



# Gaps and Seams – Closed Items

**GS-012 to GS-015**

## *GS-016 Develop Policy for Joint Interagency Detainee Ops*

**(U) RECOMMENDATION/OBSERVATION**

- Common guidance is required where multiple agencies (e.g. DoD, FBI, CIA) perform joint/combined interrogations, common guidance is required.

**(U) CURRENT ASSESSMENT:**

- USDI is addressing Joint Interagency roles in the DoD Interrogation process.
- Their policy is being drafted – but do not have date yet.

**OPR: USD (I)**

**OCR: USD (P)**

**(U) FIX/ACTION/CHANGE:**

**Fix: Issue common guidance.**

**Action: Interagency coordination of interrogation policy.**

**Change: Common practices for all engaged in intelligence gathering.**



# Gaps and Seams – Closed Items

**GS-017**



# **Church GTMO-Charleston Review**

## **12 Findings**

*GC 001-GTMO MP Force Rotation***(U) RECOMMENDATION**

- GTMO-MP Force guards work 8-hour shifts, 7 days/week; a change to 12 hour shifts would be detrimental. MP Force is under stress: Assaults against guards average 14/week (e.g., spitting, throwing liquids, food, or body fluids and physical assault.)
- Consider expanding other service participation during GTMO 5 rotation GTMO MP Force

**(U) CURRENT ASSESSMENT: GREEN**

● GTMO Rotations 5, 6, and 7 have increased non Army personnel in guard force. The GTMO 5 rotation was augmented by Marine, Navy and Air Force personnel. GTMO 6 included a Navy provisional battalion led by a Navy Captain. GTMO 7 will have more Navy participation than Army participation. The Navy will provide a Navy Provisional Guard Battalion for the guard force, manning for the Joint Medical Group, and manning for the Joint Intelligence Group.

**OPR: SOUTHCOM****OCR:****FIX/ACTION/CHANGE:**

**Fix: (U) Increase participation of other services in GTMO guard force.**

**Action: (U) GTMO rotations have increased number of non-Army members in rotations.**

**Change: (U) Significant presence of Navy personnel in GTMO rotations 5-7.**

## *GC-003P Inter-agency Process on Detainee Movement*

### **(U) RECOMMENDATION/OBSERVATION**

Examine inter-agency process for Detainee Movement Orders with a goal of simplifying and streamlining the process.

### **(U) CURRENT ASSESSMENT:**

- DC has directed the PCC develop a process to streamline the IA process for releases.
- DoD working with State to develop a streamline transfer program for assurances and humane treatment qualifications.

**OPR: OUSD(P)**

**OCR: OUSD (P)**

### **(U) FIX/ACTION/CHANGE:**

**Fix: Simplify and streamline the Detainee movement process.**

**Action: Coordination with IA.**

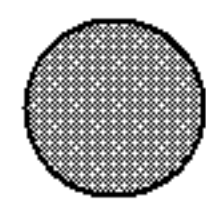
**Change:**

## *GC 004-Complaint Process for GTMO Detainees*

### **(U) RECOMMENDATION**

- GTMO -No formal process for detainees to make complaints.
- Specific recommendation not made. *Inferred recommendation:* Establish and implement a formal process for detainees to make complaints

### **(U) CURRENT ASSESSMENT: GREEN**



This inferred recommendation was considered but rejected by JTF-GTMO. The current informal systems in place at JTF-GTMO allow detainees the ability to make complaints. Detainees are not inhibited from complaining to guards, interrogators, the ICRC, OARDEC personnel, or their habeas counsel. Many investigations result from these complaints. Additionally, JTF-GTMO has a formal SOP in place for addressing abuse allegations by detainees.

**OPR: SOUTHCOM**

**OCR:**

### FIX/ACTION/CHANGE:

**Fix:** (U) Recommendation considered but rejected by Commander, JTF-GTMO.

**Action:** (U) No action required.

**Change:** (U) None. The informal systems in place provide a sufficient outlet for detainees and a formal mechanism for detainees' complaints is neither necessary nor required, as detainees, as unlawful combatants, are not entitled to a formal complaint system (unlike GC III EPWs under Article 78.)



