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not listed in the policy (such as physical training) are employed. This incident was identified and summarized in the May 2004 Church Review.

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(U) Prohibited Techniques: (51) Food Deprivation to (58) Threats Against Others

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(U) *Sleep Deprivation*

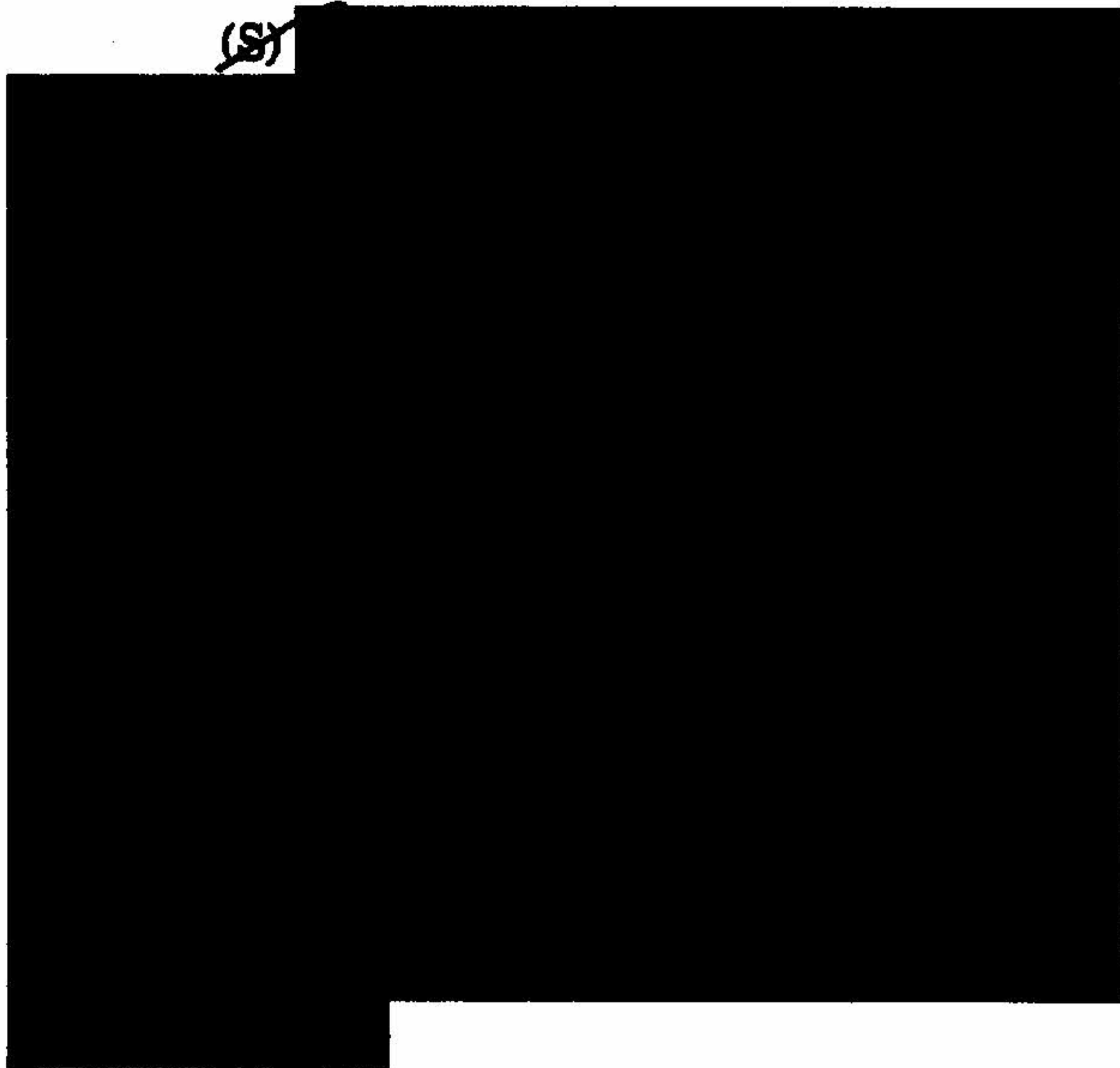
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(U) *Sexual Acts or Mock Sexual Acts*

(U) Finally, on April 17, 2003, a female interrogator made inappropriate contact with a detainee by running her fingers through the detainee's hair and making sexually suggestive comments and body movements, including sitting on the detainee's lap. As mentioned in the abuse section of our report, we used the Manual for Courts-Martial definition of sexual assault, referred therein as "Indecent Assault," to characterize any potential sexual assault case. Consequently, we did not consider this case to be a sexual assault because the interrogator did not perpetrate the act with the intent to gratify her own sexual desires. The female interrogator was given a written admonishment for her actions. This incident was identified and summarized in the May 2004 Church Review.

