Services Company (GSS) upholds lawfulness, operational discipline, and respect for human dignity. As a licensed private security company operating under the license from Ministry of Commerce & Industry and Ministry of Interior of Afghanistan, GSS recognizes that situations may arise in which its personnel need to apprehend individuals to prevent harm, secure assets, or respond to unlawful actions.

This Apprehending Persons Policy is established to ensure that all such actions are carried out in strict accordance with Afghan national law, international standards—including the International Code of Conduct for Private Security Providers (ICoCA)—and the company's rules of engagement. The policy outlines the circumstances, responsibilities, and limitations related to apprehending individuals during GSS operations.

This policy does not provide a license for arrest, detention, or interrogation; rather, it serves as a protocol for temporary, lawful, and proportionate intervention until competent legal authorities assume control. It is designed to safeguard the rights of individuals, ensure the safety of personnel, and maintain GSS's professional reputation.

2. PURPOSE

The purpose of this policy is to establish standardized, lawful, and ethical procedures for the apprehension of individuals by GSS personnel during their official duties. Apprehension is defined as a security measure used to temporarily restrain or detain a person who poses an imminent threat to safety, commits a criminal act, or violates the law in areas under GSS responsibility.

This policy ensures that all apprehensions are conducted:

- This policy guarantees that all apprehensions adhere to the national laws of Afghanistan.
- This policy ensures that all apprehensions are conducted within the boundaries of private security authority.
- This must be done with complete respect for human rights and dignity.
- We adhere to the principles of necessity, proportionality, and legality.



3. AIM

The primary aim of apprehending individuals within a security policy framework is to maintain public safety and order by preventing potential harm and ensuring compliance with the law. This process involves identifying, detaining, and potentially prosecuting individuals who pose a threat or have violated legal statutes.

Here's a more detailed breakdown:

Preventing Harm and Ensuring Safety:

- **Deterrence:** Apprehension can deter future criminal activity by demonstrating the consequences of unlawful behavior.
- **Protection of Potential Victims:** Apprehending individuals suspected of violent or harmful acts protects potential victims from harm.
- **Maintaining Public Order:** Apprehension helps maintain public order by removing individuals who disrupt peace or engage in illegal activities.

Ensuring Legal Compliance:

- **Enforcement of Laws:** Apprehension is a key mechanism for enforcing laws and ensuring individuals are held accountable for their actions.
- **Gathering Evidence:** Apprehension can facilitate the gathering of evidence related to criminal activity, aiding investigations.
- **Preventing Flight:** Apprehension can prevent individuals from fleeing justice and evading prosecution.

Due Process and Human Rights:

- **International Standards:** Apprehension, arrest, and detention are subject to due process guarantees and international human rights standards.
- **Humane Treatment:** Detained individuals must be treated humanely and with respect for their rights.
- **Limited Use of Force:** Any use of force during apprehension must be proportionate to the threat and adhere to legal and ethical guidelines.

Specific Considerations:



- **Private Security vs. Law Enforcement:** The legal basis and limitations for the use of force may differ between private security personnel and law enforcement officers.
- **Use of Force:** Any use of force must be reasonable, necessary, and proportionate to the situation.
- **Oversight and Accountability:** Mechanisms for oversight and accountability are crucial to ensure lawful and ethical apprehension practices.

4. SCOPE

This policy applies to:

- All GSS security personnel, including mobile teams, static guards, supervisors, and managers.
- All operational areas, including checkpoints, compounds, client facilities, and project sites.
- All incidents involving criminal activity, immediate threats, or unauthorized intrusions.

5. POLICY STATEMENT

Global Star Security Services Company (GSS) is committed to acting lawfully, ethically, and professionally when responding to threats or criminal behaviour during the course of its operations. In situations where quick action is needed to stop harm, protect a place, or deal with illegal activities, GSS staff may briefly hold individuals if they have good reasons to do so, following Afghan national law and the International Code of Conduct for Private Security Providers (ICoCA).

