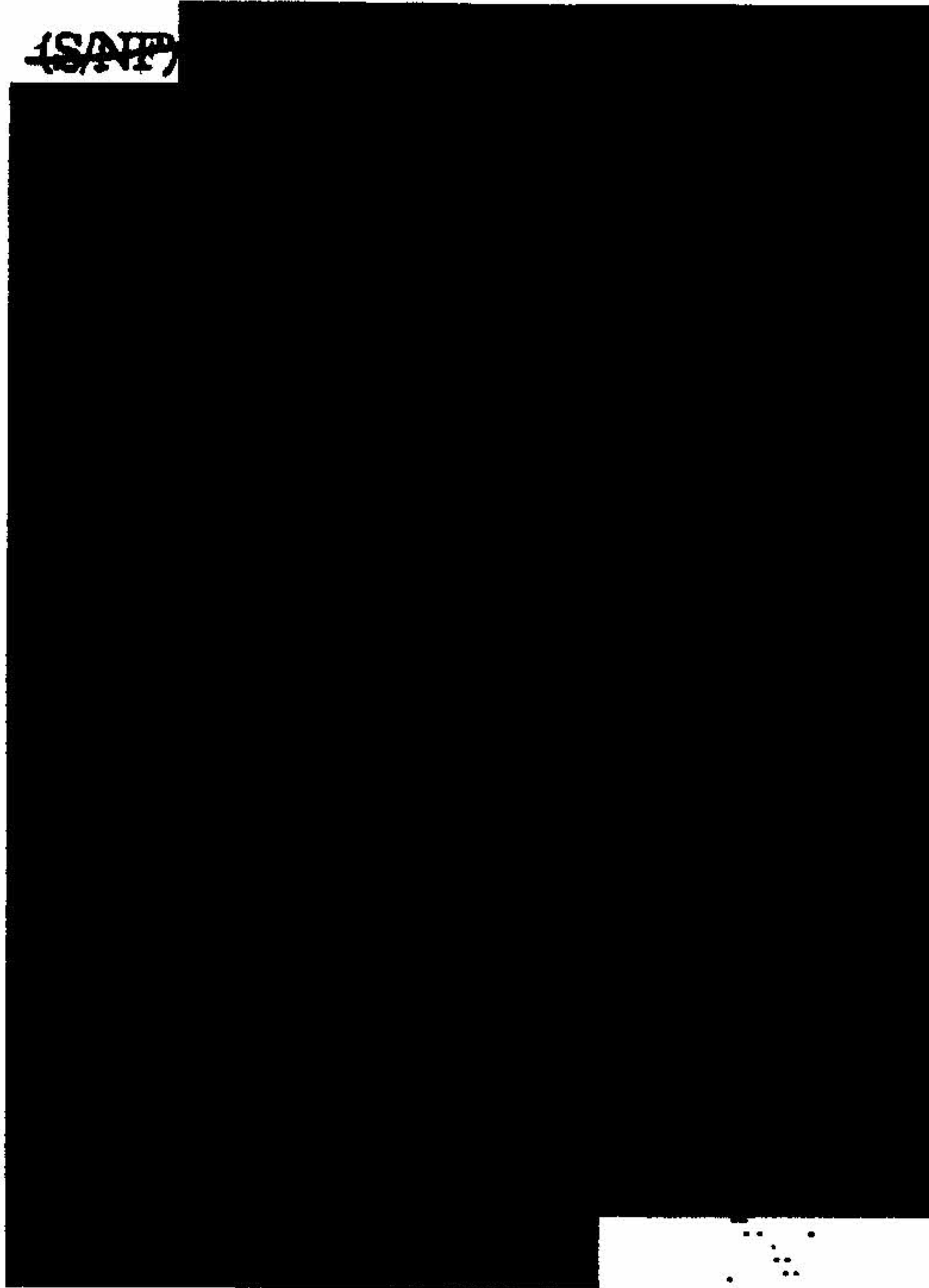


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additional "missed opportunities" (besides those suggested by our findings above). None of these missed opportunities themselves contributed to or caused abuse; in addition, it is unlikely that they could have prevented the interrogation-related abuses that did occur, which were already prohibited by other existing policies, law, and doctrine. However, had they been pursued, U.S. forces might have been better prepared for detention and interrogation operations in Afghanistan.