(U) *Use of Threatening Scenarios and Threats Against Others*



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~~SECRET/NOFORN~~**Detainee Abuse (U)****(U) Overview**

(U) There have been over 24,000 interrogation sessions at GTMO since the beginning of interrogation operations, and in this time, there have been only three cases of closed, substantiated interrogation-related abuse. In addition, there have been only four cases of substantiated abuse committed by MPs, and one substantiated case in which a camp barber committed a minor infraction. All of the closed, substantiated abuse cases are relatively minor in nature, and none bears any resemblance to the abuses depicted in the Abu Ghraib photographs. Almost without exception, therefore, detainees at GTMO have been treated humanely.

(U) We think it bears emphasis that the military leadership at GTMO has been and is making vigorous efforts to investigate all allegations of detainee abuse, whether the allegations come from DoD personnel, contractors, the International Committee of the Red Cross (ICRC), or the detainees themselves. Detainees have numerous channels available to report allegations of abuse: they can report allegations to military police, interrogators, linguists, medical personnel and chaplains. They also have opportunities to bring any concerns to the attention of the ICRC, which is a regular presence at GTMO that advocates on the detainees' behalf.

(U) In our view, the extremely low rate of abuse at GTMO is largely due to strong command oversight, effective leadership, and adequate training on detainee handling and treatment. Additionally, those aspects of the GTMO "model" already discussed above - namely, a command organization that placed detention and intelligence operations under the command of a single entity, JTF-GTMO; effective coordination between interrogators and military police; adequate detention and interrogation resources; and well-developed standard operating procedures - have clearly played a role in keeping detainee abuse to a minimum.

(U) Provided below are the details of the closed, substantiated abuse cases, followed by a brief discussion of some additional allegations of detainee abuse.

(U) Closed, Substantiated Abuse Cases

(U) The three cases of interrogation-related abuse all involved relatively minor assaults, in which MI interrogators clearly exceeded the bounds of approved interrogation policy:

- (U) First, as noted above, a female interrogator inappropriately touched a detainee on April 17, 2003 by running her fingers through the detainee's hair, and made sexually suggestive comments and body movements, including sitting on the detainee's

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lap, during an interrogation. The female interrogator was given a written admonishment for her actions.

- (U) Second, also discussed above, on April 22, 2003, an interrogator assaulted a detainee by directing MPs to repeatedly bring the detainee from standing to a prone position and back. A review of medical records indicated superficial bruising to the detainee's knees. The interrogator was issued a letter of reprimand.
- (U) Third, a female interrogator at an unknown date, in response to being spit upon by a detainee, assaulted the detainee by wiping dye from a red magic marker on the detainee's shirt and telling the detainee that the red stain was menstrual blood. The female interrogator received a verbal reprimand for her behavior.

It should be noted that the first and third cases above, despite their relatively minor physical nature, involved unauthorized, sexually suggestive behavior by interrogators, which - as has been reported in the press - raises problematic issues concerning cultural and religious sensitivities.

(U) The four cases of abuse committed by MPs also involved minor assaults:

- (U) First, an MP assaulted a detainee on September 17, 2002, by attempting to spray him with a hose after the detainee had

thrown an unidentified, foul-smelling liquid on the MP. The MP received non-judicial punishment in the form of seven days restriction and reduction in rate from E-4 to E-3.

- (U) Second, on April 10, 2003, after a detainee had struck an MP in the face (causing the MP to lose a tooth) and bitten another MP, the MP who was bitten struck the detainee with a handheld radio. This MP was given non-judicial punishment in the form of 45 days extra duty and reduced in rate from E-4 to E-3.
- (U) Third, on January 4, 2004, an MP platoon leader had received an initial allegation that one of his guards had thrown cleaning fluid on a detainee and later made inappropriate comments to the detainee. The platoon leader, however, did not properly investigate the allegation or report it up the chain of command. The initial allegation against the guard ultimately turned out to be substantiated. This MP was given non-judicial punishment in the form of reduction in rate from E-2 to E-1 and forfeiture of pay of \$150/month for two months; the platoon leader was issued a letter of reprimand for dereliction of duty.
- (U) Fourth, on February 10, 2004, an MP inappropriately joked with a detainee, and dared the detainee to throw a cup of water on him. After the detainee complied, the MP reciprocated by throwing a cup of water

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on the detainee. The MP was removed from duty as a consequence of his inappropriate interaction with the detainee. (As noted in our previous analysis of detainee abuse, we did not consider this case to rise to the level of "abuse" for purposes of our overall examination of detainee abuse in that section.)

