MG GARDNER
Task Force 1.4a
Overview and Process
Agenda

- Legal Authority
- Mission
- Task Organization
- Responsibilities
- Policies
- Threat Assessment
- Current Operations
- Future Operations
- Battle Rhythm
- Summary
LEGAL AUTHORITY

- Geneva Convention III — Detention of POWs
- Geneva Convention IV
  - Full range of civil-military operations and authorities apply to MNF-I during the post-transfer of sovereignty period.
  - Detention of Protected Persons
  - Continuing ability and responsibility to conduct detainee operations
- UNSCR 1546/1637
  - Grants MNF-I the authority to use all means necessary to ensure the security and stability of Iraq at the invitation of its interim government.
- Coalition Provisional Authority Memorandum 3
  - 18 month time limit for holding detainees after June 30, 2004 unless Joint Detention Committee approves.

RUZAIQ MUSAFAH — UNITED COMMANDER

SECRET-REL-SOTT-FXS

3
MNF-I Detainee Operations exercises command and control over coalition detention, interrogation, and legal referral operations above division level. Coordinates Detainee Operations between the Government of Iraq (GOI), DOD, Coalition Forces, Department Of State, Inter-agency Organizations and NGO Human Rights Organizations.
<table>
<thead>
<tr>
<th>MSCs</th>
<th>Detainees Recommended for Release / Cond Rel *</th>
<th>23 Nov 06 Release R/CR</th>
<th>Available for Release**</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Inf Div / MND-Baghdad</td>
<td>14 / 15</td>
<td>14 / 0</td>
<td>15</td>
<td>29</td>
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<tr>
<td>101st Abn Div / MND-NC</td>
<td>11 / 6</td>
<td>11 / 0</td>
<td>6</td>
<td>17</td>
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<tr>
<td>II MEF / MNF-W</td>
<td>22 / 4</td>
<td>22 / 1</td>
<td>3</td>
<td>26</td>
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<tr>
<td>MNF-NW</td>
<td>4 / 5</td>
<td>4 / 0</td>
<td>5</td>
<td>9</td>
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<tr>
<td>MND-SE</td>
<td>0 / 0</td>
<td>0 / 0</td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>Totals</strong></td>
<td>51 / 30</td>
<td>51 / 1</td>
<td>29</td>
<td>81</td>
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* Detainees recommended for conditional release require a guarantor
  R = Release, CR = Conditional Release

** Detainees waiting for next scheduled release date / DOD confirmation of guarantor
BLUE font color highlighsets changes from previous day's summary
- RED BOLD: approved for conditional release, await completion from ITG

NOTE:
<table>
<thead>
<tr>
<th>JURISPRUDENCE VELOCITY</th>
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<tbody>
<tr>
<td><strong>TOTAL FILES REVIEWED</strong>:</td>
</tr>
<tr>
<td>Rec. for Unconditional Release</td>
</tr>
<tr>
<td>Rec. for Release w/ Guarantor</td>
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<tr>
<td>Rec. for Continued Internment</td>
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<tr>
<td>Scheduled for CRBB</td>
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<td>Detainees Released</td>
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</tbody>
</table>

