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~~SECRET/NOFORN~~**Guantanamo Bay, Cuba (U)**

(U) This section examines the interrogation techniques approved and those actually employed at the U.S. Naval Base at Guantanamo Bay, Cuba (GTMO), and the relationship between those techniques and any detainee abuse. The section begins with a brief, background discussion below.

Background (U)**(U) GTMO and Operation ENDURING FREEDOM**

(U) The first planeload of twenty detainees from Afghanistan arrived at the U.S. Naval Base at Guantanamo Bay, Cuba on January 11, 2002. They had been captured by U.S. forces on the battlefield during Operation ENDURING FREEDOM, which followed closely on the heels of 9/11 and was designed to flush out members of al Qaeda and their Taliban protectors from the hills and caves of Afghanistan. As suspected terrorists, these first detainees were transferred to the base for interrogation. By the summer of 2002, the detainee population at GTMO had quickly grown to nearly 600, a number that has remained fairly steady up until the present.

(U) GTMO was a logical place for the interrogation of al Qaeda and Taliban fighters. It had existing holding facilities at Camp X-Ray, which had originally been built to house Cuban and Haitian refugees who attempted illegally to enter the United States by sea in the mid 1990s. It was

close to the United States and under United States control, pursuant to a lease agreement with Cuba dating to 1903. Yet GTMO was in a remote and secure location, far from the battlefields of Afghanistan. And perhaps most importantly, GTMO was considered a place where these benefits could be realized without the detainees having the opportunity to contest their detention in the U.S. courts. This final consideration was negated, however, by the recent U.S. Supreme Court decision in Rasul v. Bush, __ S.Ct. __ (2004), which held that the U.S. courts have jurisdiction to consider challenges to the detention of foreign nationals held at GTMO. At the same time, the Supreme Court held in Hamdi v. Rumsfeld, __ S.Ct. __ (2004), that any U.S. citizens held in the U.S. as enemy combatants have a due process right to have a meaningful opportunity to contest their detention before a neutral decisionmaker.

(U) The combatants captured in Afghanistan during Operation ENDURING FREEDOM did not wear military uniforms or fall into any traditional military hierarchy. This presented the challenge, therefore, of determining which of them possessed (or were likely to possess) the most intelligence or law enforcement value and thus merited transfer to GTMO. Upon capture, a detainee was initially questioned on the battlefield to ascertain his level of participation in the conflict and to determine if he might possess valuable intelligence or be a continuing security threat to U.S. forces. The detainee was then sent from the front

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lines to a central holding facility, where he would undergo further screening and interrogation. If this screening indicated that the detainee might meet Secretary of Defense criteria for transfer to GTMO, a screening team of U.S. government officials - consisting of military lawyers, intelligence officers, and federal law enforcement officials - would review the detainee's relevant information, including the facts surrounding capture and detention, the threat posed by the individual, and the intelligence and law enforcement value of the detainee. The screening team, after reviewing all available information, then made a recommendation to retain the captured fighter in-country or transfer him to GTMO. Next, a general officer, designated by the Commander of U.S. Central Command (CENTCOM), reviewed the screening team's recommendation and made a final recommendation to Department of Defense officials in Washington, D.C.

(U) A Department of Defense review panel, including legal advisors and representatives from the Joint Staff and the Office of the Under Secretary of Defense for Policy, assessed this final recommendation and, if necessary, made additional inquiries regarding the detainee. Upon the review panel's recommendation and final authorization by the Secretary of Defense, the individual either remained detained in Afghanistan or was airlifted to GTMO. Since the beginning of Operation ENDURING FREEDOM to the present,

more than 10,000 suspected members of al Qaeda or the Taliban have been captured and processed through this screening process. Less than eight percent of these detainees (a total of 752 as of October 28, 2004) were ultimately transferred to GTMO. The most recent transfers occurred in September 2004, as DoD announced on September 22, 2004 that it had transferred 10 detainees from Afghanistan to GTMO. These were the first transfers since November 2003.

~~(S/AF)~~ As of October 2004, there were 550 detainees at GTMO. Of the detainees sent to GTMO during Operation ENDURING FREEDOM, 202 have departed the base: 146 of these were transferred to other countries for release, and 56 were transferred to the control of other governments [REDACTED]

[REDACTED] (seven to Russia, five to Morocco, five to Great Britain, four to France, four to Saudi Arabia, one to Spain, 29 to Pakistan and one to Sweden). In response to the U.S. Supreme Court decision in Rasul, the Secretary of the Navy, the Honorable Gordon England, is currently supervising Combatant Status Review Tribunals and Administrative Review Boards. Each detainee at GTMO will have the opportunity, with the help of a military representative, to contest the enemy combatant designation before a tribunal of three military officers. The detainees at GTMO will also have the opportunity to present information to an Administrative Review Board concerning why the detainee no longer poses a threat to the U.S. or its

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allies and should be released or transferred.

(U) It is U.S. policy not to release any detainees that still pose a threat to our country, but recent events have demonstrated the difficulty of making that assessment, and the difficulty now facing the Administrative Review Boards. On September 26, 2004, Afghanistan officials announced that Abdul Ghaffar, a senior Taliban commander who had been released from GTMO over one year ago, was killed on September 25th while apparently leading an ambush on U.S. forces, in which three American soldiers were wounded, one critically. According to Afghan officials, after his release Ghaffar had carried out several attacks on American Special Forces soldiers, as well as an attack on a district chief in Helmand, Afghanistan in which three Afghan soldiers were killed.

(U) Another former Taliban fighter who was held at GTMO for approximately two years and then released in March 2004, Abdullah Mehsud, has reportedly forged ties with al Qaeda and is leading a militant band that is opposing Pakistani forces hunting al Qaeda fighters along the Afghanistan-Pakistan border. In early October 2004, Mehsud's men kidnapped two Chinese engineers who were helping Pakistan to construct a dam near the border. The kidnapers, who were surrounded by Pakistani security forces, strapped explosives to the hostages and threatened to kill them if they were not allowed safe passage to where Mehsud was hiding in the nearby moun-

tains. The crisis ended on October 14th when Pakistani forces moved in and killed five of the kidnapers, but one of the hostages also died, and Mehsud is still at large. Moreover, since his release, Mehsud has bragged to reporters that he tricked his interrogators into believing that he was someone else, and has stated that he will fight America "until the very end."