## *GC 005-GTMO Packages for GTMO Detainees*

### **(U) RECOMMENDATION**

- GTMO-Detainees do not receive packages. Compliance Checklist-Other Items of Note Regarding GTMO (White House Fact Sheet, 07 Feb 02)-Regarding packages of food and clothing, the ability to receive same is subject to security screening. No packages allowed at GTMO for security reasons.
- Specific recommendation not made. *Inferred recommendation:* Review GTMO detainee package delivery policy.
- **(U) CURRENT ASSESSMENT: GREEN**

● This inferred recommendation was considered but rejected by JTF-GTMO. JTF-GTMO detainees, as unlawful combatants, have no entitlement to packages (unlike GC III EPWs under Article 72). JTF-GTMO has significant security concerns regarding packages sent to detainees. Creating a process to screen care packages for detainees to accommodate legitimate security issues would pose an inordinate logistical burden on JTF-GTMO.

**OPR: SOUTHCOM**

**OCR:**

247

### FIX/ACTION/CHANGE:

**Fix: (U) Recommendation considered but rejected by Commander, JTF-GTMO.**

**Action: (U) No action required.**

**Change: (U) None. While security and logistical concerns preclude allowing detainees to receive packages, detainees have the ability to mail and receive letters and JTF-GTMO has processed over 30,000 letters addressed to and from detainees.**



## *GC 006-GTMO Short Pants for Detainees*

### **(U) RECOMMENDATION**

- GTMO-Short pants (maximum security block) conflict with religious observance. Compliance Checklist-DoD Orders (MILORD 13 Nov 01; DoD Memo 19 Jan 02; & White House Memo, 07 Feb 02)- Regarding requirement to allow free exercise of religion: At GTMO, detainees in maximum security block required to wear short pants. Traditional Islamic practice requires males to be covered from navel to below knees during prayer.
- Specific recommendation not made. *Inferred recommendation:* Review and amend as required detainee clothing policy.

### **(U) CURRENT ASSESSMENT: GREEN**

● JTF-GTMO has acknowledged the concerns of detainees and adjusted its policies accordingly. JTF-GTMO found that the issue was more of a cultural than religious issue as some Muslim detainees had no objections to the short pants.

**OPR: SOUTHCOM**

**OCR:**

### FIX/ACTION/CHANGE:

**Fix: (U) Accommodate cultural preference of some Muslim detainees where possible.**

**Action: (U) GTMO procured short pants that go below the knees to accommodate detainees who objected to previous design.**

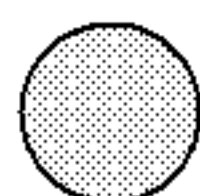
**Change: (U) Short pants now go below the knee. Additionally, short pants are only required for those detainees who demonstrate a potential for self harm.**

# GC-007 Detainee Isolation

**(U) RECOMMENDATION/OBSERVATION:**

- Specific recommendation not made.  
*Inferred recommendation: Prepare response to anticipated accusations of using Isolation as a counter-resistance technique.*

**(U) CURRENT ASSESSMENT:**



OPR: JFCOM  
OCR:

**(U) FIX/ACTION/CHANGE:**

**Fix: Determine and institute detainee isolation policy**

**Action: Prepare response to anticipated accusations of using Isolation as a counter-resistance technique.**

**Change:**

**2005**

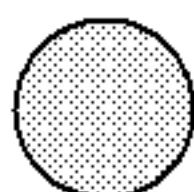


## GC-008 *Lack of Muslim Chaplain*

**(U) RECOMMENDATION/OBSERVATION:**

- Christian Chaplain could be perceived as forced proselytization
- Specific recommendation not made. Inferred recommendation: Consider alternatives to Chaplains as socializing agents for detainees. [or] Assign a Muslim Chaplain.

**(U) CURRENT ASSESSMENT:**



OPR: JFCOM  
OCR:

**(U) FIX/ACTION/CHANGE:**

Fix: Establish legitimate socialization agents.

Action: Consider alternatives to Chaplains as socializing agents for detainees. [or] Assign a Muslim Chaplain.