Detainees Tried at Central Criminal Court of Iraq (to date): 1,277

- 13 convicted detainees were transferred to Hard Site on 3 July 05
- 6 convicted detainees will be transferred to Hard Site on 6 July 05
- 2 convicted detainees awaiting corrected paperwork
Note: Corps does not track "surge" capacity, with the exception of II MEF with a "surge" capacity of 2110.
<table>
<thead>
<tr>
<th>MNF-1 (Theater) Holding Facility</th>
<th>Population</th>
<th>Cap (Normal)</th>
<th>%</th>
<th>Cap (Surge)</th>
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</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>13,070</td>
<td>11,044</td>
<td>118%</td>
<td>13,436</td>
<td>57%</td>
</tr>
<tr>
<td>Camp Bucca</td>
<td>7,811</td>
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<td>7,746</td>
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<td>Compound 1 (Prison)</td>
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<tr>
<td>Compound 3 (Mili - Guard)</td>
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<td>Compound 4 (Prison - Guard)</td>
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<td>Compound 5 (Prison - Guard II)</td>
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<td>640</td>
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<td>Compound 10 (Prison - Guard II)</td>
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<td>Compound 11 (Hospital)</td>
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<td>Compound 12 <a href="GH">(Hosp) </a></td>
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<td>40%</td>
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<td>In-Transit / Transfer</td>
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<td>NA</td>
<td>NA</td>
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<td>NA</td>
<td>NA</td>
<td>NA</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>13,070</strong></td>
<td><strong>11,044</strong></td>
<td><strong>118%</strong></td>
<td><strong>13,436</strong></td>
<td><strong>57%</strong></td>
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<tr>
<td>MNF-1 (Theater) Holding Facility</td>
<td>Population</td>
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<td>%</td>
<td>Cap. (Surge)</td>
<td>%</td>
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<td>ABU GHRAIB</td>
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<td>400</td>
<td>115%</td>
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<td>182</td>
<td>71%</td>
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<td>0%</td>
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<td>34th Field Hospital</td>
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<td>0</td>
<td>0%</td>
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<tr>
<td>TOTAL:</td>
<td>17,596</td>
<td>1,652</td>
<td></td>
<td>1,452</td>
<td>84%</td>
</tr>
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</table>

| COMPOUND 1 (Construction) | 0 | 944 | 0% | 1,126 | 0% |
| COMPOUND 2 (Construction) | 0 | 944 | 0% | 1,126 | 0% |
| COMPOUND 3 (Construction) | 0 | 963 | 0% | 1,022 | 0% |
| COMPOUND 4 (Construction) | 0 | 867 | 0% | 912 | 0% |
| SHU Construction | 0 | 200 | 0% | 24 | 0% |
| COMPOUNDS UNDER RECONSTRUCTION | 155 | 165 | 84% | 160 | 84% |
Detainee Profile

- Nationality - Iraqi National (95%)
- Gender - Male (only 10 females in detention)
- Age - 20 - 40 yrs old (73%)
- Religion - Sunni (88%)
- Education - Less than high school education (76%)
- Residence - Baghdad or Al Anbar Province (71%)
- Security Risk - "Extreme" or "High Level risk" (86%)
- Length of Current Detention - Less than 6 months (48%)
Agenda

- Legal Authority
- Mission
- Task Organization
- Responsibilities
  - Policies
  - Threat Assessment
  - Current Operations
  - Future Operations
  - Battle Rythym
  - Summary
TF 1-4a Responsibilities

- Safeguard and secure all protected persons under the 3rd and 4th Geneva Convention in custody in the MNF-I detention centers and protected areas.

- Operate and focus the MNF-I Joint Interrogation & Debriefing Center (JIDC); provide high quality actionable intelligence to the warfighters.

- Streamline the MNF-I due process system and referral system of security internees and detainees to the Iraqi legal system. Help insure the Rule of Law.

- Conduct MNF-I operations to protect the MeK personnel at Camp Ashraf and lead the effort to coordinate a final disposition solution with the Iraqi Government, interagency, and NGO refugee organizations.

- Transition all facets of detainee operations to the Iraqi Government.