(U) In addition to Ghaffar and Mehsud, Afghan officials have stated that at least five other Afghan detainees released from GTMO have returned to Afghanistan and again become Taliban commanders or fighters. The number may be higher, as there are uncorroborated reports that an additional seven have participated in attacks or provided support to anti-coalition forces in Afghanistan.

(U) Detention and Interrogation Facilities

(U) The first detainees to arrive at GTMO were held at Camp X-Ray, which had the advantage of being an existing facility. Camp X-Ray, however, had a limited capacity (it could hold only approximately 300 detainees after rapidly expanding from its initial capacity of 40), and also was somewhat primitive. Upon their arrival, the detainees were housed in temporary, eight by eight feet units with a concrete slab floor, a combination wood and metal roof, and open air sides composed of chain link fencing. The detainees slept on the floor, with mats and blankets.

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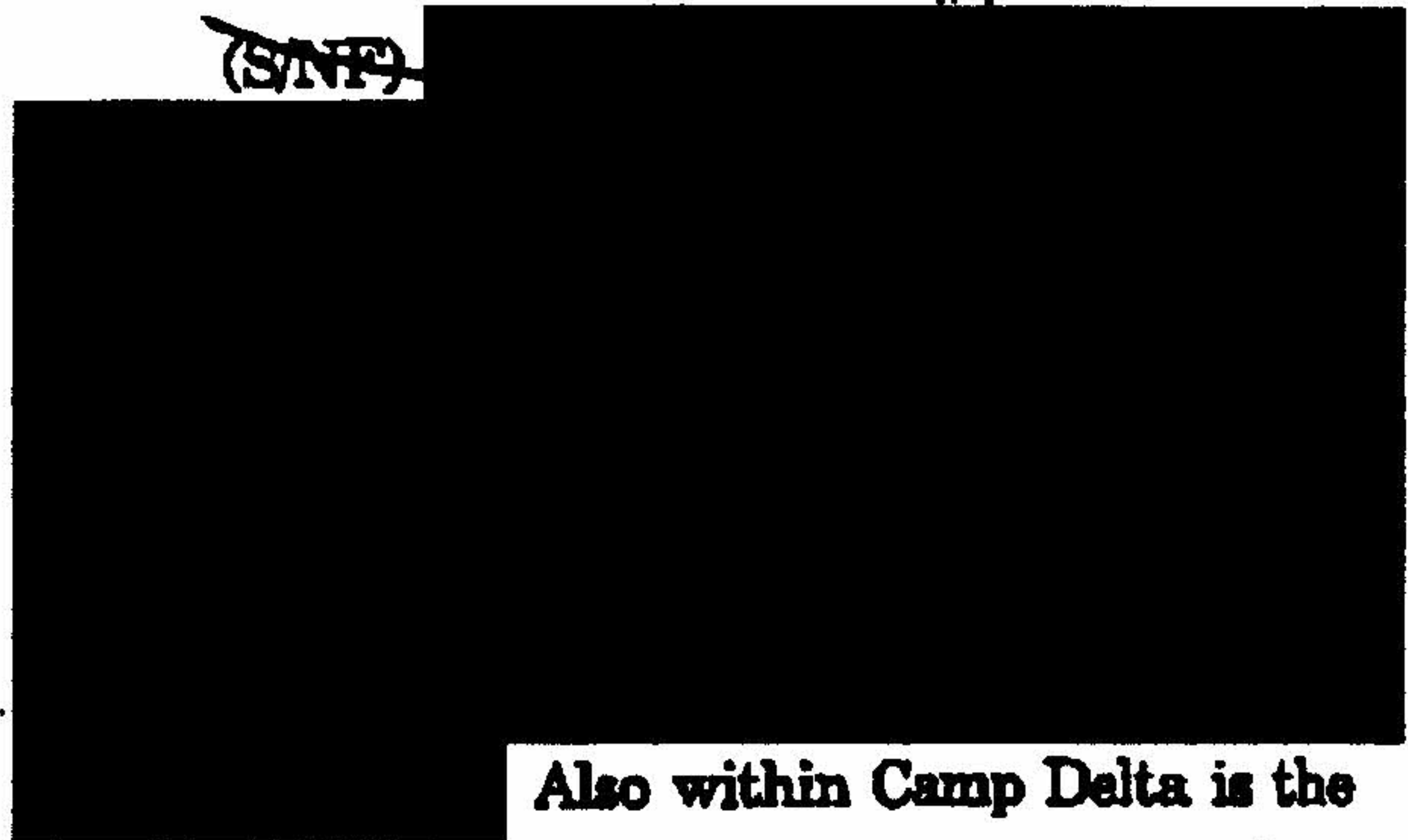
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(S) The interrogation facilities at Camp X-Ray were also spartan. The interrogation rooms were simple, plywood structures, but they did have air conditioning. These rooms were approximately fifteen by fifteen feet, and commonly referred to as "boxes." The rooms were equipped for audio monitoring only.

