

~~UNCLASSIFIED//FOUO~~

(b) (3)

APPROVED FOR RELEASE
DATE: APR 2008



[Redacted]
08/16/04 03:11 PM

To: [Redacted]
cc: [Redacted]

Subject: Re: Army CID Interim Report [Redacted]

Great. Thank you very much.

Original Text of [Redacted]

[Redacted]
DCI/OIG/INV

08/16/04 01:51 PM

To: [Redacted]
cc: [Redacted]

Subject: Army CID Interim Report

[Redacted] FYI given your future dealings with JAG. Below is e-mail exchange re: Army CID documents in the general's case. DO/IRO has found interim to be correctly classified. Regards, [Redacted]

Marilyn: Many thanks for all your efforts! OIG is in possession of the interim report and has advised Army CID that it properly classified and ready for pick up. Regards, [Redacted]

Original Text of Marilyn A. Dorn@DO

Marilyn A. Dorn@DO

[Redacted]
08/16/04 01:19 PM

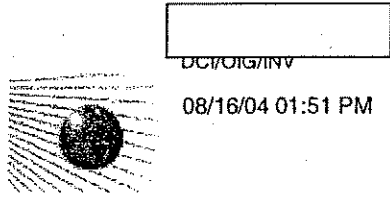
To: [Redacted]
cc: [Redacted]

Subject: Re: DO Classification Review of Interim Report by US Army CID [Redacted]

I have reviewed this interim report and find it to be correctly classified as SECRET [Redacted] This concludes the DO/IRO review. I understand that you will send someone to pick up the document from me [Redacted] and then will return it to CID. Please let me know if you need anything further.

~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~



[Redacted]

DO/OIG/INV

08/16/04 01:51 PM

To:
cc:

[Redacted]

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Original Text of Marilyn A. Dorn@DO

Marilyn A. Dorn@DO

[Redacted]

08/16/04 01:19 PM

To:
cc:

[Redacted]

Subject: Re: DO Classification Review of Interim Report by US Army CID [Redacted]

I have reviewed this interim report and find it to be correctly classified as SECRET NO FORN. This concludes the DO/IRO review. I understand that you will send someone to pick up the document from me [Redacted] and then will return it to CID. Please let me know if you need anything further.

~~UNCLASSIFIED//FOUO~~

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(b) (3)
(b) (5)

SECRET/

[redacted] 20290916

APPROVED FOR RELEASE
DATE: APR 2008

[redacted]

[redacted]
Investigations Staff/Office of the Inspector General

[redacted]



09/16/04 03:05 PM

To: [redacted]

cc:

Subject: Conversation on 15 September 2004 with OGC Attorney

(S) [redacted] FYI, OGC attorney [redacted] called me yesterday. She said the military prosecutor at Ft. Carson recently told her that, after tying up a couple of loose ends, he expects to charge military personnel this week in the death of General Mahawish (case [redacted]). [redacted] indicated she was interested in certain issues related to the case.

[redacted]

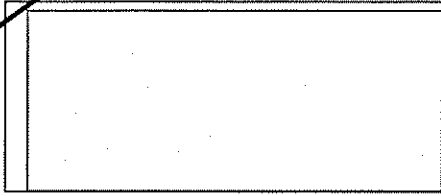
SECRET/

[redacted] 20290916

[redacted]

SECRET/ [redacted] 20290916

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- (b) (5)



APPROVED FOR RELEASE
DATE: APR 2008

[redacted]