(U) The final case of detainee abuse occurred on February 15, 2004, when a barber intentionally gave two detainees unusual haircuts, including an "inverse Mohawk," in an effort to frustrate the detainees' requests for similar haircuts as a sign of unity. The barber and his company commander were both counseled as a result of this incident.

(U) Other Allegations of Abuse

(U) As described above, there have been only a small number of relatively minor, substantiated instances of abuse at GTMO. Nevertheless, recent media reports have fueled controversy over detainee treatment at GTMO, as several detainees (or their lawyers) have made claims of violent physical abuse and torture. For example, three Britons who were held for over two years at GTMO and then released - Shafiq Rasul, Asif Iqbal and Ruhel Ahmed - have claimed in a 115-page report released by their attorneys that they and other detainees were forcibly injected with drugs, brutally beaten and attacked by dogs. Another British detainee held at GTMO, Moazzam Begg, claimed in a letter released to his legal team that he had been

subjected to beatings and "actual vindictive torture." A Yemeni and former chauffeur for Usama Bin Ladin, Salim Ahmed Hamdan, who is currently held at GTMO, has claimed in a lawsuit that he has been regularly beaten at GTMO. And two Australians held at GTMO, David Hicks and Mamdouh Habib (who has since been released), have also through their lawyers made widely-publicized claims of torture.

(U) We also reviewed a July 14, 2004 letter from an FBI official notifying the Army Provost Marshal General of several instances of "aggressive interrogation techniques" reportedly witnessed by FBI personnel at GTMO in October 2002. One of these was already the subject of a criminal investigation (in the case of an interrogator who allegedly bent a detainee's thumbs backward), which remains open. The U.S. Southern Command and the current Naval Inspector General are now reviewing all of the FBI documents released to the American Civil Liberties Union (ACLU) - which, other than the letter noted above, were not known to DoD authorities until the ACLU published them in December 2004 - to determine whether they bring to light any abuse allegations that have not yet been investigated.

(U) We can confidently state that based upon our investigation, we found nothing that would in any way substantiate detainee allegations of torture or violent physical abuse at GTMO. (Nevertheless, we found that such allegations are

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thoroughly investigated, as evidenced by ongoing investigations of Hick's and Habib's claims by the Naval Criminal Investigative Service.)

(U) First, interrogation and detention policies at GTMO have not in any way directed, encouraged or condoned torture or violent physical abuse of detainees, and the amount of command oversight, discussed in some detail above, makes it highly unlikely that such abuse could go unchecked. Second, even minor detainee abuse at GTMO is punished - as noted above, striking a detainee in response to being bitten, or spraying a detainee with a hose in response to being sprayed with a foul-smelling liquid, are grounds for restriction, extra duty and reduction in rank - and thus it would be incongruous for violent physical abuse to exist and go unpunished. Third, as discussed in more detail later in this report, our review of medical records found no evidence to support allegations of torture or violent physical abuse of detainees. In fact, detainees were more likely to suffer injury from

playing soccer or volleyball during recreational periods than they were from interactions with interrogators or guards. Furthermore, the medical personnel that we interviewed stated that no detainees had ever reported physical abuse to them, even though detainees rarely hesitated to complain about minor physical symptoms (such as headaches, rashes, or minor scrapes) or other frustrations (such as disliked food or unruly detainees in nearby cells). Finally, many allegations of violent physical abuse against detainees concern the use of GTMO's Immediate Reaction Force (IRF), which is a disciplinary squad employed only as a last resort to compel non-compliant detainees to follow guards' orders using the minimum necessary force. Detainee non-compliance, therefore, sometimes entails a physical confrontation with the IRF, but this is a necessary and legitimate aspect of camp discipline. Moreover, we identified no evidence of abuse from a review of IRF videotapes, and our findings in this regard are consistent with a SOUTHCOM review conducted in June 2004.