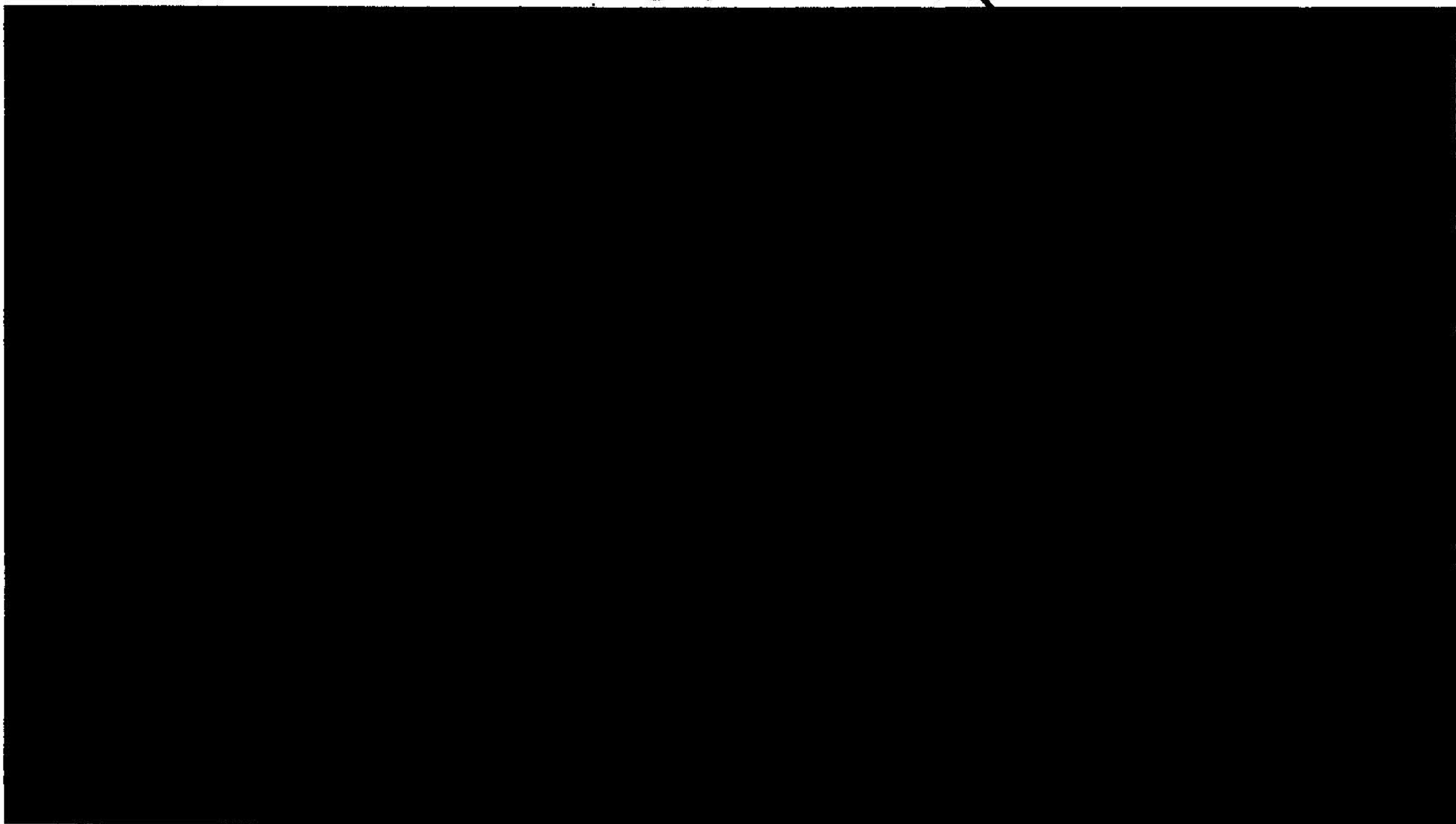
2002, the detainee population, numbering just over 300 individuals, moved from Camp X-Ray to Camp Delta, whereupon Camp X-Ray was closed. Camp Delta has since expanded to 816 detention units, 84 of which are maximum security.

~~(S/NO)~~ Due to Camp X-Ray's limited capacity and primitive conditions, plans were put into motion almost immediately after the arrival of the first detainees in GTMO to build a new detention facility, which became known as Camp Delta. This new facility had an initial capacity of 612 detention units, with room to expand as needed. In late April



Also within Camp Delta is the detainee hospital, which is dedicated to providing

Aerial Photograph of GTMO (S)



