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COALITION PROVISIONAL AUTHORITY

BAGHDAD

LPB HAS SEEN

March 8, 2004

LPB:

Attached is a memo to Condi Rice on the INIS detention issue. Bob Blackwill recommends that we hold it until his arrival so that he can send it to Condi through a special channel. If the memo is fine with you, please sign, and I will handle it with Bob.

DCG

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COALITION PROVISIONAL AUTHORITY
BAGHDAD

MEMORANDUM FOR Dr. Condolezza Rice

SUBJECT: Authorities of Iraqi National Intelligence Service (INIS)

We will soon begin consultations with the Iraqi GC, via Ayad Allawi's Security Committee, on the need and charter for the INIS. Timing is right because our talks on national security institutions in general provide a context and because rumors are creating unwarranted suspicions about the Service. In these consultations, we will stress: that the INIS mission will be to conduct objective reporting and assessment; that it will be separate from while working closely with MoI and MoD; that its director general will be a civil servant appointed by the prime minister for a fixed term and will report to the prime minister; and that INIS will necessarily have an internal focus. After the consultations, we will be in a position to authorize the IGC to issue the charter.

It is crucial to convince Iraqi leaders and the public that the INIS will be a clean break from the past. In that regard, we have concluded that it is important to be able to state unequivocally that the INIS will not have the power to arrest or *detain* Iraqi citizens. Apart from the danger of future abuse should INIS be given detention authority, we run a high risk of a hostile Iraqi reaction if the proposed charter contains such authority – even jeopardizing its acceptance unless we relent.

In the months since we last discussed this issue, we have developed plans for capabilities within the Iraqi MoI and links between MoI and INIS to permit swift cooperative action to detain dangerous persons encountered by INIS. This is akin to the British model, whereby Scotland Yard's "Special Branch" supports and often accompanies MI5, the latter having no authority to detain. Placing the authority to act within an Iraqi law enforcement institution would help ensure acceptance of the INIS, reinforce the principle of carefully circumscribed intelligence activities inside Iraq, and better serve the country for the future.

We intend to test the "Special Branch" model in Iraq starting now by co-locating properly trained law enforcement officers with intelligence teams, under our supervision. This could serve as the prototype for how the Iraqis could solve the detention problem; we intend to have an effective MoI-INIS mechanism in place by July 1. If we discover that this approach will not work satisfactorily, we may have to revisit the issue. Meanwhile, we should start consultations on the INIS without detention power in the charter.

L. Paul Bremer III
Administrator

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