Investigations Staff/Office of the Inspector General



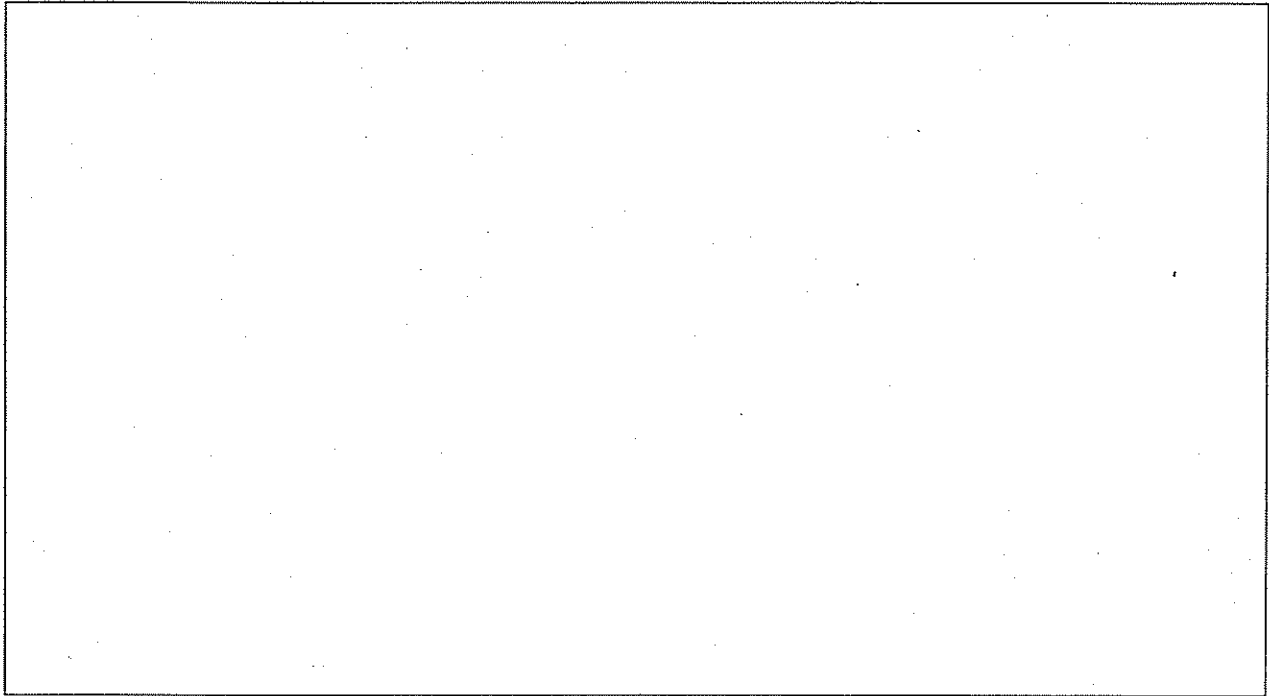
09/16/04 03:05 PM

To: [redacted]

cc:

Subject: Conversation on 15 September 2004 with OGC Attorney

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SECRET/ [redacted] 20290916



~~SECRET~~ // []
Central Intelligence Agency

INV Subject File

(b) (1) APPROVED FOR RELEASE
(b) (2) DATE: APR 2008
(b) (3)



Washington, D.C. 20505

INSPECTOR GENERAL

Inspector General

26 October 2005

Mr. Robert Spencer
Chief, Criminal Division
United States Attorney's Office
Eastern District of Virginia
2100 Jamieson Avenue
Alexandria, Virginia 22314

Dear Mr. *Spencer*:

~~(S)~~ Per your request, I am forwarding a copy of the Office of Inspector General's draft Report of Investigation (Report) concerning the events surrounding the death of Manadal Al-Jamaidi in Iraq on 4 November 2003. This case was referred to the Department of Justice's Criminal Division in February 2004, and was subsequently briefed to members of your staff. Prosecution was orally declined on 9 February 2005, which was confirmed by this office in a letter to the United States Attorney's Office, dated 22 February 2005. The Report is being provided so that you may render a final prosecutive opinion on the matter.

(U//~~FOUO~~) Information contained in the enclosed document is classified for national security reasons. Please afford this document the level of protection required for such material. As you know, any use of this information for investigative purposes should be coordinated with this Office and any prosecutable actions should be coordinated with us in advance so that the Office of General Counsel may have the opportunity to protect Agency interests. This information is not for release and is for your limited use only. We ask that this document not be copied and be returned once your review is concluded.

Sincerely,

[Redacted Signature]

Assistant Inspector General
for Investigations

Enclosure

[Redacted Enclosure]

Enclosure classified as above. Classification of transmittal document (when separated from enclosure): ~~SECRET~~//20301025

~~SECRET~~ // []

~~SECRET~~ /

Mr. Robert Spencer

OIG/INV/ (25 October 2005)

Distribution:

Original - Addressee w/encl

1 - INV Chrono w/o encl

1 - INV Subject File w/encl

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(b) (2)
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[Redacted]
DCI/OIG/ [Redacted]

11/18/04 03:43 PM



To: [Redacted]
cc:
Subject: General

APPROVED FOR RELEASE
DATE: APR 2008

[Redacted]