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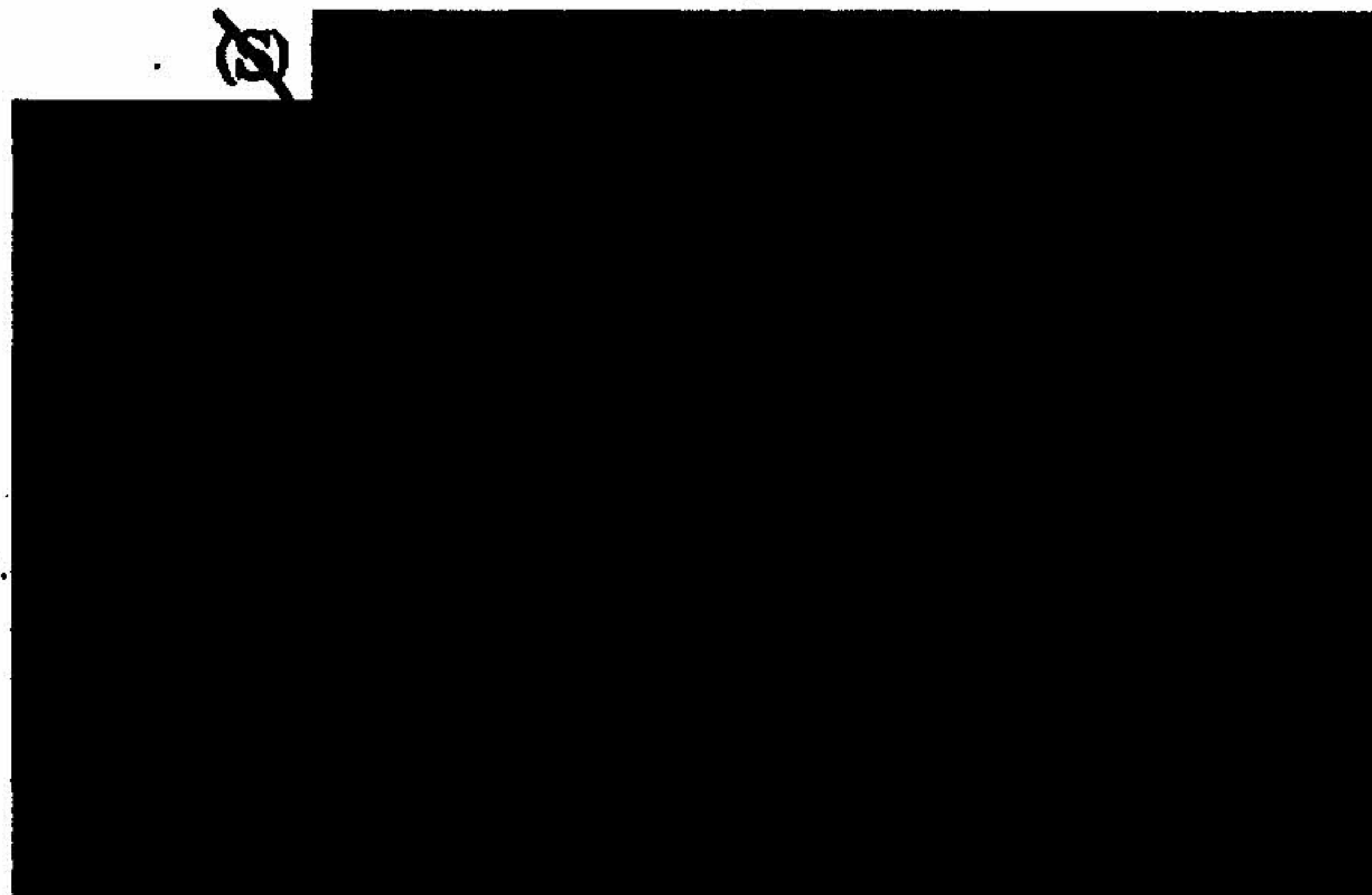
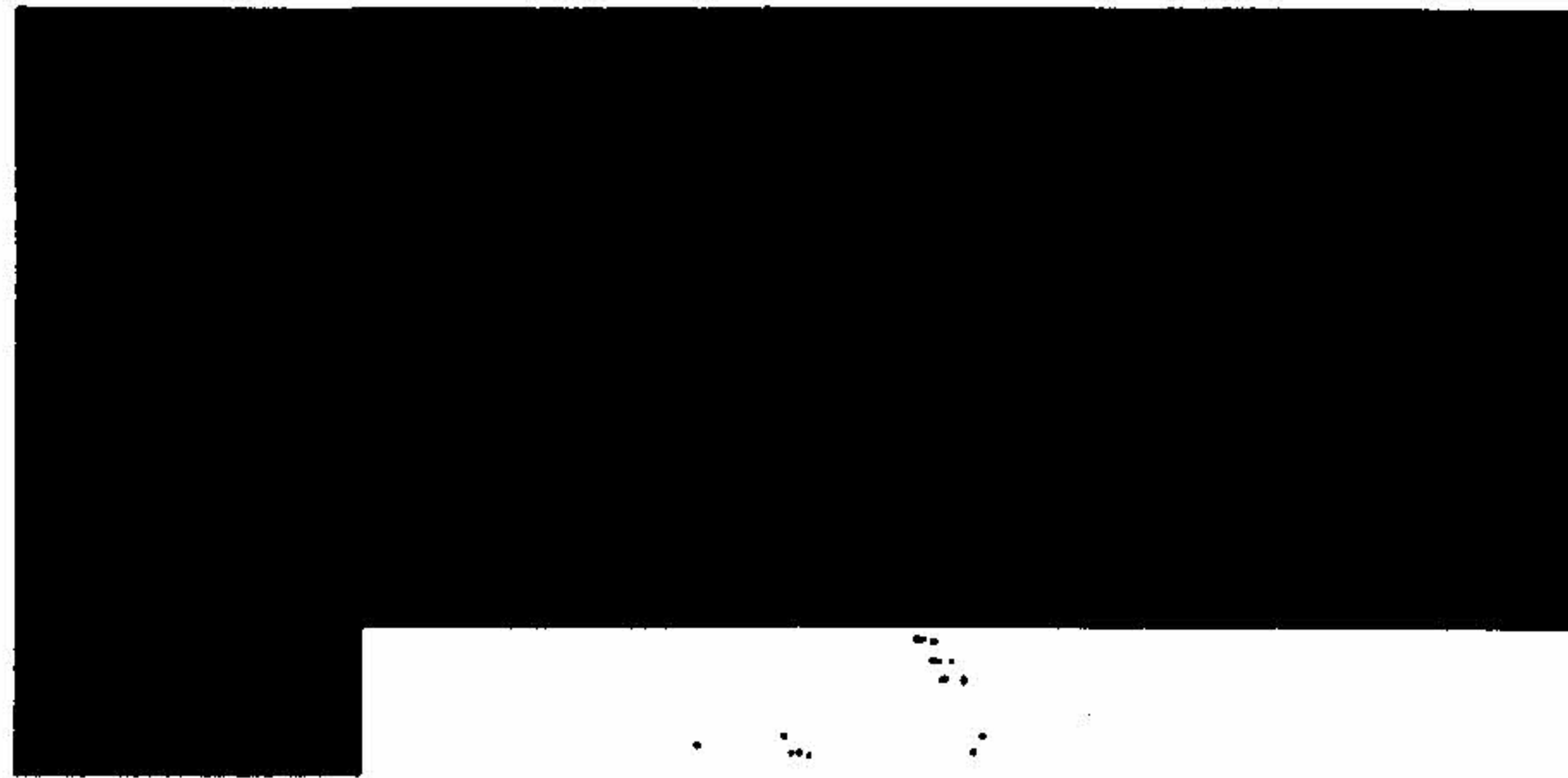
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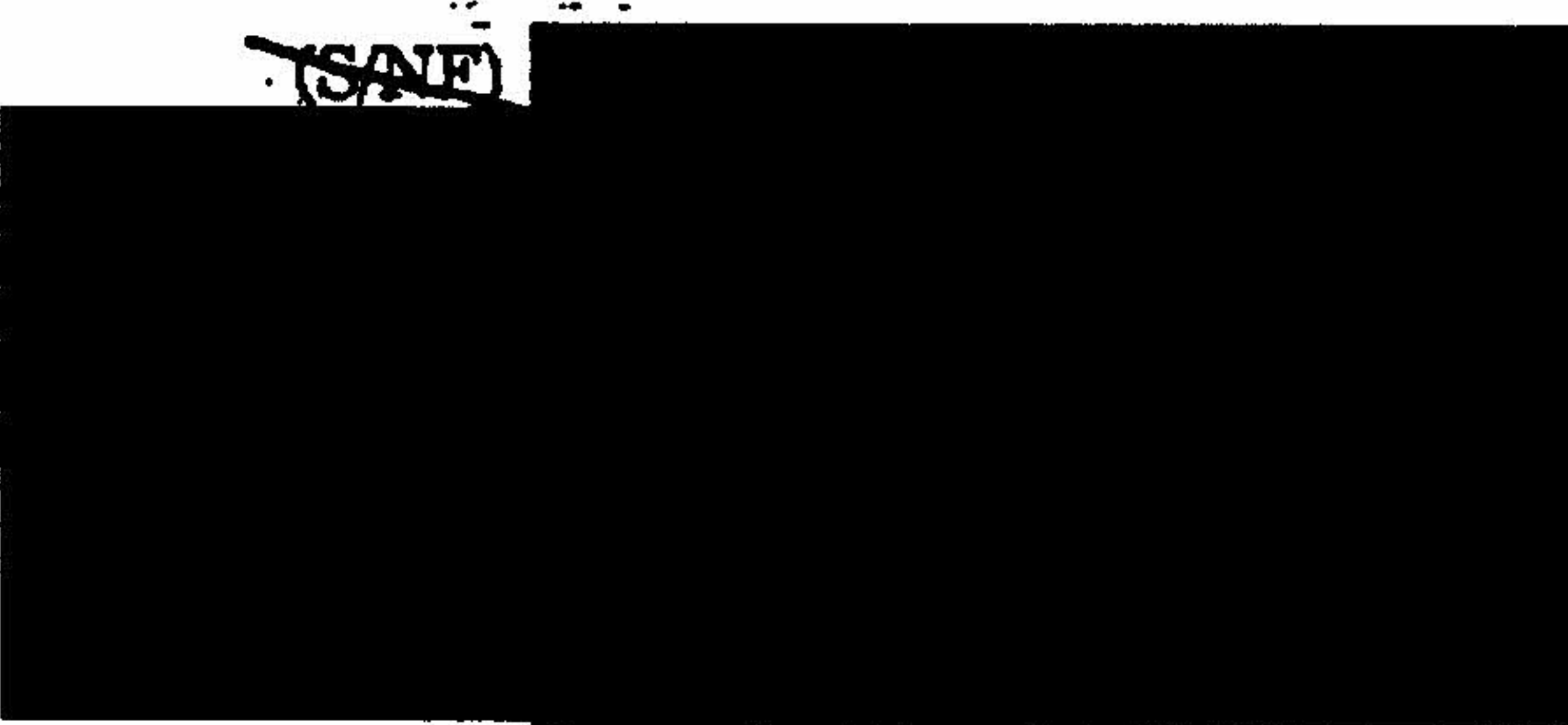
medical care to the detainees and has a twenty bed capacity. Additionally, in April 2004 a maximum-security facility, designated as Camp 5, was opened approximately one-half mile from Camp Delta. Camp 5 holds the most uncooperative individuals. The detainees at Camp 5 are housed in a modern, two-story, multi-winged complex that has the capacity to hold approximately 100 detainees. The aerial photograph below shows the relative locations of Camp Delta (which contains Camps 1-4 and the detainee hospital), Camp 5 and Camp X-Ray.