- (U) The few substantiated interrogation-related abuses in Afghanistan - which consisted of physical violence - were unrelated to any approved interrogation policies, which prohibited such behavior. In addition, the abuses at Bagram took place before any interrogation policy other than FM 34-52 was codified for Afghanistan.

## (U) Missed Opportunities

(U) Our investigation suggested several

- (U) Though the President's February 7, 2002 determination stated that al Qaeda and Taliban members were not EPWs, no specific guidance was given to CENTCOM with regard to the practical effects of this determination, in particular with regard to interrogation techniques and the concept of "military necessity" as a justification for exceeding the guidelines of GPW. We found no evidence that the determination was employed to justify techniques beyond the boundaries of GPW: it was clearly not a driving factor in CJTF-180 interrogations - in fact, LTG McNeill stated that he had no personal knowledge of the impact of the President's determination. Nevertheless, we recommend that common guidance be provided to all of the military departments and DoD agencies.

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- (U) There was no evidence that specific detention and interrogation lessons learned from previous conflicts were incorporated in planning for Operation ENDURING FREEDOM.
- (U) Though all personnel were aware that abuse must be reported, there were no standard procedures for identifying or reporting detainee abuse or for determining whether abuse allegations were legitimate.

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## Operation IRAQI FREEDOM (U)

(U) This section examines the evolution of interrogation techniques approved and employed in Operation IRAQI FREEDOM, and begins with a discussion of the background to interrogation operations in Iraq. The discussion below presumes a familiarity with the previous reports concerning detention and interrogation operations in Iraq, and particularly at Abu Ghraib, summarized earlier in this report (i.e., Miller, Ryder, Taguba, Army Inspector General [Mikolashek], Fay, Jones, and Independent Panel), but will re-emphasize key points - and, where appropriate, offer clarifications - in order to provide context for our analysis.

## Background (U)

(U) Operation IRAQI FREEDOM began at approximately 10 p.m. Eastern Standard Time on March 19, 2003, with air and cruise missile strikes intended to kill Saddam Hussein and other key leaders of the Ba'athist regime. The main body of coalition ground forces crossed the border from Kuwait into Iraq on March 20, and three weeks later, on April 9, coalition forces had taken Baghdad. By early May, the Iraqi armed forces and the Ba'athist regime had been defeated, and coalition forces could begin the task of stabilizing and reconstructing Iraq in coordination with the new Coalition Provisional Authority (CPA) established on May 12, 2003. (The CPA superseded the Office for Reconstruction and Humanitarian Assistance, which had been in place since April.) Although full responsibility and authority for governing Iraq was handed over to the fully sovereign and independent

Iraqi interim government on June 28, 2004, coalition forces continue to support Iraqi security and reconstruction.

(U) As in the early stages of Operation ENDURING FREEDOM, ground operations in IRAQI FREEDOM were marked by both rapid maneuver and the participation of SOF and OGA personnel. These factors would necessitate multiple, often far-flung detention facilities: the rapid and wide-ranging maneuver of conventional forces, combined with the dispersed nature of SOF and OGA operations, meant that Iraq was never a "linear" battlefield with clearly defined front lines, or rear areas in which to establish internment facilities. In addition, continuing insurgent and terrorist activity throughout the country required coalition units to maintain short-term detention facilities within their own areas of responsibility for the safeguarding of detainees before their transfer to theater internment facilities.

(U) While operations in Afghanistan and Iraq have both resulted in large numbers of civilian detainees, Operation IRAQI FREEDOM is distinct in that the initial stages of ground combat - from March 20 through early May of 2003 - produced significant numbers of enemy prisoners of war (EPWs) as well. The figure on the next page, an excerpt from the Center for Army Lessons Learned publication *On Point* (a history of Army operations in IRAQI FREEDOM through May 2003), describes the 3<sup>d</sup> Infantry Division's early experi-

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ence with EPW operations during the battle to secure an air base and a bridge over the Euphrates River near the town of Tallil in southeastern Iraq. The narrative illustrates some of the challenges related to detention operations on a fluid battle-

field encompassing fast-moving forces and long lines of communication. In addition, it calls attention to the segue from EPW to civilian internee detention attending the transition from major combat to stability operations.