This policy establishes strict procedures to ensure that apprehensions are conducted only when necessary, using minimal and proportionate force, and always with full respect for human rights and dignity. GSS personnel are not authorized to arrest or interrogate but may take reasonable steps to secure a person until the competent authorities arrive.



All staff must follow the procedures outlined in this policy, including documentation, notification, and safe handover to lawful authorities. Violations of this policy will result in disciplinary action and may be subject to legal consequences under Afghan law.

6. DEFINITION

The following definitions are provided to ensure clarity and consistency in the interpretation and implementation of this policy:

Apprehension: The temporary and lawful physical restraint of an individual by GSS personnel to prevent imminent harm, a criminal act, or a security breach, pending transfer to the appropriate authorities.

Apprehended Person: Any individual who has been lawfully restrained by GSS personnel due to a direct threat, criminal behavior, or unauthorized access to a protected site.

Reasonable Grounds: A clear and factual basis for believing that a person is committing, has committed, or is about to commit an unlawful or dangerous act that justifies temporary restraint.

Use of Force: The application of necessary and proportionate physical effort to control or restrain an individual, in compliance with GSS's Rules of Engagement and relevant Afghan laws.

Lawful Authority: An official body or individual, such as the Afghan National Police or another competent government entity, that has the legal authority to investigate or detain individuals.

Handover: The formal process of transferring an apprehended person from GSS custody to the appropriate governmental or legal authority, along with relevant incident documentation.

Threat Assessment: The on-site evaluation of a situation to determine the risk level and whether an apprehension is necessary and justified according to GSS operational procedures.



Rules of Engagement (ROE): Internal GSS guidelines that define when and how security personnel may use force or take action during a security incident, including protocols for apprehension.

7. LAWFUL CONDITIONS FOR APPREHENSION

GSS personnel may apprehend someone **only when**:

- The individual is **caught committing or attempting a serious offense**
- The person poses an **immediate risk to life, property, or public safety**
- Law enforcement is **not available to respond immediately**
- Detaining the individual is the **only reasonable option**

8. TEMPORARY DETENTION AND ARREST

When a person or a suspect commits a crime or is suspected of committing a crime on company premises, security personnel may (depending on their mandate) be authorized to detain or arrest such a person in accordance with local laws and security policies.

Temporary Detention

Company and private security personnel are permitted to temporarily detain individuals suspected of committing a crime or offense. Detention is solely for the purpose of handing the individual over to local law enforcement. The local law enforcement agency will then determine whether to arrest or further detain the person or suspect.

Security personnel must adhere to HR guidelines when temporarily detaining suspects or individuals.

- Detention ought to be the exception rather than the rule.
- Apply the PLAN principle to the temporary detention of individuals.
- Inform the individual promptly about the reason for their detention and assure them that local law enforcement will handle the situation.
- Do not torture or punish detained individuals. Avoid using violence or threats, and do not sexually exploit or abuse them.



- Use only the minimum force necessary to detain the person. If any injuries occur during the process, ensure they receive prompt medical attention.
- Treat detained individuals with humanity and respect, as they are innocent until proven guilty. Remember, you are not a judge.
- Notify the detained person's family that local law enforcement has taken custody of them.
- Detain women separately from men and children separately from adults.
- Detainees have the right to contact their family or legal representative.
- Company and private security personnel may not use lethal weapons to detain a person unless authorized to do so.

Sources:

- United Nations, Standard Minimum Rules for the Treatment of Prisoners (1977)
- Basic Principles for the Treatment of Prisoners (1990)
- The Body of Principles for the Protection of All Persons under any form of Detention or Imprisonment was established in 1998.

Arrest

Arrest refers to the act of apprehending a person for the alleged commission of an offense or crime. Only sworn law enforcement officials have the authority to arrest a person. Typically, law enforcement officials or government security forces are empowered to lawfully arrest and detain a suspect. The purpose of an arrest is to secure the attendance of a suspected criminal at his or her trial.

