

WILL THE RELEASE OF SPECIALOPS DETAINEE NAMES TO ICRC END OUR POLICY OF DISAPPEARANCES?

My guess is no—my guess is that we've got disappeared detainees floating on some carrier somewhere. But this is important, but small, progress.

In a reversal of Pentagon policy, the military for the first time is notifying the International Committee of the Red Cross of the identities of militants who were being held in secret at a camp in Iraq and another in Afghanistan run by United States Special Operations forces, according to three military officials.

[snip]

The new Pentagon policy on detainees took effect this month with no public announcement from the military or the Red Cross. It represents another shift in detention policy by the Obama administration, which has already vowed to close the American military prison at Guantánamo Bay, Cuba, by next year and is conducting major reviews of the government's procedures for interrogating and detaining militants.

[snip]

Under Pentagon rules, detainees at the Special Operations camps can be held for up to two weeks. Formerly, the military at that point had to release a detainee; transfer him to a long-term prison in Iraq or Afghanistan, to which the Red Cross has broad access; or seek one-week renewable extensions from Defense

Secretary Robert M. Gates or his representative.

Under the new policy, the military must notify the Red Cross of the detainees' names and identification numbers within two weeks of capture, a notification that before happened only after a detainee was transferred to a long-term prison. The option to seek custody extensions has been eliminated, a senior Pentagon official said.

And credit to General Petraeus, who seems to have brought this approach from Iraq to Afghanistan.

There are still a lot of problems here. It sounds like ICRC gets the names and ID numbers of detainees, but not yet the access to talk to them. If so, then there is still not an outside monitor on detainee conditions. So the Breedlove review of the Special Operations prisons—described in the article—can't be assumed to truly reflect the conditions in the prisons. And if the ICRC doesn't get access, it still means we're flouting the Geneva Conventions.

But if we could be sure we were getting out of the disappearances business that would be small progress.