## Handling the Enemy Prisoners of War (U)

(U) "The Battle of Tallil presented the 3rd ID with its first substantial numbers of EPWs. Handling the prisoners was a major task that the division and corps had been working for months. This would be the first test of that effort. At 0900 on 22 March...the 3rd MP Company commander led the advance party of Task Force EPW to [Assault Point] BARROW and established the first EPW collection point. Shortly thereafter, the main body arrived and received and processed the first three Iraqi EPWs.

(U) "While processing the prisoners at BARROW...[the] 3rd ID provost marshal received a message from 3rd BCT [Brigade Combat Team] asking for assistance with the prisoners taken at Tallil Air Base. [A] small advance party moved north...to take control of the prisoners, established a hasty collection point, and accepted 3rd BCT's prisoners. The following morning at 0900...the 3rd BCT cleared a building complex planned as the location of Division Central Collection Point HAMMER. Task Force EPW occupied the complex in the early afternoon.

(U) "By the morning of 24 March, ...the 709th MP Battalion commander arrived at Tallil Air Base...[and] effected a relief-in-place with Task Force EPW. This freed Task Force EPW to continue movement north following the 3rd ID brigades. However, [the 709th MP Battalion commander] quickly realized that he did not have adequate combat power to relieve Task Force EPW and conduct his second mission of escorting critical logistics convoys to the fighting forces. The only available forces at his disposal were two platoons and the company headquarters of the 511th MP Company from Fort Drum, New York, all of which had arrived ahead of the unit equipment.

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(U) "[The battalion commander] decided to commit this force to conduct the EPW mission at Tallil. On 24 March, [the] commander of the 511th MP Company led 80 soldiers in six Black Hawk helicopters from Camp PENNSYLVANIA to Tallil Air Base, with only their weapons, rucksacks, a picket pounder, and two days' supply of food and water. They immediately augmented the 709th MP Battalion and effectively relieved Task Force EPW. The 709th MPs renamed the collection point Corps Holding Area WARRIOR. With limited equipment and supplies, the 511th MP Company expanded the collection point and processed and safeguarded over 1,500 EPWs until the 744th MP Battalion (Internment/Resettlement) relieved them on 6 April 2003.

(U) "The holding area at Tallil Air Base ultimately became Camp WHITFORD, a trans-shipment point where all coalition ground forces brought EPWs pending movement by the 800th MP Brigade to the theater internment facility at Camp BUCCA [in the Iraqi Persian Gulf port city of Umm Qasr]. On 9 April, coalition forces had over 7,300 EPWs in custody. Most of these prisoners ultimately [were transferred] to the theater internment facility. However, coalition commanders released prisoners who they determined did not have ties to the Iraqi armed forces or the Ba'ath Party. As coalition forces transitioned to peace support operations, the internment and resettlement mission also transitioned. Shortly after 1 May 2003, when President Bush declared the end of major combat operations, the 800th MP Brigade began paroling approximately 300 EPWs a day. As the prisoners were released, criminals replaced them in the camps as coalition forces began to establish law and order throughout the country."

(U) Evolution of Command Structures  
and Detention Facilities

(U) Combat Operations

(U) As with operations in Afghanistan, overall combatant command of operations in Iraq resided with the Commander, U.S. Central

Command (CENTCOM): General Tommy Franks, USA until July 7, 2003, and then his successor, General John Abizaid, USA. During the early combat operations, CENTCOM's Combined Forces Land Component Commander (CFLCC) - Third U.S. Army Commanding General, Lieutenant General David McKiernan, who by then had relieved LTG Mikolashek - directed conventional

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force ground operations, while the Combined Force Special Operations Component Commander (CFSOCC) directed SOF operations. In addition, a Joint Interagency Coordinating Group (JIACG) was established as part of the CENTCOM staff to assist in coordinating the activities of non-DoD agencies operating in Iraq.

(U) Major conventional forces under the CFLCC's command included the U.S. Army V Corps, then commanded by LTG William S. Wallace, USA, and the 1st Marine Expeditionary Force (I MEF) - with attached British forces - under LtGen James T. Conway, USMC. Major units assigned to V Corps included 3<sup>d</sup> ID, 4th ID, and the 82d Airborne and 101st Air Assault Divisions. In addition, CENTCOM placed the 173d Airborne Brigade under the CFSOCC's command as part of Joint Special Operations Task Force North (JSOTF-N). In the early days of Operation IRAQI FREEDOM, the 3<sup>d</sup> ID spear-headed V Corps' drive to Baghdad through southwestern Iraq; the 173d Airborne Brigade and 101st Air Assault Division secured northern Iraq; and I MEF, together with British forces, secured the oil fields of southern Iraq and drove to Baghdad from the southeast. Later, these units would be joined by the 4th ID and by then-Major General Ricardo S. Sanchez's 1st Armored Division, arriving via Kuwait; subsequent troop rotations (not described in detail in this report)

began in early 2004.

