DETENTION OPERATIONS
UPDATE
28 FEB 06
BOTTOM LINE UP FRONT

• THIS IS A YEAR OF TRANSITION

• TRAINING AND CONSTRUCTION FOR TRANSFER OF DETAINEE OPERATIONS TO IRAQIS ON TRACK

• LEGAL ISSUES NEED RESOLUTION TO COMPLETE TRANSFER PROCESS

• DETAINEE RELEASES WILL PLAY A LARGE ROLE IN ANY RECONCILIATION PROCESS
IMPACT ON DETENTION OPERATIONS

- ADDITIONAL CAPACITY BUILT TO HOUSE DETAINEES AT CAMP BUCCA, FT SUSE

- ADDITIONAL SECURITY COMPANIES PROVIDED TO RUN FACILITIES

- PACE OF GROWTH THROUGH 2005 GENERATED BACKLOG OF COMBINED REVIEW/RELEASE BOARD AND COURT CASES
  - COMBINED REVIEW/RELEASE BOARD CONSIDERED 800 CASES PER WEEK ON AVERAGE
  - COURT CONDUCTED AN AVERAGE OF 100 CASES PER MONTH
POPULATION SUMMARY

OUR ASSESSMENT ...

~ 20% LOW RISK – NO SIGNIFICANT THREAT
~ 40% MEDIUM RISK – MODERATE THREAT
~ 40% HIGH RISK – RETAIN AS LONG AS POSSIBLE

AND RESPONSE ...

COUNTERINSURGENCY INSIDE COMPOUNDS

- DISRUPT EXTREMIST NETWORKING AND RECRUITING
- NEGATE EXTREMIST MESSAGE
- PREVENT RIOTS AND VIOLENCE

REINTEGRATION PROGRAM

- PREPARE FOR RELEASE AND REINTEGRATION INTO COMMUNITY
- ESTABLISH PROMINENT AND VISIBLE SPONSOR
- ASSIST WITH EMPLOYMENT, HOUSING, LINKAGES INTO NORMAL SOCIETY
CURRENT SITUATION

• DETENTION OPERATIONS AT A TRANSITION POINT

• TRAINING OF IRAQI GUARDS PROGRESSING – CAMP BUCCA, CAMP CROPPER, FT SUSE ON TRACK TO BE PRIMARILY IRAQI MANNED BY NOV 06

• RELEASE PROGRAM FOCUSED TO SUPPORT NATIONAL RECONCILIATION EFFORT

• REVIEW/RELEASE BOARDS INCREASING TO 4 PER WEEK – EFFORT IS KEEPING IRAQIS INVOLVED IN DETENTION AND RELEASE PROCESS

• ADDITIONAL LEGAL AUGMENTATION PROVIDED TO IMPROVE PROCESSING

• JOINT DETAINEE COMMITTEE PROCESS STARTED

• COURT PROVIDING 5 ADDITIONAL INVESTIGATIVE JUDGES
US LEGAL OBLIGATIONS

- MNF-I MAINTAINS LEGAL CUSTODY. MUST ENSURE:
  - DETAINEES ARE TREATED IN ACCORDANCE WITH GC IV
    - BASIC NECESSITIES
    - MINIMUM DUE PROCESS
    - ICRC ACCESS

- MNF-I TRANSFERS LEGAL & PHYSICAL CUSTODY, MUST ENSURE:
  - GOI WILL ADHERE TO BASIC GC IV PROTECTIONS
  - GOI HAS AUTHORITY AND CAPABILITY TO DETAIN INCLUDING DUE PROCESS PROCEDURES
  - NON-REFOULEMENT: NO PERSECUTION FOR POLITICAL OR RELIGIOUS BELIEFS

- STATUS OF MEK
  - DETERMINE STATUS AND WHO WILL ENSURE THEIR SAFETY
  - NON-REFOULEMENT
WAY AHEAD

OVER NEXT 12-18 MONTHS:

- POPULATION OF DETAINEES WILL BE
  - RELEASED THRU REVIEW BOARD OR JOINT DETAINEE COMMITTEE
  - TRIED IN COURT
  - TRANSFERRED TO PHYSICAL CUSTODY OF IRAQIS

- FACILITIES TRANSFERRED TO AND FUNDED BY IRAQIS

- LEGAL BASIS TO HOLD SECURITY DETAINEES TO BE APPROVED BY LEGISLATURE AND LEGAL CUSTODY POTENTIALLY PASSED TO IRAQIS

- SEVERAL CRITICAL STRATEGIC ISSUES MUST BE ADDRESSED TO SUPPORT TRANSITION
DETECTION STRATEGIC ISSUES

- IRAQI LEGAL BASIS TO HOLD SECURITY DETAINEE AND TRANSFER TO IRAQI CONTROL
- DECISION TO PASS PHYSICAL CUSTODY OF THE HIGH VALUE CRIMINALS (HVCS) TO THE IRAQIS
- HOW TO ADDRESS NON-REFOULMENT WITH THE INTERNATIONAL COMMUNITY
- RESOLUTION OF MEK/PMOI AT ASHRAF