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Camp Iguana is a lower-security detention facility that at one point held three juvenile combatants, aged 13 to 15 years, who had been captured in Afghanistan. These juveniles were repatriated to their home countries in early 2004.



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(U) Evolution of the Command Organization

(U) The command organization at GTMO has evolved significantly over time. Simply stated, the most significant aspect of the current organization is that it places both intelligence and detention operations under the command of a single entity, designated Joint Task Force GTMO (JTF-GTMO), whereas the original organization had separate chains of command for intelligence and detention operations. This new structure has permitted greater cooperation among the military intelligence (MI) units that are responsible for interrogation and the military police (MP) units

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that are responsible for detention. In essence, this organization recognizes the primacy of the human intelligence collection mission at GTMO in support of the Global War on Terror, by ensuring a unity of effort between MI and MP units. This unity of effort between MI and MP units has been the subject of recent controversy, in light of MP participation in many of the abuses perpetrated at Abu Ghraib prison in Iraq. The details of the respective MI and MP roles (as well as a discussion of what those roles should be) are addressed elsewhere in the report; the purpose of the discussion here is merely to trace the evolution of the command organization at GTMO.

(U) Just prior to the arrival of the first detainees on January 11, 2002, U.S. Southern Command (SOUTHCOM) established Joint Task Force 160 (JTF-160) to be responsible for the security and detention of the detainees arriving at GTMO. This joint task force was essentially an MP organization. BGen Michael Lehnert, USMC, originally commanded this task force, but was quickly succeeded by BG Rick Baccus, who took command on March 28, 2002.



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(U) The existence of two, separate joint task forces created a bifurcated chain of command that impeded cooperation between the MI units in JTF-170 and the MP units in JTF-160 and did not establish priorities for their competing interrogation and detention missions. Two external reviews of intelligence operations at GTMO, the Herrington GTMO Report in March 2002 and the Custer Report in September 2002, were critical of this command structure. COL Herrington's Report, which was provided to MG Dunlavey as well as the Acting Commander of SOUTHCOM, MG Gary Speer, USA, was particularly pointed in its remarks. For example, the report called it a "basic principle of human intelligence exploitation" that the intelligence function must be supported by the security function, and observed that in GTMO, "the security mission is sometimes the tail wagging the intelligence dog."