- Monitor Iraqi on Iraqi abuse.
- Develop and coordinate detention policy
- Operate and provide C2 for Theater Internment Facilities (TIF)
- Assess division and brigade internment facilities (DIF and BIF)
- Account for detainees
- Provide medical support to detainees
- Transfer detainees to Iraqi prison system
- Coordinate with International Committee of the Red Cross (ICRC) and Non-Governmental Organizations for inspections / assessments
- Serve as DoD single Point of Contact with Iraqi government for Detainee Operations
Interrogate & Debrief

- Operate Joint Interrogation and Debriefing Center JIDC
- Provide timely actionable intelligence
- Support Third Country National (TCN) interviews
  - Roots process
- Operate theater level Exploitation Center
- Provide direct support to Joint Interagency Task Force (JAITF)-FRE (FWD)
- Support Iraqi Interrogation Mobile Training Teams
Due Process and Refer

- Provide oversight for detainee legal matters
- Combined Review & Release Board (CRRB)
  - Reviews individuals for release
- Central Criminal Court of Iraq (CCCI)
  - Prepare MNF-I cases for the court
  - Work with Iraqi judges and court administrators
- Support Rule of Law initiatives
Page 26 redacted for the following reason:
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1.4b, 1.4d
Purpose: Promote Iraqi Sovereignty by a progressive, measured transfer of detention operations to the Iraqi Government. Task Force [1.4a] will establish the conditions for Iraqi success, enabling the Iraqi Government to continue detention of civilian internees, interrogation operations, medical healthcare and the legal process.
Concept of Transition Operations

- Four phased operation, sequenced by camp
- Conditions based plan
- Progressive, measured transfer of responsibility
- Continual Assessment
- Progress based on attainment of standards
Transition desired result

- Endstate: Iraq controlled temporary detention operations are in compliance with the rule of law. Required interrogation is linked to intelligence. Investigative and prosecutorial capabilities of the courts are sufficient to promote Iraqi domestic security.
Agenda

- Legal Authority
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KEY DETAINEE OPERATION POLICIES

- DOD Policy on TCN Detainee Policy
- MNF-I Delegation of Release of TCNs to DCG-DO
- DOD Policy on ICRC Access to DOD Detention Facilities
- OSD Policy on Assignment of ISNs
- DOD Policy on ICRC Access to Medical Records
- UN SC Resolution 1637
- Global Screening Criteria for GWOT
- MNF-I Memo 11-1 Command Policies and Procedures
- MNF-I Policy 05-02 Interrogation Policy 16 Jan 05 OSD
- Joint Publication 3-63 Detainee Operations
THREAT ASSESSMENT

- IEDS, VBIEDS, and Suicide bombers are the enemy's most effective weapons – increasingly sophisticated
- Terrorists and Foreign Fighters (T&FF) are smaller in number but most lethal
- Local insurgents are primarily remnants of Saddam regime and Baathist Party. Not well organized but numerous
- Areas outside U.S. bases remain very dangerous
- Mortars, rockets, and small arms fire (SAF) are used sporadically
- Small unit attacks possible
- Stand and fight only in the West and Northwest
- Focus on Iraqi political/legal/police/military
- Abu Ghraib receives periodic indirect and SAF. No major attack since April 05. Last mortar attack 8 Nov
Agenda

- Legal Authority
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CURRENT MAJOR OPERATIONS

- Iraqi High Tribunal Trials
- Detainee Voting
- Assessment Teams
- MOI Detainees
- Detainee Accountability
- Movements of Detainees
  - 14 Day requirement
- Detainee Releases
- Legal
- Juveniles
- High Value Detainees (HVD)
IRAQI HIGH TRIBUNAL (IHT) TRIALS

- High Value Criminals (HVCs) on trial for alleged 1983 killings of 153 Shia men in Ad Dujayl
- Trial Date: 28 NOV 05
- Location: Primary - IHT Courthouse in Baghdad
  Alternate - Camp Victory Courthouse
- TF[1.4a] and the Regime Crimes Liaison Office (RCLO) operate the Iraqi Security Operations Center (ISOC) located at IHT Courthouse building starting 26 NOV 05
- 88 TF[1.4a] personnel involved in the trials
Detainee Voting

- Mandated by new constitution
- Validates new government
- 12 Dec 2005
- At FOBs Abu Ghraib, Bucca, Suse
- Estimating 12,000 detainees given opportunity to vote
### MOI Detainees