Change:

**2005**

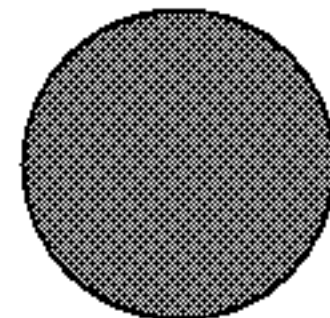


# GC-009 “SOUTHCOM IG to Inspect GTMO”

**(U) RECOMMENDATION/OBSERVATION:**

- Consider expanding scope to examine both GTMO and Charleston; specifically address issues raised here.

**(U) CURRENT ASSESSMENT:**



**(U) FIX/ACTION/CHANGE:**

**Fix:**

**Action:**

**Change:**

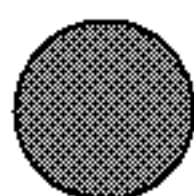
OPR: SOUTHCOM  
OCR: JFCOM

# GC-010 *Incentive/Removal of Incentives*

**(U) RECOMMENDATION/OBSERVATION:**

- One detainee (in Charleston) had Koran, mattress, pillow removed from cell, and fed cold MREs as part of JFCOM-approved interrogation technique.
- SECDEF memo addresses GTMO only

**(U) CURRENT ASSESSMENT:**



OPR: JFCOM  
OCR: SOUTHCOM

**(U) FIX/ACTION/CHANGE:**

Fix: Cease using removal of Koran as interrogation technique

Action: Develop standard interrogation policy

Change:

**2005**



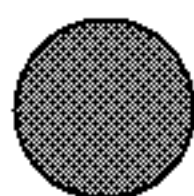


# GC-011 Incentive/Removal of Incentive - Koran

**(U) RECOMMENDATION/OBSERVATION:**

- One detainee (in Charleston) had Koran removed from cell as part of JFCOM-approved interrogation technique.
- Inferred recommendation – Cease using removal of Koran as interrogation technique.

**(U) CURRENT ASSESSMENT:**



OPR: JFCOM  
OCR:

**(U) FIX/ACTION/CHANGE:**

Fix: Cease using removal of Koran as interrogation technique

Action: Develop standard interrogation policy

Change:

**2005**



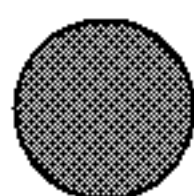


# *GC-012 Incentive/Removal of Incentive - Mattress*

**(U) RECOMMENDATION/OBSERVATION:**

- One detainee (in Charleston) had mattress removed as part of JFCOM-approved interrogation plan
- Identified as potential issue only

**(U) CURRENT ASSESSMENT:**



OPR: JFCOM  
OCR:

**(U) FIX/ACTION/CHANGE:**

Fix: Develop standard interrogation policy

Action: Develop standard interrogation policy

Change:

**2005**

*Apr*



*Aug*





**Church  
Detention Operations &  
Detainee Interrogation  
Techniques**

**44 Findings**

## *C-001 -- Standardization of Interrogation Policy Guidance*

### **(U) RECOMMENDATION/OBSERVATION**

Lack of specific guidance, clarity, and consistency on interrogation techniques among Afghanistan, Iraq, and GTMO interrogation operations. Standardize interrogation guidance under a single policy (specific and unambiguous) for all areas of operations.

### **(U) CURRENT ASSESSMENT:**

- • USD(I) has issued a draft of a HUMINT collection DoDD. Draft is in formal coordination.
- Meetings have taken place to resolve issues between USD(P) and USD(I). SD 106 coordination to be completed in near term.

### **(U) FIX/ACTION/CHANGE:**

**Fix: Issue common guidance.**

**Action: OUSD(P) and USD(I) coordination of policy**

**Change:**

**OPR: USD (I)  
OCR: USD (P)**

# C-002 / Interrogation Doctrine/TSP

**(x) RECOMMENDATION/OBSERVATION**

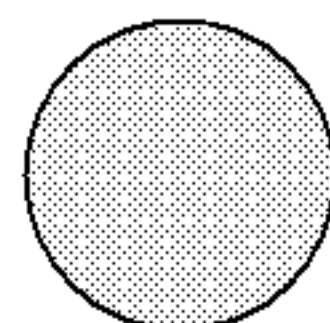
- Future planning for detention and interrogation operations in the GWOT should take full advantage of prior and ongoing experience in these areas

