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## CJTF-7 INFORMATION PAPER

SUBJECT: Detention Standards for Coalition Forces in Iraq

PURPOSE: Respond to an inquiry from Ambassador Bremer, OCPA, requesting information pertaining to Coalition detention standards.

1. IAW AR 190-8, Coalition Forces detain personnel and categorize them as Enemy Prisoners of War, Civilian Internees and Other Detainees. Since the cessation of major military combat operations declared by President Bush, EPW captures are rare while Civilian Internee captures have increased. For current OIF operations, civilian internees can be thought of as security threats to our battle space.
2. CFLCC currently maintains four primary internment facilities, the Theater Internment Facility, Camp Bucca, in Umm Qasr under control of the 800<sup>th</sup> Military Police (MP) Brigade (BDE), the Special Confinement Facility (SCF) at Baghdad International Airport (BIAP) under control of the 115<sup>th</sup> MP Battalion (BN), the V Corps Holding Area (CHA), also at BIAP under the 115<sup>th</sup> MP BN, and the Criminal Internment Facility (CIF) at Ad Diwaniyah under control of the 310<sup>th</sup> MP BN. Additionally, CENTCOM maintains a facility under Task Force 20 at BIAP. In addition to these sites, CFLCC has other temporary internment facilities at Division and brigade level as well.
  - 4ID Division Collection Point in Tikrit - max capacity 200
  - 101st Division Collection Point in Mosul - max capacity 200
  - Abu Gharayb Prison in Baghdad - max capacity 200 (criminal internees only)
  - Al-Salhyaht Jail in Baghdad - max capacity 100 (criminal internees only)
  - Theater Trans-shipment Point Whitford at Tallil Airfield - max capacity 500
3. There are currently over 1,500 Iraqi and foreign detainees interned in CFLCC/CENTCOM facilities. Included in this figure are 64 detainees listed on the Defense Intelligence Agency (DIA) Black List, including 30 of the top 55 on the DIA Black List. CFLCC also holds 12 other high profile detainees not on the DIA list. Since the beginning of Operation Iraqi Freedom (OIF), CFLCC has screened over 10,000 detainees.
4. Military intelligence personnel initially screen battlefield detainees at brigade and division level primarily for order-of-battle information. They may screen or partially screen them for CFLCC priority intelligence requirements (PIR) if time and circumstances permit. Military Police assets move detainees to the aforementioned facilities within 24-48 hours generally. Upon arrival, they are screened again or interrogated further if deemed to be of intelligence value. Prisoners who arrive at Camp Bucca are all vetted and interviewed by MI and CID assets there. Units may interrogate detainees several times before they have fully exploited all intelligence value.
5. The 323d Military Intelligence (MI) BN screens and interrogates detainees at the SCF and at Camp Bucca. Currently there are 72 detainees at the SCF and 500 at Camp Bucca; Bucca's an average holding is 500. The 519<sup>th</sup> MI BN screens and interrogates detainees at V CHA, which currently has 912 detainees. The V CHA has an average holding of 750 detainees.
6. CJTF-7 has not established theater-wide standards for the length of time which criminals will be held by Coalition Forces. The V Corps and I MEF have been given the discretion to establish policing and criminal detention policies within their area of responsibility due to the differences of the various provinces.

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a. Although no specific time period is prescribed for particular crimes, there are suggested guidelines found in V Corps FRAGO 312M for specific minor crimes, such as curfew violation (24 hours), drunk and disorderly (10 days), Interference with Mission Accomplishment, petty theft and simple assault (14 days: discharge of a weapon in city limits. Also, CJTF-7 FRAGO 96 imposes an automatic 20 day detention for carrying a weapon without authorization under the weapons control program. Obviously, these guidelines are for very minor offenses and clearly are not applicable for crimes or hostile acts against the Coalition forces. V Corps FRAGO 312M also provides for a twenty-one day review for more serious crimes, like shooting at Coalition forces and aggravated crimes. Following this review, detainees may be held for longer periods of time and will be subject to re-review at 30 day increments thereafter until disposition. As mentioned some of the specific guidelines cited in V Corps FRAGO 312M follows:

b. Likewise, the I MEF established guidance, but not by FRAGO. Under I MEF policy, personnel detained should be given a hearing within 72 hours, conducted by a battalion commander. Additionally, MEF has an Iraqi Magistrate at the Criminal Internment Facility in Ad Diwaniyah. However, the magistrate only adjudicates detainees of relatively minor crimes. All detainees of interest to the Coalition are segregated and detained until fully exploited.

7. Civilian internees apprehended for serious crimes will be detained indefinitely until they can be turned over to the Iraqi court system for adjudication.

8. Civilian internees detained for hostile actions against Coalition forces are detained and not released. These personnel are identified and properly documented and transferred to the Theater Internment Facility at Umm Qasr. These personnel will be detained until disposition instructions are determined by CJTF-7, in coordination with higher authorities (CENTCOM, OSD, DOS, etc.).

a. If the MI unit is satisfied that a detainee is of no further intelligence value, the detainee may undergo an Article V procedure if his status is in doubt. Detainees that are on the DIA Black List, considered "illegal combatants," or otherwise suspected of war crimes are not afforded Article V screening and release. These detainees may only be released upon approval from the Office of the Secretary of Defense (SECDEF). CFLCC may nominate these individuals as "no longer of intelligence value" for SECDEF release consideration.

b. As outlined in Field Manual (FM) 34-52, Intelligence Interrogation, dated 28 September 1992, all CFLCC detainees are treated in accordance with the Geneva Conventions for the Protections of War Victims of August 12, 1949. CFLCC MI units follow all FM 34-52 guidelines and use a variety of legal and humane interrogation techniques described therein.

9. Point of contact for this information paper is COI [REDACTED] CFLCC, Provost Marshal at dsu 438 [REDACTED]

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