#### Timeline:
- **Tue, 15 Nov**
  - In processed 168 Internees
  - Began Medical and Tactical Screening
- **Wed, 16 Nov**
  - JMTF investigative Team and C2 personnel arrive
  - Iraqi judges and clerks arrive
  - Judges have unsuccessful attempt to talk to Internees
  - Unable to view MOI files on Internees
  - TF [1.4] Screening continues
- **Thr, 17 Nov**
  - Began analysis and compilation of data
  - TF [1.4] Screening continues
- **Fri, 18 Nov**
  - JMTF investigative team arrives to continue interviews
  - TF [1.4] Screening continues

#### Screened
- 167 of 168 interviewed
  - (1 in hospital)

#### Age Range
- Youngest is 15
- Oldest in mid-60s
- Average is 33

#### Ethnicity
- 168 Arabs
- 1 Kurd (Sunni)
- 4 Turcoman (Sunni)

#### Nationality
- 2 Admitted to being Syrian
- 2 Suspected non-Iraqis

#### Religious Orientation
- 66% Sunni
- 23% Shia
- 1 Christian

#### Education Range
- Illiterate through PhD level

#### Military Affiliation
- 3 Former Regime (CPT, COL and BG)
- 1 admitted Badr Corps

#### Capture Details
- >50% Claim Badr Corps is responsible
- 15-20% Claim abduction by uniformed personnel
- 75% Claim abduction at checkpoints or on the street
- 7 Claim abduction by extortion/rents
- 25% Claim abduction due to supporting CF
- Hospital reports 101 of 168 shows signs of abuse or torture
CURRENT OPERATIONS

- Iraqi High Tribunal Trials
- Detainee Voting
- MOI Detainees
- Detainee Accountability
- **Movements of Detainees**
  - 14 Day requirement
- Detainee Releases
- Legal Support
- Juveniles
- High Value Detainees (HVD)
Detainees are assigned and tracked by a capture tag number until they reach the TIF. Detainees get an ISN when they are transferred to the TIF. The standard is 14 days from time of capture to transfer into the TIF. Local CF commanders, normally, can release any detainee they deem not a security threat until the detainee reaches the TIF.
MoJ Support / Prisoner Transfer

- Iraqi Prison "Hard Site" at Abu Ghraib must close if Coalition Forces are to close FOB Abu Ghraib
- Support MoJ with the movement of convicted prisoners to Baddush Prison, IVO Mosul
- 8 missions conducted to date, moved 1,200 prisoners
- Missions planned for 20, 27, and 30 Nov; will move a total of 1,650
- May require additional movements from Rusafa Prison Complex
DETAINEE MOVEMENTS

OPERATION GREYHOUND
- Time: 10-14 hours; Distance: ~400 miles
- Three day mission / Bucca - Abu - Bucca
- Advantage: Guaranteed movement of a large # of detainees, one MP BN responsible for movement
- Disadvantage: Increased wear and tear on an aging vehicle fleet, increased force protection risk

CONAIR
- Three flights (50 detainees ea)
- Mission time: 8 - 14 hrs
- Advantages: Reduced force protection risks, reduced wear and tear on vehicle fleet
- Disadvantages: flight delays & cancellations, utilizes two MP BNs to support mission

(b)(3), (b)(6)
Note: Corps does not track "surge" capacity, with the exception of II MEF with a "surge" capacity of 2110.
Release Strategy

- Releases tied to MNF-I strategy to exact a price on the insurgency
- Written guidance to the CRRB for "parole-like" release criteria (60%)
- Exclude Blacklist, AMZ, AQI, MI Hold, HVD, Pending CCCI, kidnappers, murderers
- Estimated CCCI dismissals of 35 per week
CURRENT OPERATIONS

- Iraqi High Tribunal Trials
- Detainee Voting
- MOI Detainees
- Detainee Accountability
- Movements of Detainees
  - 14 Day requirement
- **Detainee Releases**
- Legal Support
- Juveniles
- High Value Detainees (HVD)
DETAINEE RELEASE