HQDA DODOIP Task: D1

**(x) CURRENT ASSESSMENT:**

OPR: Army

OCR: None



**(x) FIX/ACTION/CHANGE:**

Fix: Improve detention and interrogation operations planning

Action: Incorporate Lessons Learned into planning for DO

Change: Doctrine will be improved to incorporate GWOT lessons learned in the current operational environment

**2004**

**2005**

*SEP*

Publish  
FMI 3-19.40 &  
FM 2-22.3

Publish and  
implement point  
of capture to IF  
door





*Issue Title (Ineffective Policy Dissemination):*  
***C-003 CHURCH REPORT pg. 10, 11, 47, 92, 237, 303***

**(U) RECOMMENDATION / OBSERVATION:**

Need improved processes for dissemination of policy guidance, ensuring compliance, and obtaining feedback on implementation down through the unit-level [Issue closely related to C-030, Compliance].

**(S) FIX / ACTION / CHANGE:**

(b)(5)

**(S) CURRENT ASSESSMENT**

● CENTCOM requests closure. System in place to meet requirements in the recommendation. CDRs have effective means of ensuring policy is disseminated and checked.

OPR: CENTCOM

OCR:

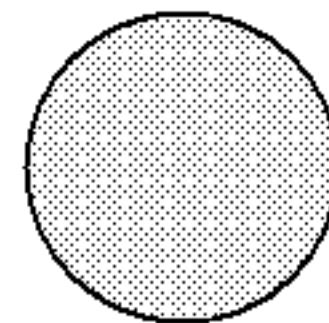
# C-004 / MP/MI Doctrine/TSP

**(x) RECOMMENDATION/OBSERVATION**

- Clarify and reconcile doctrine for MP and MI detention and interrogation operations

HQDA DODOIP Task: D3

**(x) CURRENT ASSESSMENT:**



OPR: Army

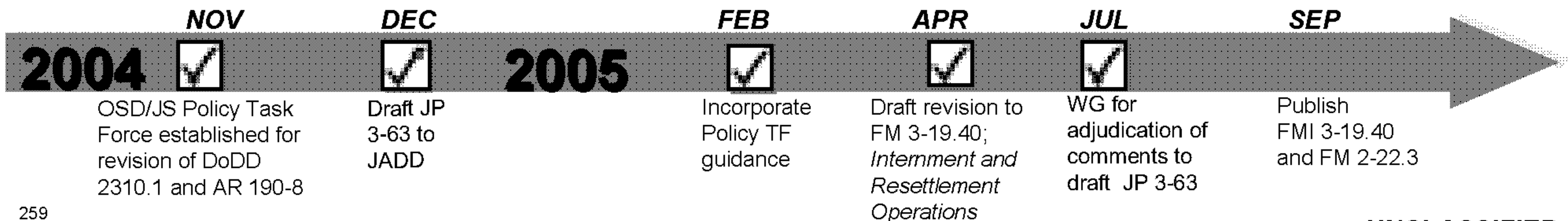
OCR: None

**(x) FIX/ACTION/CHANGE:**

Fix: Review, expand, revise detainee operations doctrine as appropriate

Action: Doctrine should address MP/MI detention and interrogation operational

Change: Draft FM 2-22.3, FMI 3-19.40



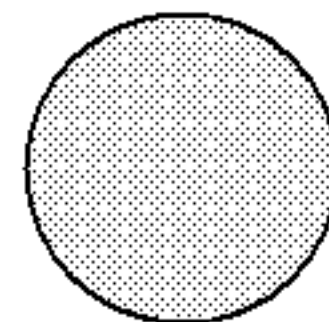


**(x) RECOMMENDATION/OBSERVATION**

- Put in place more specific procedures and direct guidance to prevent further abuse. Emphasize stronger leadership, greater oversight, and enforcement of good military discipline to lessen the likelihood of abuse