(U) In an effort to address this situation and improve the intelligence collection effort at GTMO, the SOUTHCOM Commander, General James T. Hill, USA, placed MG Dunlavey in charge of both JTF-170 and JTF-160 in October 2002. Shortly thereafter, on November 4, 2002, the two joint task

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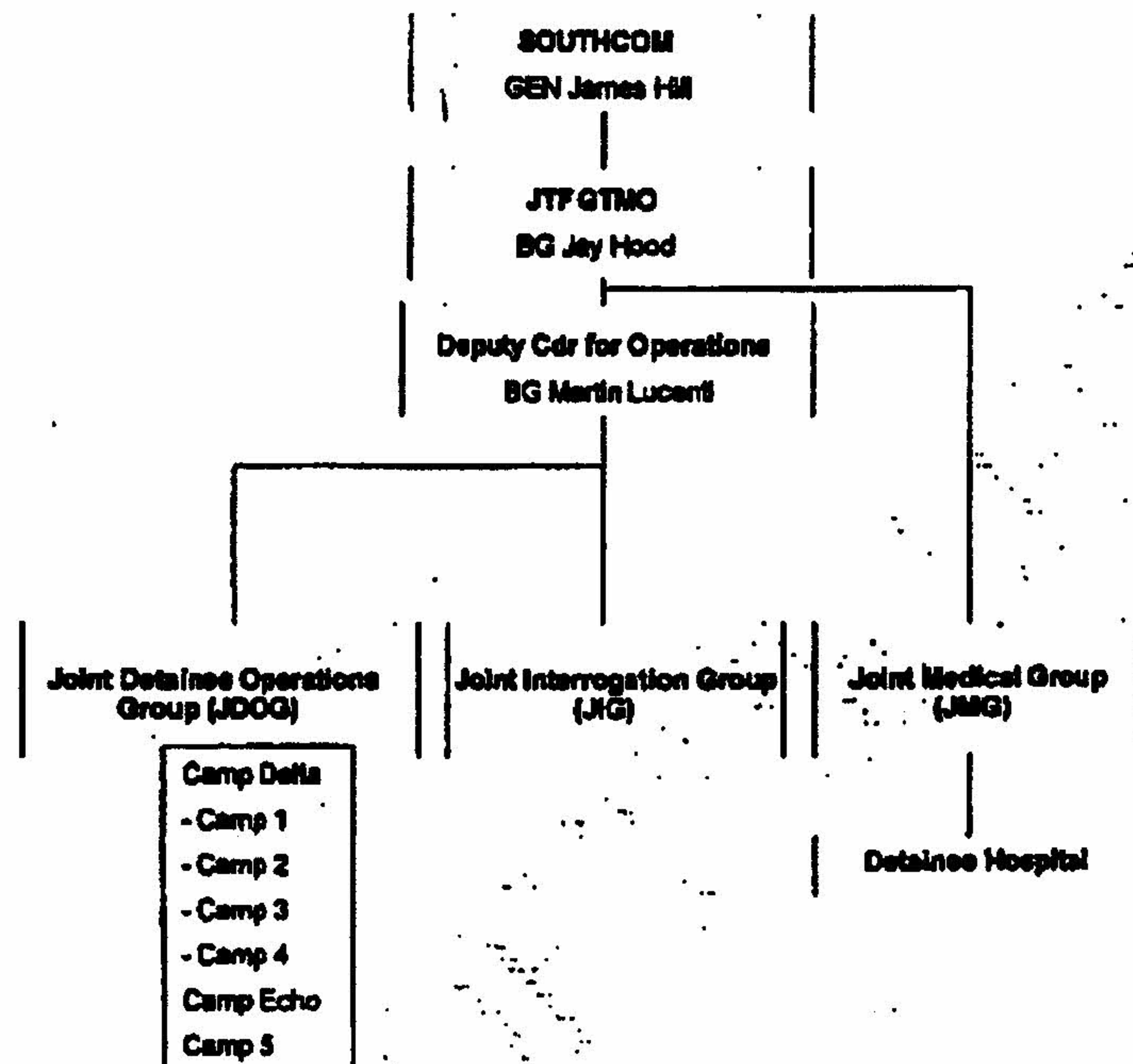
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JTF-GTMO Organization (U)



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forces were combined and renamed Joint Task Force GTMO. MG Geoffrey Miller, USA was appointed to lead this new joint task force. MG Miller was succeeded by BG Jay Hood on March 24, 2004, when MG Miller was transferred to Iraq to be Deputy Commander for Detainee Operations, Multinational Force-Iraq. The structure of JTF-GTMO and its current leadership is depicted in the figure above.

(U) As illustrated above, both the Joint Interrogation Group (JIG), which is responsible for intelligence collection, and the Joint

Detention Operations Group (JDOG), which is responsible for detainee security and handling, report to the JTF-GTMO Commander, who in turn reports to SOUTHCOM. The JDOG is composed of six MP companies. The centerpiece of the JIG is the Interrogation Control Element (ICE), which coordinates and supervises the efforts of MI interrogators, analysts and linguists (as well as civilian contract personnel who augment the military interrogation effort), in support of human intelligence exploitation. From the initiation of interrogation and detention