- Scheduled every 7-14 days. #s driven
- FRAGO published 4 days in advance
- All detainees released are out-processed through Abu Ghraib (photo ID, retinal scan)
- Detainees receive a $25 stipend and new set of clothes
- Detainees released to capturing MSC

- Families are notified of release through the Iraqi media
- GOI Ministers address the large # releases, media coverage provided by Iraqi TV / Radio
- MSCs pick-up detainees at Abu Ghraib and escort them to pre-designated release points
CRRB RELEASE PROCESS

COMBINED REVIEW AND RELEASE BOARD

- 9 MEMBERS (6 x IRAQI'S — MOJ, MOI, MOHR and 3 x MNF-I — MP, MI, SJA)
- EVERY 180 DAYS, 2 BOARDS / 2 TIMES A WEEK — AVERAGING ABOUT ONCE EVERY 120 DAYS
- RELEASE, RELEASE WITH GUARANTOR, RETAIN AS SECURITY RISK
- LIST OF DETAINEES PUBLISHED TEN DAYS IN ADVANCE
- COMMANDERS MAY PROVIDE ADDITIONAL INPUT (NORMALLY DO NOT RELEASE BUT NOT ALWAYS — NEED DETAILS)
- BOARD RECOMMENDATION FORWARDED TO THE RELEASE / RETAIN AUTHORITY
  • DCG-DO — INDIVIDUAL CASE REVIEW FOR ALL MSC "DO NOT RELEASE" INPUT REQUIRED BY ARTICLE 78
- RECIDIVISM RATE = 2.24%
- MI HOLD KEEPS DETAINEE FILE FROM THE CRRB
OTHER TYPES OF RELEASES

• CCCI
  - Central Criminal Court of Iraq (CCCI) – Iraqi legal system that tries detainees where physical evidence (i.e. weapons) is present and available for a possible prosecution. Convicted detainees are transferred to the Iraqi Justice System and to the Hard Site at Abu Ghraib. Detainees who are found "Not Guilty" or whose cases are "Dismissed" are released from US custody, upon approval from the DCG-DO.

• EXPEDITED
  - File review conducted by the Magistrates Cell at Abu Ghraib. If the detainees file, which is forwarded to Abu from the BIF/DIF, lacks sufficient evidence to retain, an expedited review is conducted and present to the DCG-DO for an Expedited Release, which would bypass the CRRB and CCCI process.

• COMPASSIONATE
  - Release request submitted by the CSH to the DCG-DO due to the extremely poor health of a detainee. The release allows for the detainee to be medically ca...

• SPECIAL RELEASE
  - Release request that is usually furnished to the DCG-DO by an MSC. Many Special Release requests are submitted because the wrong person was captured by CF or the release of a particular detainee would benefit CFs in their attempt to negotiate with village or tribal leaders.
Iraqi Detainee Remains Processing Flowchart

CENTCOM Policy: DTG: 241515Z Jan 06
Suit CENTCOM Policy for Detainee Remains Movement to Dover Port Mortuary
No Iraqi remains will be flown from/to Kuwait to Dover Port Mortuary

- Natural causes
- Unknown causes
- Other causes

Iraqi Family
Will depend on the family's disposition to claim remains

Legend:
- Outbound
- Inbound

Dover Port Mortuary
(Armed Forces Medical Examiner)

Balad/APOC
MACP

Nearest MACP

Iraqi Ministry of Health

Detainee Death in Coalition Custody
04 - 10 DEC 05

SUN 04 | MON 05 | TUE 06 | WED 07 | THU 08 | FRI 09 | SAT 10

CRRB x2 | CRRB x2

JIDC - SUDANESE FIS "ROOTS" DELEGATION

Detailed Session

Approved for Release
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<th>TUE (43)</th>
<th>WED (44)</th>
<th>THU (45)</th>
<th>FRI (46)</th>
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**JIDC – SAUDI (KSA) FTS “ROTOPS” DELEGATION**
LEGAL SUPPORT