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~~SECRET/NOFORN~~**Operation ENDURING FREEDOM – Afghanistan (U)**

(U) This section examines the evolution of interrogation techniques approved and employed in Operation ENDURING FREEDOM (OEF) in Afghanistan. It begins with a discussion of the background to interrogation operations in Afghanistan.

Background (U)

(U) Shortly after noon Eastern Daylight Time on October 7, 2001, less than four weeks after the terrorist attacks of September 11, coalition forces commenced combat action against al Qaeda and the Taliban in Afghanistan. The conflict that followed was unique for its successful integration of U.S. special operations forces (SOF) with local Afghan militia forces, and for its unprecedented speed and success, despite the challenges posed by inhospitable terrain, a history of internecine fighting among Afghan tribes, and an enemy who attempted to use the local populace for cover and concealment.

(U) Broadly speaking, the campaign can be broken into three major phases: an initial phase of intense aerial bombardment lasting from October to late November 2001 in which the preponderance of U.S. ground presence consisted of SOF; a build-up of U.S. conventional forces that began in late November 2001 with the insertion of Marines into Camp Rhino, near Kandahar; and a period of ongoing low-intensity conflict and counter-insurgency operations involving a mix of conventional forces

and SOF that began in May 2002 with the establishment of Combined Joint Task Force 180 (CJTF 180). The extensive reliance on light, highly mobile forces including both SOF and the paramilitary forces of other government agencies (OGA) shaped the development of interrogation facilities and techniques in the conflict by limiting the number of large, fixed bases capable of supporting detention and interrogation of large numbers of detainees. Even today, nearly three years after the start of the conflict, only two U.S. military facilities in Afghanistan - those at Bagram and Kandahar - are equipped and staffed with dedicated interrogation facilities and interrogators and have the ability to hold more than a handful of detainees.

(U) The reliance on light, mobile forces was driven largely by the rugged geography and political composition of Afghanistan. The country is inaccessible by sea, and high mountain passes that are prime locations for ambush limit interior communication by road. Most U.S. materiel and large equipment is shipped to Karachi, Pakistan where it is loaded on trucks and then driven hundreds of miles over unimproved roads. Drivers must endure ambushes, illegal tariffs, and pilfering before eventually arriving at their destination in Kandahar or Bagram. This trip may take two weeks to complete, if completed at all. Virtually all U.S. personnel have to be airlifted into the country. The 2003 CIA World Factbook lists only ten airports with paved runways in the country, placing a heavy reliance on helicopters and smaller fixed-

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wing transport, capable of carrying lighter loads and landing on unimproved fields. Over 49 percent of the country is at greater than 6,500 feet above sea level, with passes in the mountainous regions frequently exceeding 10,000 feet above sea level. These conditions further limit the loads that can be carried by aircraft, especially helicopters. The movement of large heavy troop formations and the construction of suitable facilities to house them is nearly impossible in these conditions.

(U) Political power in Afghanistan has historically been concentrated in local tribes or clans rather than a central government. Even during the Soviet occupation, the mujaheddin fighters who successfully opposed the Soviets were not a unified force, but a loose coalition of leaders who frequently fought amongst themselves even as they were fighting the Soviet Union. During the initial phases of OEF, small formations of U.S. military and paramilitary forces were able to integrate with tribal leaders, establishing bonds of trust in a way that large formations of conventional troops could not have done. After the Taliban fell, operations to root out terrorist and Taliban strongholds in Afghanistan's mountains, caves, and valleys favored small units that could exploit air mobility and mass in larger formations when required, rather than large, heavy forces with their associated garrisons and facilities.

**Evolution of Command Structures and
Detention Facilities (U)**

(U) Overall combatant command in Operation ENDURING FREEDOM has always resided with the Commander, United States Central Command (CENTCOM), headquartered in Tampa, Florida, with forward headquarters initially in Saudi Arabia, and later in Qatar. During the initial stages of combat in Afghanistan, operations fell principally under the purview of the combined forces component commanders. The Combined Force Air Component Commander (CFACC), Lieutenant General T. Michael Moseley, USAF, for instance, directed air operations. He reported directly to the CENTCOM commander, General Tommy Franks, USA. The Combined Force Land Component Commander (CFLCC), Lieutenant General P. T. Mikolashek, USA, controlled all ground forces except SOF, which fell under the purview of the Combined Force Special Operations Component Commander (CFSOCC), Rear Admiral Albert Calland, USN (also referred to as the Combined Joint Force Special Operations Component Commander, or CJFSOCC).

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