(U) As *On Point* relates, planning for detention and related intelligence operations - and the attendant challenges - began well before March 2003. CFLCC planners anticipated that EPW numbers could range from approximately 16,000, in the event of an early collapse of the Iraqi regime, to a high of approximately 57,000 if Iraqi forces put up a lengthy defense. MPs would also be required to stabilize liberated territories in addition to conducting standard missions including detainee operations, protection of high-value assets and personnel, and regulation of supply routes, among others.

(U) As early as December 2001, while tailoring forces in support of CENTCOM's Operation Plan (OPLAN) 1003V in the event of hostilities with Iraq, V Corps' 18th MP Brigade began planning for EPWs captured in combat. The Brigade's initial plan was to have two battalion headquarters and eight to ten MP companies available if and when hostilities began. However, as Operation IRAQI FREEDOM approached, the CFLCC made a decision to place these MP units toward the "tail" of the forces flowing into theater, giving preference for early arrival to combat arms units. This decision would result in increased responsibility for early-arriving MP units. From *On Point*:

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(U) "[This decision] had the greatest effect on the division provost marshals (i.e., senior MP officers), who were responsible for coordinating MP support to the divisions with only half of the required police forces...To manage the problem, [the 3<sup>d</sup> ID provost marshal] formed Task Force EPW. In addition to the division's MP company, the task force received the 546th Area Support Hospital, the 274th Medical Detachment (Field Surgical Team), a tactical human intelligence (HUMINT) team, a mobile interrogation team, a criminal investigation division (CID) division support element, and an adviser from the Staff Judge Advocate. With the 3d MP Company, the task force had the resources necessary to receive, process, and safeguard prisoners."

(U) Besides handling detainees during combat operations, the CFLCC would require a theater EPW internment capability. In a March 14, 2003 OPOD, the CFLCC assigned this task to MG David E. Kratzer's 377th Theater Support Command (TSC), a unit assigned to the CFLCC that included the Army Reserve 800th MP Brigade (Internment/Resettlement). The 800th MP Brigade (then commanded by Army Reserve BG Paul H. Hill) was primarily composed of six MP battalions, four of which specialized in EPW processing and counterintelligence, and two of which were trained for the I/R mission. (The Brigade's 320th MP Battalion, a non-I/R unit composed of reservists trained for guard duty that included the 372d MP Company, would later assume responsibility for the prison at Abu Ghraib.) In addition, the CFLCC delegated to the 800th MP Brigade its authority to conduct GPW Article 5 tribunals to ascertain appropriate categories for detainees whose Geneva Convention status was unclear. An organization chart depicting the overall command structure relevant to detainee operations is provided in the figure on the following page.