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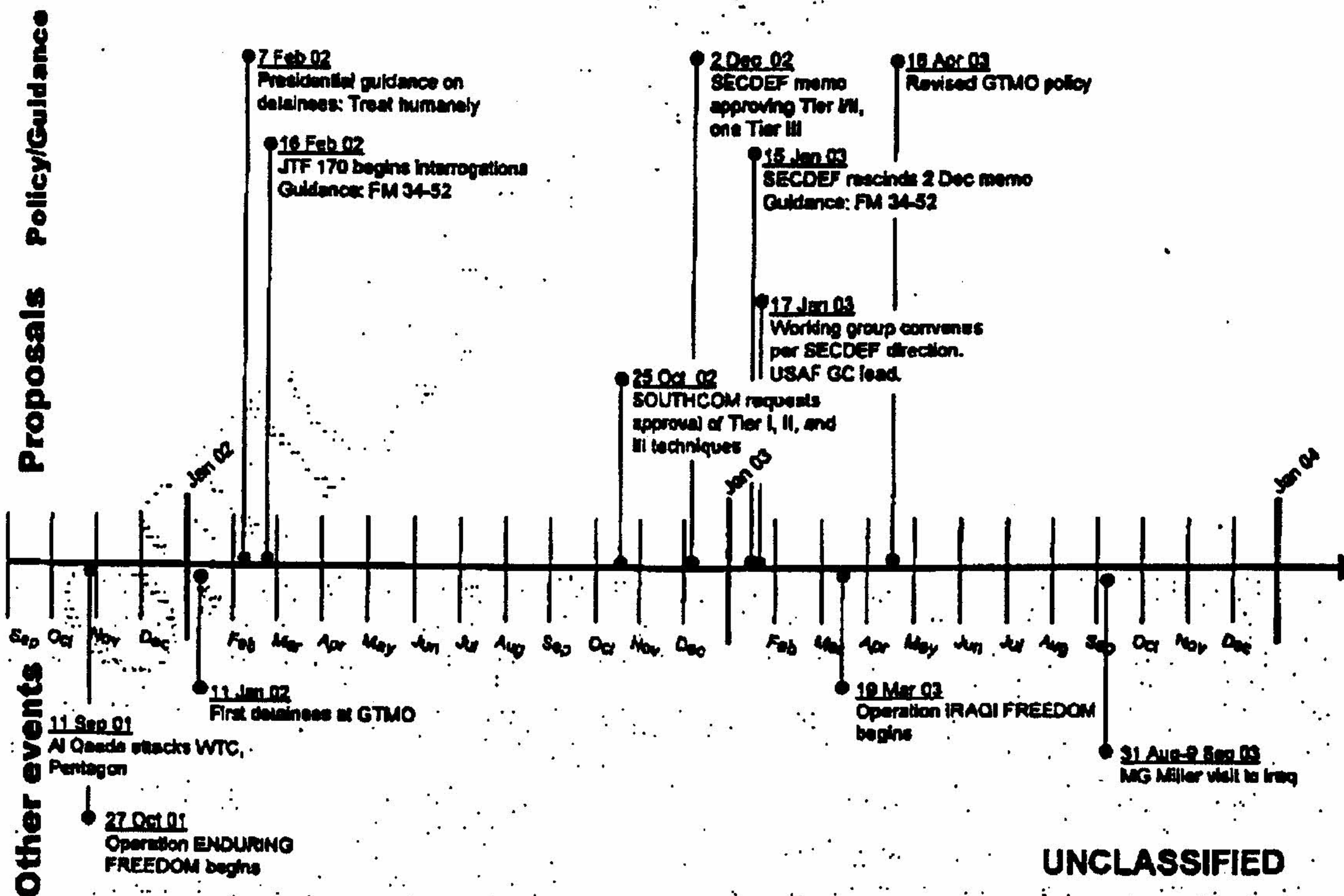
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operations at GTMO to the present, MPs have outnumbered the detainees by a relatively constant ratio of approximately 1.5 to 1. MI and contract interrogators, on the other hand, have been in more limited supply, with each interrogator assigned to approximately 20 to 25 detainees at any one time.



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GTMO Counter-Resistance Policy Development (U)



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**Evolution of Approved Interrogation
Techniques at GTMO (U)**

(U) The interrogation techniques approved for use at GTMO have evolved significantly over time, and been the subject of much study and debate within the senior echelons of both the uniformed military and the Office of the Secretary of Defense. The highlights of this evolution are depicted in the figure on the previous page, and described briefly below. This is followed by a detailed, chronological examination of the major events and points of debate that have shaped the development of approved interrogation techniques at GTMO.

(U) When JTF-170 was established at GTMO on February 16, 2002, the military interrogators assigned to the task force relied upon existing interrogation doctrine, found in Army

Field Manual 34-52, *Intelligence Interrogation*, when questioning detainees. Over the next several months, however, it became clear that many of the detainees were familiar with these techniques and had been trained to resist them. This eventually led SOUTHCOM on October 25, 2002, to seek Secretary of Defense approval to use additional techniques beyond those specifically listed in FM 34-52, or what we will call "counter resistance" techniques.

(U) On December 2, 2002, the Secretary of Defense approved a limited number of the counter resistance techniques that SOUTHCOM had requested, but rescinded his approval on January 15, 2003. The Secretary then directed the DoD General Counsel to form a working group. The DoD General Counsel requested that the General Council of the Department of the Air Force, Mary Walker, chair the group, to assess the legal, policy and operational issues relating to interrogation of detainees in the Global War on Terror and to make recommendations on the use of specific interrogation techniques.

(U) This working group issued its final report on April 4, 2003, and recommended 35 interrogation techniques to be used against "unlawful combatants outside the United States" subject to limitations described later in this section. In an April 16, 2003 memorandum, however, the Secretary of Defense accepted for use in GTMO only 24 of the proposed techniques,

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which included the 17 techniques already found in FM 34-52. This memorandum has remained in effect to the present.

(U) The Initial Development of "Counter Resistance" Techniques

(U) Within the first few months of interrogation operations at GTMO, it became apparent that many of the detainees were skilled at resisting the 17 interrogation techniques enumerated in FM 34-52, and likely had been trained on U.S. interrogation methods. COL John Custer, USA, who led a Joint Staff team from August 14 to September 10, 2002 in reviewing intelligence collection operations at GTMO, reflected this concern in his final report, which observed that "JTF-170 has experienced limited success in extracting information from many of the detainees at GTMO," because "traditional [interrogation] techniques have proven themselves to be ineffective in many cases." The report noted that "[m]any of the detainees have undoubtedly received vigorous resistance to interrogation training," and that the detainees appeared to understand the Geneva Convention rules, as well as the traditional "US rules of engagement (limitations) regarding interrogations."

(U) Members of al Qaeda, in particular, were likely to be schooled in resistance to interrogation. British forces, for example, had recovered an al Qaeda training manual from the apartment of an al Qaeda operative in Manchester, England

on May 10, 2000. Now commonly referred to as the Manchester Document, this manual contained detailed information on interrogation resistance, including instructions that an al Qaeda "brother" must:

- (U) "plan for his interrogation by discussing it with his commander"
- (U) maintain his cover story by "saying only the things that you agreed upon with your commander," and "executing the security plan that was agreed upon prior to execution of the operation and not deviating from it"
- (U) "pretend that the pain is severe by bending over and crying loudly" in the event that an interrogator applies physical coercion
- (U) "disobey the interrogator's orders as much as he can by raising his voice [and] cursing the interrogator back"
- (U) "disobey the interrogator's orders and take his time in executing them"
- (U) "proudly take a firm and opposing position against the enemy and not obey the orders"
- (U) "refuse to supply any information and deny his knowledge of the subject in question"
- (U) "not disclose any information, no matter how insignificant he might think it is, in order not to open a door that cannot be closed until he incriminates himself or exposes his Organization"