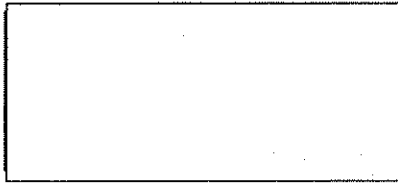
In discussions concerning other cases, [Redacted] asked that we perform a second look at the materials in the General's case to ensure that they are formatted/classified properly. I don't believe that this will be an issue in Subject but it does not hurt to give it the once over. Many thanks, [Redacted]

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[Redacted]

~~SECRET~~//20300419

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(S)



APPROVED FOR RELEASE
DATE: APR 2008

[Redacted]
DCI/OIG/Investigations Staff
04/19/2005 10:24



To: [Redacted]
cc: [Redacted]
Subject: [Redacted]

[Redacted]
Progress I guess. Can we discuss at your convenience?

----- Forwarded by [Redacted] STF/AGENCY on 04/19/05 10:23 AM -----

[Redacted]
Inspector General



04/19/05 09:52 AM

To: [Redacted]
cc: [Redacted]
Subject: [Redacted]

Your action - I believe

----- Forwarded by [Redacted] STF/AGENCY on 04/19/05 09:50 AM -----

[Redacted] @DO
DO/SAD/LGL
[Redacted]



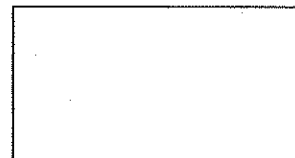
04/19/05 08:51 AM

To: [Redacted]
cc: [Redacted]
Subject: [Redacted]

I believe that [Redacted] became the target of the IG's investigations during the Mowhoush investigation as a potential detainee abuser. He advised the IG that he wanted to retain counsel. That counsel has now been cleared and briefed [Redacted] in Hialeah, Florida.

[Redacted] has asked me who he should contact to arrange for whatever interviews the IG and the FBI wish to conduct. Could you provide me with a name and contact number? I need to return his call with the information. Thanks.

~~SECRET~~//20300419



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(b) (3)

[redacted]
Office of Inspector General, Investigations Staff
[redacted]

APPROVED FOR RELEASE
DATE: APR 2008



09/01/2006 09:05 AM

To: [redacted]
cc: [redacted]
Subject: New Text for ROI Memos to Hill (Case [redacted])

[redacted] please replace the last paragraph of the four memos transmitting the Mahawish ROI to the Congressional oversight committees with the text below, as indicated. John said that [redacted] can sign the memo since he is out of the office today.

FOR THE TWO MEMOS GOING TO THE SSCI, USE THIS PARAGRAPH:

(U//FOUO) At the inception of this investigation, the Director of Congressional Affairs notified the Staff Director and Minority Staff Director of the Senate Select Committee on Intelligence, and the Staff Director and Democratic Counsel of the House Permanent Select Committee on Intelligence, of this matter, as well as the Defense Subcommittees of the Senate and House Appropriations Committees.

FOR THE TWO MEMOS GOING TO THE HPSCI, USE THIS PARAGRAPH:

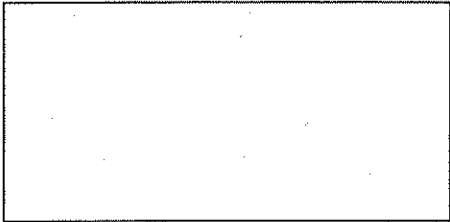
(U//FOUO) At the inception of this investigation, the Director of Congressional Affairs notified the Staff Director and Democratic Counsel of the House Permanent Select Committee on Intelligence, and Staff Director and Minority Staff Director of the Senate Select Committee on Intelligence, of this matter, as well as the Defense Subcommittees of the Senate and House Appropriations Committees.

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~~SECRET~~ / [redacted] / 20310320

(b) (3)

APPROVED FOR RELE.
DATE: APR 2008



[redacted]
DCI/OIG, [redacted]

04/03/2006 10:38 AM

To: [redacted]
cc: [redacted]
Subject: Fw: (U) Important Matter

See note below. Please advise soonest if you would like to review your notes, or, if you do not wish to do so. Thank you.