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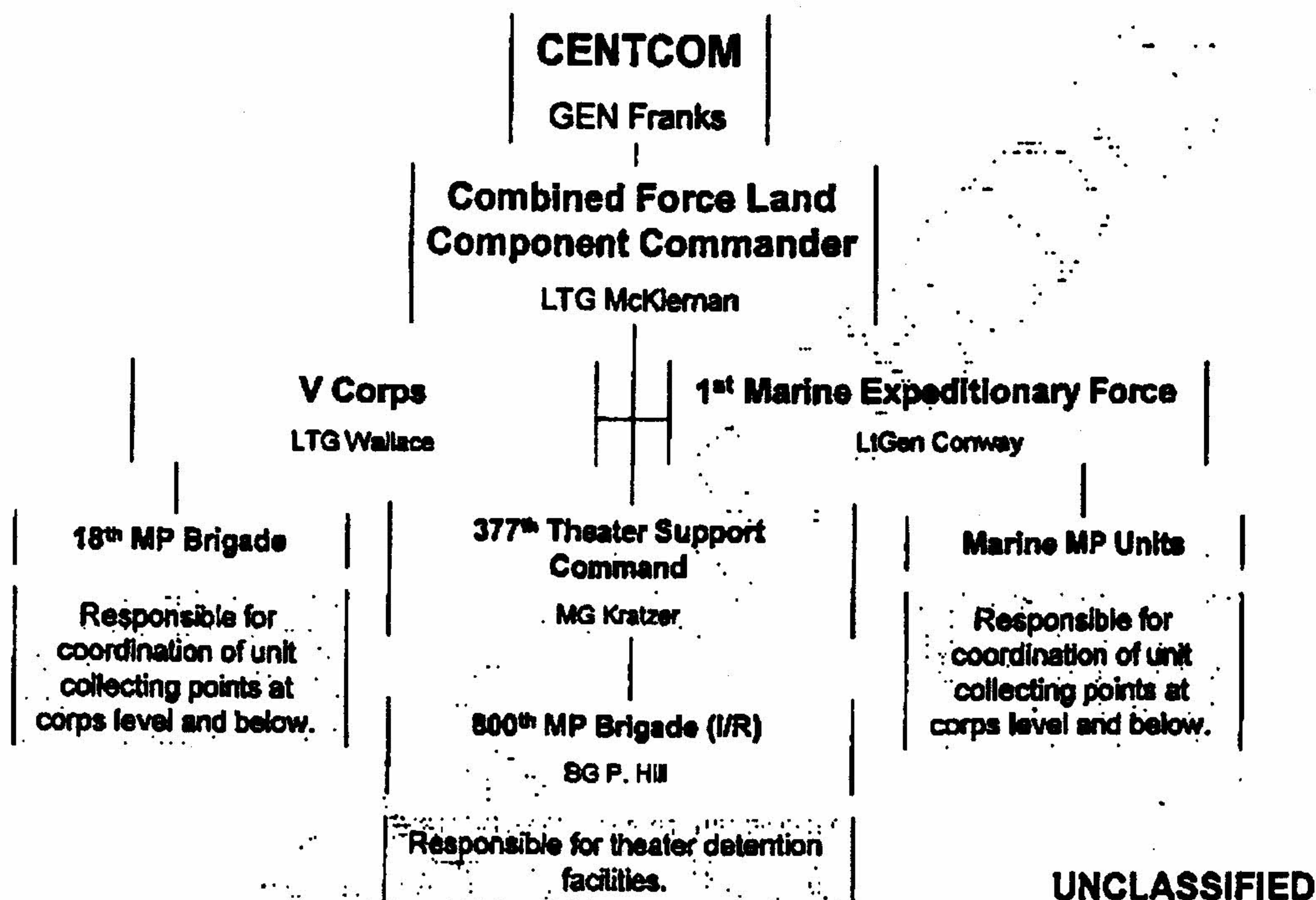
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## Iraq Detention-Related Command Structure - March 2003 (U)



(U) Prior to the war, V Corps also began preparing for detainee-related intelligence operations by rotating Tactical HUMINT Teams (four-soldier teams including interrogators and linguists) into the CENTCOM theater in order to hone language skills and conduct mission-specific training.

### (U) Initial Development of Detention Facilities

(U) With the inception of ground combat operations on March 20, 2003, coalition ground forces throughout Iraq had to develop facilities for the temporary detention and tactical interrogation of EPWs, civilian internees (CI) and other detainees (OD) prior to turning them over to the

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18th MP Brigade or channeling them directly to a theater internment facility. Throughout the war, various collecting points were established and disestablished at the brigade level and below as circumstances dictated. As noted previously in our discussion of detention doctrine, the lowest-echelon detention facility described in MP doctrine is the division collecting point (CP); however, the realities of combat operations in Afghanistan and Iraq have often dictated the establishment of temporary detention facilities at lower levels; e.g., by maneuver brigades, or by SOF operating independently.

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## (U) Theater-level Facilities

(U) Among the detention sites established in the course of Operation IRAQI FREEDOM, four have emerged as major theater-level facilities for the detention of EPWs and civilians. The 800th MP Brigade operated all of these facilities until relieved by the 16th MP Brigade (Airborne) in early 2004. As of July 2004, the Multinational Forces-Iraq Deputy Commanding General for Detainee Operations assumed responsibility for all detention and interrogation operations in Iraq.

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