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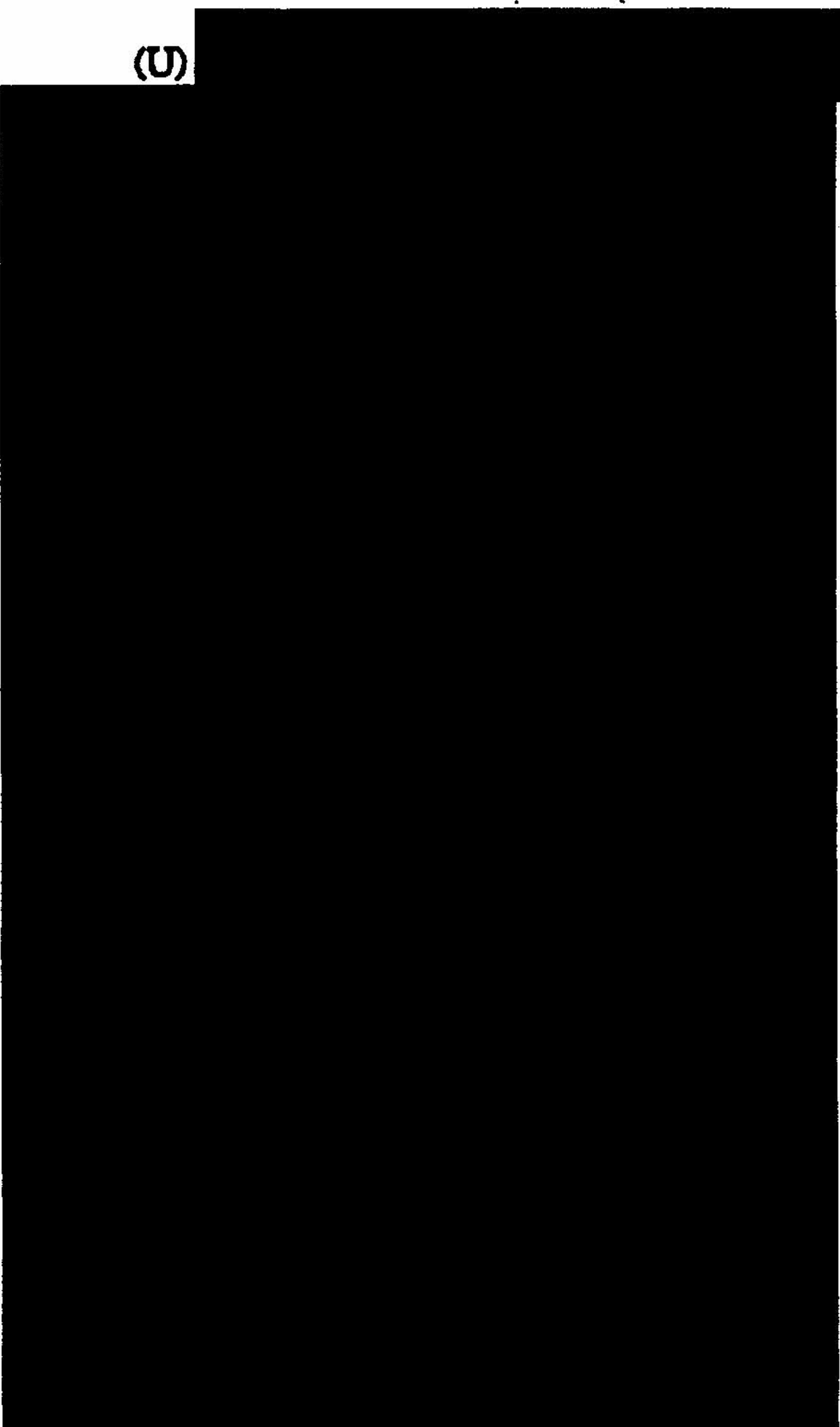
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- (U) "remember the basic rule: even a little disclosure of information would increase your amount of torture and result in additional information for the questioning apparatus," and
- (U) remain "patient, steadfast, and silent about any information whatsoever"

sible to leverage control over the detainees while providing acceptable guidelines for questioning." Such a paper, COL Custer suggested, "could be used as a 'rule of thumb' or 'Rules of Engagement' eliminating interrogator confusion."

(U) Another difficulty that hampered interrogations at GTMO was that interrogators did not have a clear understanding of the legal limits under which they were operating. While they did have FM 34-52 as a guide, this field manual was intended to guide interrogations of EPWs and therefore arguably was designed for a more restrictive environment than the one at GTMO. The danger, then, was twofold. On the one hand, interrogators might believe that their hands were essentially tied by FM 34-52, and adopt an overly conservative approach that would fail to extract intelligence from resistant detainees. On the other hand, interrogators who believed that they were unconstrained by the dictates of FM 34-52 might adopt overly aggressive strategies that could lead to detainee abuse. Again, the Custer Report acknowledged this problem by observing that interrogators did not "have a clear, delineated understanding of all the tools that are at their disposal when interrogating detainees." COL Custer recommended that SOUTHCOM "produce a 'White Paper' on 'Metrics for Interrogators' delineating what tools and measures are available and permis-



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The October 11, 2002 memorandum was declassified and released to the public on June 22, 2004. In the memorandum, MG Dunlavey noted that although the techniques then employed by interrogators in the Global War on Terror had "resulted in significant actionable intelligence, the same methods had become less effective over time."

(U) MG Dunlavey's request divided these additional, counter resistance interrogation techniques into three categories, based upon the perceived severity of the techniques. Category I techniques could be employed by an interrogator as part of a normal interrogation plan, vetted by the interrogator's immediate supervisors. Each use of Category II techniques would require the approval of the Interrogation Section Officer in Charge (OIC). Category III techniques, the most aggressive, could only be used after obtaining approval from the JTF-170 Commander. Each use of Category III techniques would also require a legal review by the Command Judge Advocate and notification to the SOUTHCOM Commander. All of these techniques are listed in the figure on the following page.

(U) JTF-170's Request for Counter Resistance Techniques

The concerns described above led the JTF-170 Commander, MG Michael Dunlavey, to forward a request on October 11, 2002 to SOUTHCOM, seeking approval of 19 interrogation techniques not explicitly described in FM 34-52.

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