HQDA DODOIP Task: T2.1/T5.3/L2

**(x) CURRENT ASSESSMENT:**



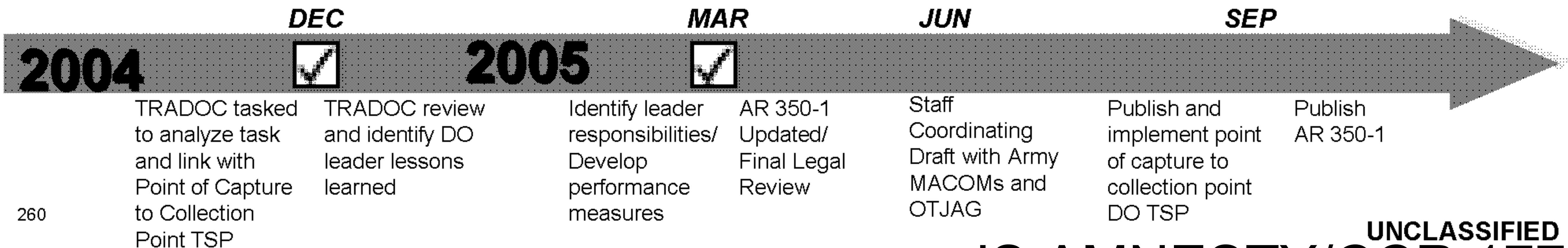
**OPR: Army**

**OCR:**

Fix: Revise Training

Action: Develop / implement a train-the-trainer package that strongly emphasizes leaders' responsibilities to have adequate supervision and control processes in place to ensure the proper treatment of detainees, and the immediate reporting of detainee abuse

Change: Develop DO LDR Train-the-Trainer Package



*C-006 -- Standardization of Interrogation Policy re: OGA's*

**(U) RECOMMENDATION/OBSERVATION**

Coalition and IA policies governing interrogation needs developing. Policies need specificity as to whom applicable, approved methods, with approved standards of supervision and enforcement.

**(U) CURRENT ASSESSMENT:**

- USD(I) has issued a draft of a HUMINT collection DoDD addressing OGA's and all interrogation policy matters. Draft is in formal coordination.
- Meetings have taken place to resolve issues between USD(P) and USD(I). SD 106 coordination to be completed in near term.

**(U) FIX/ACTION/CHANGE:**

**Fix: Issue more specific guidance for OGA's involved in interrogation.**

**Action: OUSD(P) and USD(I) coordination of policy**

**Change:**

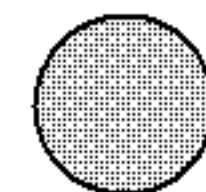
**OPR: USD (I)  
OCR: USD (P)**

*C-007 "Training of Medical Personnel"*

**(U) RECOMMENDATION/OBSERVATION**

(U) There is a need for [a] focused training program in this area so that our medical personnel are aware of and comply with detainee screening and medical treatment requirements. One obvious need is for a clear and concise training curriculum in a standardized format amenable to use in diverse settings

**(U) CURRENT ASSESSMENT:**



- OPR: OSD (ASD-HA)  
OCR: J-4)

**(U) FIX/ACTION/CHANGE:**

**Fix:**

**Action:**

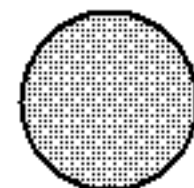
**Change:**

*C-008 “Preventing and Reporting Detainee Abuse”*

**(U) RECOMMENDATION/OBSERVATION**

(U) Our insights, taken together, suggest the need to clarify and reinforce the special responsibilities of medical personnel in preventing and reporting suspected detainee abuse. Inferred: Standardize practice for medical personnel to report suspected incidents of detainee abuse

**(U) CURRENT ASSESSMENT:**



•  
OPR: OSD (ASD-HA)  
OCR: J-4

**(U) FIX/ACTION/CHANGE:**

**Fix:**

**Action:**

**Change:**

*C-009 -- Participation of Medical Personnel re: Interrogations*

**(U) RECOMMENDATION/OBSERVATION**

DoD Policy-level review needed to ensure that medical personnel are practicing with proper safeguards, including clarifying the status of medical personnel (i.e., behavioral scientists supporting interrogators) who do not participate in patient care.

**(U) CURRENT ASSESSMENT:**

- ASDHA has issued a policy directly on this issue. Problem addressed, recommend closure.

**OPR: OUSD(P)  
OCR: OUSD(P)**

**(U) FIX/ACTION/CHANGE:**

**Fix: Issue policy for medical personnel clarifying roles of those providing medical care, and those serving as behavioral scientists.**

**Action: ASDHA and Policy to coordinate.**

**Change:**