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US priority: managing captives in Iraq

To deal with more detentions, the US is building facilities and adding military police.

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WASHINGTON

As the Baghdad security plan under Army Gen. David Petraeus moves forward, US and Iraqi forces are apprehending hundreds of insurgents, terrorists, and other criminals. Many of them are quickly being transferred to the Iraqis for detainment. There's just one problem: The Iraqi judicial system, which is responsible for processing such detainees, isn't yet up to the task. This is forcing the Americans to build more detention facilities to hold all the detainees – and bring in more US military police to guard them.

The Iraqi judicial system has been hobbled by the four years of war, as well as the loss of judges and lawyers who either fled the country or were murdered. As a result, the judicial system simply doesn't have the capacity to process many of the new detainees.

This is posing a key challenge as American and Iraqi forces try to bring stability to some of Iraq's most dangerous neighborhoods. Thus US forces are beefing up their facilities, and also helping the Iraqis build their own detention centers. In addition, on Monday, the Pentagon formally announced the deployment to Iraq of more than 2,000 additional US military police, who will join the roughly 3,000 MPs already there.

Defense officials see the US moves as a sign that General Petraeus is confident he'll clean up the streets – using the right amount of resources, with the aim of avoiding another detention fiasco like Abu Ghraib.

Nabbing criminals, insurgents, and others, and holding them for as long as it takes, is "very sound operational planning," says Mike Newton, a law professor at Vanderbilt University and a retired Army lieutenant colonel who has been to Iraq four times as a legal consultant.

"If you have military forces on the ground as part of a surge, that helps, but if you do that and you know there are bad guys in the neighborhood, they'll just wait you out," Mr. Newton says. "You've got to pick them up."

But indeed, this means building the capacity to hold some detainees until the Iraqi judicial system – for centuries, the pride of Iraq – can be restored to its former glory. For

the past several years, the United States itself has held about 13,000 individuals captive and now holds about 18,000 captives. But as the Baghdad security plan also known as Fard Al Kanoon moves forward, Petraeus is planning for the possibility of holding as many as 40,000 captives. Most are being held at two facilities, one at Camp Cropper in Baghdad and another at Camp Bucca, south of the city.

American commands will hold many of those detainees indefinitely to collect intelligence about local networks and terrorist or insurgent activity, providing regular reviews of their cases to assess the security risks they would pose if put back on the street. Many others will be transferred to the Iraqis, where they would become the subjects of the Central Criminal Court of Iraq.

Meanwhile, the Iraqis are opening a new police academy soon in Anbar Province that will train as many as 1,000 police officers each month – twice as many as now, according to Marine Maj. Gen. Walter Gaskin, commanding general of Multinational Force West. That will help remove dangerous elements from the streets and make the Iraqis in the area feel safer, General Gaskin said during a video teleconference with reporters in the Pentagon March 30.

But the increasing ability of the Iraqi police force to make more arrests and detentions can be a double-edged sword, he said. "Having all of these policemen now, working within the rule of law and being able to round up those that are criminal actors, in addition to those who are insurgents and are against the Iraqi government, the Anbari government, has increased the numbers that we have detained," Gaskin said. "And that in itself is good news, but it also creates a problem for us with the total number of detainees that we will see."

The tasks will require thousands of American military police, who can also be used in different ways as the mission requires, says Army Lt. Col. Christopher Garver, a spokesman for Multi-National Force Iraq.

But there is another reason for having as many as 5,000 American military police in Iraq during the overall buildup of US forces there: avoid another Abu Ghraib prison controversy, in which several American military guards – some of whom were not specifically trained to guard detention facilities – did the wrong thing.

"We'll make sure that we've got the right skill sets," says Colonel Garver, and "the right leadership" watching over detainee operations. "A big concern to everyone is that we don't have that again."

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