CCCI CASE SUMMARY

- THIS WEEK:
  - 16 INVESTIGATIVE HEARINGS
  - 37 TRIALS
  - 47 DETAINES TRIED

- TOTAL TO DATE:
  - 721 TRIALS (480 WITH CONVICTIONS 67%)
  - 1301 DETAINES TRIED (658 CONVICTED 51%)
LEGAL SUPPORT

CRRB
- 14 NOVEMBER: BOARDS CONSIDERED 168 FILES
- 17 NOVEMBER: BOARDS CONSIDERED 95 FILES
- NEXT CRRB: 21 NOVEMBER 2005

OUT OF 263 CASES, THE CRRB VOTED:
- 23 RELEASE UNCONDITIONALLY
- 55 RELEASE THROUGH GUARANTOR
- 185 INTERN

21,679 TOTAL:
- 4,421 RELEASED
- 7,562 GUARANTORED
- 9,696 INTERNED
CURRENT OPERATIONS

- Iraqi High Tribunal Trials
- Detainee Voting
- MOI Detainees
- Current Detainee Status
- Movements of Detainees
  - 14 Day requirement
- Detainee Releases
- Legal support
- **Juveniles**
- High Value Detainees (HVD)
CURRENT OPERATIONS

- Iraqi High Tribunal Trials
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- Legal Support
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FUTURE OPERATIONS

- Release 4-6K detainees by Feb 06
- Camp Cropper expanded to a capacity of 2280 – Feb 06
- Abu Ghraib transferred to the GOI – Feb/Mar 06
- Consolidate BIFs/DIFs as practical
- Detainee Operations transferred to the Government of Iraq (GOI) – As fast as possible; do not rush to failure
HVDSRC Process
High Value Detainee Special Review Committee

TFI 4.1 announces date for HVDSRC and identifies HVDs for review.

Intelligence and investigations communities (C2X, RCLO) conduct detailed threat and impact of release assessments on identified HVDS and submit preliminary comments to TFI 4.1.

TFI 4.1 holds review, input, consolidates preliminary recommendations and prepares for HVDSRC review.

HVDSRC meets and recommends HVDS for conditional release or continued detention.

Position papers submitted by C2 and RCLO. Embassy submits memo supporting conditional release decision.

Packets for HVDS recommended for conditional release presented to DCG-DO for approval.

NOTE: HVDS recommended for retention remain in custody and await review process are evaluated by subsequent HVDSRC.

Packets are started through C2, RCLO, CPA, USEMB, and MNF-I SJA for approval.

CDR, MNF-I requests approval for release of BL 1-55.

CDR, MNF-I approves BL 56 and higher, and notifies CDR, CENTCOM of decision.

CDR, CENTCOM approves BL 1-55.

MNF-I presents recommendation for release to the Government of Iraq (GOI) and in coordination with GOI and the USEMB develops release strategy.

Final recommendations are returned to DCG-DO for action—Cooperative effort among DCG-DO, USEMB, and GOI. Conditional release agreements/quantity forms are completed.

CDR, CENTCOM notifies the Under Secretary of Defense for Policy at least 5 days prior to a removed.

Conditional transfer of detainees are released according to release strategy.
Weekly Battle Rhythm

- Battle Update Assessment (BUA)
- Daily Staff meeting (Comprehensive on Sat)
- O&I
- JIDC, 0-6 Sunday meetings
- ROC
- MOJ
- Ballad Weekly
- Theater Internment Facilities visits every 7-10 days
- Chief of Staff meeting on Tuesdays
- Tribunal
- HVDSRCs
Summary

- Detainee population increasing
- Continue to conduct detainee operations
- Weekly - releases, trials, hearings
- Facility expansion and improvement
- Transition detainee operations to Iraqi Government over the next 12-18 months
- Coordinate disposition of MeK
- Policies facilitate operations