----- Forwarded by [redacted] on 04/03/2006 10:37 AM -----

[redacted]
DCI/OIG, [redacted]

03/20/2006 05:49 PM

To: [redacted]
cc: [redacted]
Subject: (U) Important Matter

(S) [redacted] The draft Report of Investigation regarding "Death of 'Abid Hamad Mahawish Al-Mahalawi" is now available for your review. The purpose of the review is to ensure factual accuracy of the information contained in the Report. The excerpts of the Report will contain the relevant information collected during the investigation.

(U) Please call [redacted] before COB Thursday, 30 March 2006 (x [redacted] or [redacted] to schedule your review or reply if you wish not to review. Your prompt attention to this matter is greatly appreciated.
Thank you.

~~SECRET~~ / [redacted] / 20310320

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(b) (1)
(b) (2)
(b) (3)

11 May 2004

APPROVED FOR RELEASE
DATE: APR 2008

MEMORANDUM FOR:

[Redacted]

FROM:

[Redacted]

OFFICE:

OS/

[Redacted]

SUBJECT:

Secret World of U.S. Interrogation

REFERENCE:

UNCLASSIFIED

Secret World of U.S. Interrogation

Long History of Tactics in Overseas Prisons Is Coming to Light
Dana Priest and Joe Stephens, Washington Post, 11 May 2004, Page A01

Last of three articles

In Afghanistan, the CIA's secret U.S. interrogation center in Kabul is known as "The Pit," named for its despairing conditions. In Iraq, the most important prisoners are kept in a huge hangar near the runway at Baghdad International Airport, say U.S. government officials, counterterrorism experts and others. In Qatar, U.S. forces have been ferrying some Iraqi prisoners to a remote jail on the gigantic U.S. air base in the desert.

The Abu Ghraib prison in Iraq, where a unit of U.S. soldiers abused prisoners, is just the largest and suddenly most notorious in a worldwide constellation of detention centers -- many of them secret and all off-limits to public scrutiny -- that the U.S. military and CIA have operated in the name of counterterrorism or counterinsurgency operations since the Sept. 11, 2001, attacks.

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These prisons and jails are sometimes as small as shipping containers and as large as the sprawling Guantanamo Bay complex in Cuba. They are part of an elaborate CIA and military infrastructure whose purpose is to hold suspected terrorists or insurgents for interrogation and safe-keeping while avoiding U.S. or international court systems, where proceedings and evidence against the accused would be aired in public. Some are even held by foreign governments at the informal request of the United States.

"The number of people who have been detained in the Arab world for the sake of America is much more than in Guantanamo Bay. Really, thousands," said Najeeb Nuaimi, a former justice minister of Qatar who is representing the families of dozens of prisoners.

The largely hidden array includes three systems that only rarely overlap: the Pentagon-run network of prisons, jails and holding facilities in Iraq, Afghanistan, Guantanamo and elsewhere; small and secret CIA-run facilities where top al Qaeda and other figures are kept; and interrogation rooms of foreign intelligence services -- some with documented records of torture -- to which the U.S. government delivers or "renders" mid- or low-level terrorism suspects for questioning.

All told, more than 9,000 people are held by U.S. authorities overseas, according to Pentagon figures and estimates by intelligence experts, the vast majority under military control. The detainees have no conventional legal rights: no access to a lawyer; no chance for an impartial hearing; and at least in the case of prisoners held in cellblock 1A at Abu Ghraib, no apparent guarantee of humane treatment accorded prisoners of war under the Geneva Conventions or civilians in U.S. jails.

Although some of those held by the military in Iraq, Afghanistan and Guantanamo have had visits by the International Committee of the Red Cross, some of the CIA's detainees have, in effect, disappeared, according to interviews with former and current national security officials and to the Army's report of abuses at Abu Ghraib.

The CIA's "ghost detainees," as they were called by members of the 800th MP Brigade, were routinely held by the soldier-guards at Abu Ghraib "without accounting for them, knowing their identities, or even the reason for their detention," the report says. These phantom captives were "moved around within the facility to hide them" from Red Cross teams, a tactic that was "deceptive, contrary to Army doctrine, and in violation of international law."

CIA employees are under investigation by the Justice Department and the CIA inspector general's office in connection with the death of three captives in the past six months, two who died while under interrogation in Iraq, and a third who was being questioned by a CIA contract interrogator in Afghanistan. A CIA spokesman said the hiding of detainees was inappropriate. He declined to

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comment
further.

