

AUTHORITY TO DETAIN

• DETAINEE MISSION IAW UNSCR 1546:

- - 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.
- - FULL RANGE OF CIVIL-MILITARY OPERATIONS AND AUTHORITIES LAID OUT IN THE FOURTH GENEVA CONVENTION APPLY TO MNF-I
- - CONTINUING ABILITY AND RESPONSIBILITY TO CONDUCT DETAINEE OPERATIONS IAW THE FOURTH GENEVA CONVENTION.

53

DETAINEE OPERATIONS MISSION AUTHORITIES ...

- SAFEGUARDING AND SECURING ALL PROTECTED PERSONS UNDER THE 3RD AND 4TH GENEVA CONVENTION IN CUSTODY IN THE MNF-I DETENTION CENTERS AND PROTECTED AREAS.
- OPERATION AND FOCUS OF THE MNF-I JOINT INTERROGATION & DEBRIEFING CENTER, PROVIDE HIGH QUALITY ACTIONABLE INTELLIGENCE TO THE WARFIGHTERS.
- STREAMLINING THE MNF-I DUE PROCESS SYSTEM AND REFERRAL SYSTEM OF SECURITY INTERNEES AND DETAINEES TO THE IRAQI LEGAL SYSTEM.
- CONDUCT OF MNF-I OPERATIONS TO PROTECT THE M&K PERSONNEL AT CAMP ASHRAF AND LEAD THE EFFORT TO COORDINATE A FINAL DISPOSITION SOLUTION OF THESE PERSONS WITH THE ITG, INTERAGENCY GROUPS, AND NGO REFUGEE ORGANIZATIONS.
- INTEGRATE IRAQI LEADERSHIP AND PARTNERSHIP IN ALL FACETS OF DETAINEE OPERATIONS.

... DOD'S SINGLE POINT OF CONTACT WITH THE
ITG FOR DETAINEE OPERATIONS.

SECRET REL MFC

*As part of
JMW and
...
...
72 FEB
1005*

PROCESS FOR RELEASE

- **COMBINED REVIEW AND RELEASE BOARD (CRRB)**
 - 9 MEMBERS (6 x IRAQIS — MOJ, MOL, MOHR and 3 x MNF-I — MP, MI, SJA)
 - EVERY 180 DAYS, 3 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 7B
 - RECIDIVISM RATE = 1+%
 - MI HOLD KEEPS DETAINEE FILE FROM THE CRRB

57

~~CONFIDENTIAL~~

CENTRAL CRIMINAL COURT OF IRAQ (CCCI)

- INVESTIGATIVE TASK FORCE FOCUSES ON INSURGENT CELLS
- TRIALS CONDUCTED: 140
- DEFENDANTS (MULTIPLE DEFENDANTS FOR SOME TRIALS): 250
- INVESTIGATIVE HEARINGS PENDING: 50
 - HEARINGS HAVE INCREASED FROM 5 PER WEEK IN JUL 04 TO 10 PER WEEK IN JAN 05
- SENTENCING RANGE (FOR ALL OFFENSES): 6 MOS — 30 YEARS
- AVERAGE SENTENCE: 2.57 YEARS
- OFFENSES INCLUDE:
 - PASSPORT VIOLATIONS
 - WILLFUL DESTRUCTION OF A BUILDING
 - KIDNAPPING
 - EXPLOSIVES
 - ATTEMPTS TO OVERTHROW THE GOVT
 - INCITING AN ARMED REBELLION
 - ATTACKS ON THE PUBLIC
 - MANUFACTURING
 - MURDER
- TREND: PROSECUTION OF HIGHER LEVEL INSURGENT LEADERSHIP

58

~~SECRET - REL MOF~~

WHAT TO WATCH

- **AUTHORITY TO SEGREGATE FOR INTERROGATION**
 - 7 DAYS COLONEL
 - 14 DAYS GENERAL OFFICER CAN SIGN WAIVER TO COLONEL

 - 30 DAYS GENERAL OFFICER

- **TRAINING**
 - CERTIFY INTERROGATORS
 - UNCERTIFIED CAN USE DIRECT APPROACH
 - CERTIFY GUARDS
 - USE A GUARDMOUNT TO REINFORCE TRAINING AND ROE

- **EVIDENCE / TRIAL**
 - NEED TO DEDICATE AN INVESTIGATOR ON OBJECTIVE
 - THIS NEEDS TO BE COMMANDER'S BUSINESS

INTERNAL ASSESSMENT VISITS

SCHEDULE

42 ID	1- 7 MAR 05
Tikrit	1 Mar
Remagan	1 Mar
Kirkuk	7 Mar
11 ACR (Mosul)	14 MAR 05
3 ID	18-26 MAR 05
Liberty	18 Mar
Rustamlyah	21 Mar
Union	26 Mar
3-1 AD (Taji)	26 MAR 05
11 MEF	22 MAR - 4 APR
05	
Kalsu	22 Mar
Duke	23 Mar
Ramadi	25 Mar
Al Asad	1 Apr
Al Qaim	2 Apr
Fallujah	4 Apr