Unless authorized by law, company and private security personnel are not permitted to arrest suspects. They may only temporarily detain individuals and must immediately hand them over to local law enforcement, who will then decide whether to arrest or further detain the person or suspect for a crime.

9. GUIDANCE FOR ARREST

The arrest of a person seriously limits his/her rights to liberty, dignity, and freedom of movement. This is why public security personnel (forces) who are also sworn law enforcement officers need to ensure the following rights of persons arrested. Use only the necessary force to carry out the arrest, avoiding harm or injury to the individual.



- Inform the person of the reason for their arrest and the charges against them.
- Notify the suspect of their rights, including:
 - The right to remain silent and not to admit guilt, with the understanding that silence will not be interpreted as an admission.
 - The suspect also has the right to reach out to a relative or close friend and request their visitation.
 - They also have the right to contact a legal representative and engage in confidential communication with them.
 - If they cannot afford one, they have the right to appoint a legal representative.
 - The right to be brought before a court within a reasonable timeframe and to apply for bail, as specified by the laws of the country.
 - The right to be questioned in the presence of a legal representative, unless waived.
 - If the suspect is a foreign national, they have the right to reach out to diplomatic or consular officials in their country.

Should it be necessary, please arrange for an interpreter to effectively communicate these rights.

- Please promptly notify the family, parents, or guardians of the arrested individual. Juveniles must be brought before a judge without delay to determine whether they should be released.
- Maintain a record of the arrest.
- When resistance is not apparent, use calm, polite, and disarming language during the arrest. Use strong and authoritative tones only when required.
- Carefully study the application of force concerning arrests in accordance with the laws of the country.

10. APPREHENSION PROCEDURE

Decision to Apprehend

A decision to apprehend an individual will be based on logical and legal grounds. Before proceeding with the apprehension, you must:

- Conduct a rapid risk assessment.



- Utilize verbal warnings and de-escalation techniques as a first step.
- Apply physical restraint only when absolutely necessary, ensuring the use of the minimum amount of force required.

Execution

- Identify yourself as GSS security personnel.
- If possible, inform the individual of the reason for their apprehension.
- Use only authorized restraint techniques (e.g., handcuffs, holds) as trained personnel.
- Ensure the safety of all parties involved, including the suspect and bystanders.

Immediate Reporting

- Please notify your immediate supervisor and the GSS Operations department.
- Provide details on the location, nature of the threat, and information about the apprehended individual.
- Ensure coordination with Afghan security forces or local police.

Handover

- The individual must be handed over to the Afghan National Police or another designated lawful authority within two hours.
- GSS does not have the authority to interrogate or detain individuals long-term.
- A handover record must be completed, signed by both parties, and filed.

11. DOCUMENTATION REQUIREMENTS

Every apprehension must be fully documented using the **Incident Reporting Form**, which includes:

- Time, date, and location
- Name of the person apprehended (if known)
- Detailed reason for action taken
- Names and ID numbers of involved GSS personnel
- Use of force (if any)
- Law enforcement handover confirmation



Incident reports must be submitted within **12 hours** to the Compliance Officer.

12. TRAINING AND ACCOUNTABILITY

- All GSS personnel must receive **mandatory annual training** on:
 - Apprehension vs. detention
 - De-escalation tactics
 - Lawful use of force
 - Human rights responsibilities
 - Supervisors will conduct **spot checks** and **quarterly reviews** of all apprehension cases.
 - Undergo scenario-based refresher training every 12 months.
 - Be equipped with appropriate non-lethal restraint tools.
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13. DISCIPLINARY CONSEQUENCES

Violations of this policy—such as unauthorized use of force, racial profiling, or unlawful apprehension—will result in:

- Immediate disciplinary action
 - Possible termination
 - Legal reporting (if applicable)
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14. POLICY REVIEW

This policy shall be reviewed **annually**, or immediately following an apprehension-related incident, legal change, or field audit finding.