None of the arrangements that permit U.S. personnel to kidnap, transport, interrogate and hold foreigners are ad hoc or unauthorized, including the so-called renditions. "People tend to regard it as an extra-judicial kidnapping; it's not," former CIA officer Peter Probst said. "There is a long history of this. It has been done for decades. It's absolutely legal."

In fact, every aspect of this new universe -- including maintenance of covert airlines to fly prisoners from place to place, interrogation rules and the legal justification for holding foreigners without due process afforded most U.S. citizens -- has been developed by military or CIA lawyers, vetted by Justice Department's Office of Legal Counsel and, depending on the particular issue, approved by White House General Counsel's Office or the president himself.

In some cases, such as determining whether a U.S. citizen should be designated an enemy combatant who can be held without charges, the president makes the final decision, said Alberto R. Gonzales, counsel to the president, in a Feb. 24 speech to the American Bar Association Standing Committee on Law and National Security.

Critics of this kind of detention and treatment, Gonzales said, "assumed that there was little or no analysis -- legal or otherwise -- behind the decision to detain a particular person as enemy combatant."

On the contrary, the administration has applied the law of war, he said. "Under these rules, captured enemy combatants, whether soldiers or saboteurs, may be detained for the duration of hostilities."

Because most of the directives and guidelines on these issues are classified, former and current military and intelligence officials who described them to The Washington Post would do so only on the condition that they not be named.

Along with other CIA and military efforts to disrupt terrorist plots and break up al Qaeda's financial networks, administration officials argue that the interrogations are a key component of their global counterterrorism strategy and counterinsurgency operations in Iraq. As the CIA's deputy director, John McLaughlin, recently told the commission investigating the Sept. 11 attacks: "The country, with all its capabilities, is now much more orchestrated into an offensive mix that is relentless."

Military Jails and Prisons

Abu Ghraib prison -- where photographs were taken that have enraged the Arab world and rocked U.S. political and military leadership -- held 6,000 to 7,000 detainees at the time of the documented abuse. Today, it and other sites in Iraq hold more than 8,000 prisoners, U.S. and coalition officials said.

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They

range from those believed to have played key roles in the insurgency to some who are held on suspicion of petty crimes.

Until the current scandal cast some hazy light, little has been publicly known about the Iraqi detention

sites, their locations and who was being held there. That has been a source of continuing frustration for

international monitoring groups such as New York-based Human Rights Watch, which has repeatedly

sought to visit the facilities. Even the military's investigative report on abuses at Abu Ghraib remains classified, despite having become public through leaks.

Far better known has been the Defense Department's facility at Guantanamo Bay. The open-air camps

there house about 600 detainees, flown in from around the world over the past two years. Secrecy there remains tight, with detainees and most of the facilities off-limits to visitors.

The U.S. Supreme Court is deciding whether detainees held there, whom the Pentagon has declared

"enemy combatants" in the war against terrorism, should have access to U.S. courts.

Last week, the U.S. military acknowledged that two Guantanamo Bay guards had been disciplined in

connection with use of excessive force against detainees. And U.S. defense officials confirmed the existence of a list of approved interrogation techniques, dating to April 2003, that included reversing sleep patterns, exposing prisoners to hot and cold, and "sensory assault," including use of bright

lights and loud music.

The treatment of prisoners in Afghanistan has received less public attention.

The U.S. military holds 300 or so people at Bagram, north of the capital of Kabul, and in Kandahar, Jalalabad and Asadabad. Human Rights Watch estimates that at least 700 people had been released

from those sites, most of them held a few weeks or less. Special Forces units also have holding centers at their firebases, including at Gardez and Khost.

In December 2002, two Afghans died in U.S. custody in Afghanistan. The U.S. military classified both as homicides. Another Afghan died in June 2003 at a detention site near Asadabad.

"Afghans detained at Bagram airbase in 2002 have described being held in detention for weeks, continuously shackled, intentionally kept awake for extended periods of time, and forced to kneel or stand in painful positions for extended periods," according to a report in March by Human Rights Watch. "Some say they were kicked and beaten when arrested, or later as part of efforts to keep

them awake. Some say they were doused with freezing water in the winter."

CIA Detention

Before the U.S. military was imprisoning and interrogating people in Afghanistan and Iraq, the CIA was

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scooping up suspected al Qaeda leaders in such far-off places as Pakistan, Yemen and Sudan. Today, the CIA probably holds two to three dozen captives around the world, according to knowledgeable current and former officials. Among them are al Qaeda leaders Khalid Sheik Mohammed and Ramzi Binalshibh in Pakistan and Abu Zubaida. The CIA is also in charge of interrogating Saddam Hussein, who is believed to be in Baghdad.

The location of CIA interrogation centers is so sensitive that even the four leaders of the House and Senate intelligence committees, who are briefed on all covert operations, do not know them, congressional sources said. These members are given periodic reports about the captives, but several members said they do not receive information about conditions under which prisoners are held, and members have not insisted on this information. The CIA has told Congress that it does not engage in torture as a tactic of interrogation.

"There's a black hole on certain information such as location, condition under which they are held," said one congressional official who asked not to be named. "They are told it's too sensitive."

In Afghanistan, the CIA used to conduct some interrogations in a cluster of metal shipping containers on Bagram air base protected by three layers of concertina wire. It is unclear whether that center is still open, but the CIA's main interrogation center now appears to be in Kabul, at a location nicknamed "The Pit" by agency and Special Forces operators.

"Prisoner abuse is nothing new," said one military officer who has been working closely with CIA interrogators in Afghanistan. A dozen former and current national security officials interviewed by The Washington Post in 2002, including several who had witnessed interrogations, defended the use of stressful interrogation tactics and the use of violence against detainees as just and necessary.

The CIA general counsel's office developed a new set of interrogation rules of engagement in after the Sept. 11 attacks. It was vetted by the Justice Department and approved by the National Security Council's general counsel, according to U.S. intelligence officials and other U.S. officials familiar with the process. "There are very specific guidelines that are thoroughly vetted," said one U.S. official who helps oversee the process. "Everyone is on board. It's legal."

The rules call for field operators to seek approval from Washington to use "enhanced measures," methods that could cause temporary physical or mental pain.

U.S. intelligence officials say the CIA, contrary to the glamorized view from movies and novels, had no real interrogation specialists on hand to deal with the number of valuable suspects it captured after Sept. 11. The agency relied on analysts, psychologists and profilers. "Two and a half years later," one CIA veteran said, "we have put together a very professional, controlled, deliberate and legally

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rationalized approach to dealing with the Abu Zubaidas of the world."

U.S. intelligence officials say their strongest suit is not harsh interrogation techniques, but time and patience.

'Renditions'

Much larger than the group of prisoners held by the CIA are those who have been captured and transported around the world by the CIA and other agencies of the U.S. government for interrogation by foreign intelligence services. This transnational transfer of people is a key tactic in U.S. counterterrorism operations on five continents, one that often raises the ire of foreign publics when individual cases come to light.

For example, on Jan. 17, 2000, a few hours before Bosnia's Human Rights Chamber was to order the release of five Algerians and a Yemeni for lack of evidence, Bosnian police handed them over to U.S. authorities who flew them to Guantanamo Bay.

The Bosnian government, faced with public outcry, said it would compensate the families of the men, who were suspected of having made threats to the U.S. and British embassies in Bosnia.

The same month, in Indonesia, Muhammad Saad Iqbal Madni, suspected of helping Richard C. Reid, the Briton charged with trying to detonate explosives in his shoe on an American Airlines flight, was detained by Indonesian intelligence agents based on information the CIA provided them. On Jan.

11, without a court hearing or a lawyer, he was hustled aboard an unmarked U.S.-registered Gulfstream V jet parked at a military airport in Jakarta and flown to Egypt.

It was no coincidence Madni ended up in Egypt. Egypt, Morocco, Jordan and Saudi Arabia are well-known destinations for suspected terrorists.

"A lot of people they [the U.S.] are taking to Jordan, [third-country nationals]," a senior Saudi official said. "They can do anything they want with them, and the U.S. can say, 'We don't have them.' "

In the past year, an unusual country joined that list of destinations: Syria.

Last year U.S. immigration authorities, with the approval of then-Acting Attorney General Larry Thompson, authorized the expedited removal of Maher Arar to Syria, a country the U.S. government

has long condemned as a chronic human-rights abuser. Maher, a Syrian-born Canadian citizen, was

detained at JFK International Airport in New York as he was transferring to the final leg of his flight home to Canada.

U.S. authorities say Arar has links to al Qaeda. Not wanting to return him to Canada for fear he would

not be adequately followed, immigration officials took him, in chains and shackles, to a New Jersey airfield, where he was "placed on a small private jet, and flown to Washington D.C.," according to a lawsuit filed recently against the U.S. government. He was flown to Jordan, interrogated and beaten

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by

Jordanian authorities who then turned him over to Syria, according to the lawsuit.

Arar said that for the 10 months he was in prison, he was beaten, tortured and kept in a shallow grave. After much pressure from the Canadian government and human rights activists, he was freed and has returned to Canada.

Sept. CIA Director George J. Tenet, testifying earlier this year before the commission investigating the 11 attacks, said the agency participated in more than 70 renditions in the years before the attacks. In 1999 and 2000 alone, congressional testimony shows, the CIA and FBI participated in two dozen renditions.

of Christopher Kojm, a former State Department intelligence official and a staff member of the commission, explained the rendition procedure at a recent hearing: "If a terrorist suspect is outside the United States, the CIA helps to catch and send him to the United States or a third country," he testified. "Though the FBI is often part of the process, the CIA is usually the main player, building and defining the relationships with the foreign government intelligence agencies and internal security services."

Saudi The Saudis currently are detaining and interrogating about 800 terrorism suspects, said a senior official. Their fate is largely controlled by Saudi-based joint intelligence task forces, whose members include officers from the CIA, FBI and other U.S. law-enforcement agencies.

one The Saudi official said his country does not participate in renditions and today holds no more than one or two people at the request of the United States. Yet much can hinge on terminology.

In some interrogations, for example, specialists from the United States and Saudi Arabia develop questions and an interrogation strategy before questioning begins, according to one person knowledgeable about the process. During interrogation, U.S. task force members watch through a two-way mirror, he said.

live," "Technically, the questioning is done by a Saudi citizen. But, for all practical purposes, it is done live," he said. The United States and Saudis "are not 'cooperating' anymore; we're doing it together."

He said the CIA sometimes prefers Saudi interrogation sites and other places in the Arab world because their interrogators speak a detainee's language and can exploit his religion and customs.

"As hard as it is to believe, you can't physically abuse prisoners in Saudi Arabia," the Saudi official said. "You can't beat them; you can't electrocute them."

who Instead, he said, the Saudis bring radical imams to the sessions to build a rapport with detainees, the are later passed on to more moderate imams. Working in tandem with relatives of the detainees, the clerics try to convince the subjects over days or weeks that terrorism violates tenets of the Koran

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and
could bar them from heaven.

"According to our guys, almost all of them turn," the Saudi official said. "It's like deprogramming them.

There is absolutely no need to put them through stress. It's more of a therapy."

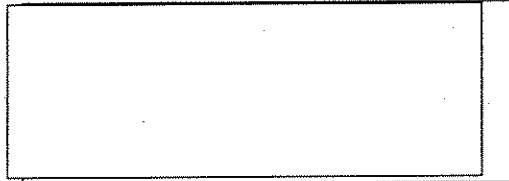
The Saudis don't want or need to be directed by American intelligence specialists, who have difficulty understanding Arab culture and tribal relations, he said. "We know where they grew up," he said of the detainees. "We know their families. We know the furniture in their home."

Research editor Margot Williams contributed to this report.

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CC:



Sent on 11 May 2004 at 07:48:43 AM

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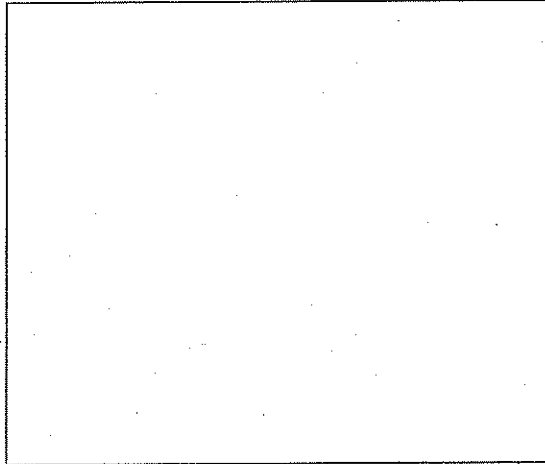
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13 May 2004

APPROVED FOR RELEASE
DATE: APR 2008

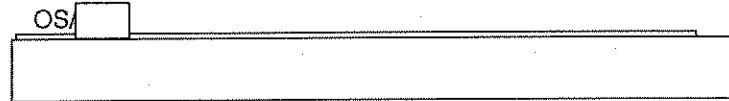
MEMORANDUM FOR:



FROM:



OFFICE:



SUBJECT:

2 Articles - Harsh C.I.A. Methods Cited in Top Qaeda Interrogations & CIA Sought Contractors for Interrogators

REFERENCE:

UNCLASSIFIED

Harsh C.I.A. Methods Cited in Top Qaeda Interrogations

James Risen, David Johnston and Neil A. Lewis, New York Times, 13 May 2004, Page A1

WASHINGTON, May 12 -- The Central Intelligence Agency has used coercive interrogation methods

against a select group of high-level leaders and operatives of Al Qaeda that have produced growing concerns inside the agency about abuses, according to current and former counterterrorism officials.

At least one agency employee has been disciplined for threatening a detainee with a gun during questioning, they said.

In the case of Khalid Shaikh Mohammed, a high-level detainee who is believed to have helped plan the

attacks of Sept. 11, 2001, C.I.A. interrogators used graduated levels of force, including a technique known as "water boarding," in which a prisoner is strapped down, forcibly pushed under water and made to believe he might drown.

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These techniques were authorized by a set of secret rules for the interrogation of high-level Qaeda prisoners, none known to be housed in Iraq, that were endorsed by the Justice Department and the C.I.A. The rules were among the first adopted by the Bush administration after the Sept. 11 attacks for handling detainees and may have helped establish a new understanding throughout the government that officials would have greater freedom to deal harshly with detainees.

Defenders of the operation said the methods stopped short of torture, did not violate American anti-torture statutes, and were necessary to fight a war against a nebulous enemy whose strength and intentions could only be gleaned by extracting information from often uncooperative detainees. Interrogators were trying to find out whether there might be another attack planned against the United States.

The methods employed by the C.I.A. are so severe that senior officials of the Federal Bureau of Investigation have directed its agents to stay out of many of the interviews of the high-level detainees, counterterrorism officials said. The F.B.I. officials have advised the bureau's director, Robert S. Mueller III, that the interrogation techniques, which would be prohibited in criminal cases, could compromise their agents in future criminal cases, the counterterrorism officials said.

After the attacks of Sept. 11, President Bush signed a series of directives authorizing the C.I.A. to conduct a covert war against Osama bin Laden's Qaeda network. The directives empowered the C.I.A. to kill or capture Qaeda leaders, but it is not clear whether the White House approved the specific rules for the interrogations.

The White House and the C.I.A. declined to comment on the matter.

The C.I.A. detention program for Qaeda leaders is the most secretive component of an extensive regime of detention and interrogation put into place by the United States government after the Sept. 11 attacks and the war in Afghanistan that includes the detention facilities run by the military in Iraq and Guantánamo Bay, Cuba.

There is now concern at the agency that the Congressional and criminal inquiries into abuses at Pentagon-run prisons and other detention centers in Iraq and Afghanistan may lead to examinations of the C.I.A.'s handling of the Qaeda detainees. That, in turn, could expose agency officers and operations to the same kind of public exposure as the military now faces because of the Iraq prison abuses.

So far, the agency has refused to grant any independent observer or human rights group access to the high-level detainees, who have been held in strict secrecy. Their whereabouts are such closely guarded secrets that one official said he had been told that Mr. Bush had informed the C.I.A. that he did not want to know where they were.

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The authorized tactics are primarily those methods used in the training of American Special Operations soldiers to prepare them for the possibility of being captured and taken prisoners of war. The tactics simulate torture, but officials say they are supposed to stop short of serious injury.

Counterterrorism officials say detainees have also been sent to third countries, where they are convinced that they might be executed, or tricked into believing they were being sent to such places. Some have been hooded, roughed up, soaked with water and deprived of food, light and medications.

Many authorities contend that torture and coercive treatment is as likely to provide information that is unreliable as information that is helpful.

Concerns are mounting among C.I.A. officers about the potential consequences of their actions.

"Some people involved in this have been concerned for quite a while that eventually there would be a new president, or the mood in the country would change, and they would be held accountable," one intelligence source said. "Now that's happening faster than anybody expected."

The C.I.A.'s inspector general has begun an investigation into the deaths of three lower-level detainees held by the C.I.A. in Iraq and Afghanistan. The Justice Department is also examining the deaths.

The secret detention system houses a group of 12 to 20 prisoners, government officials said, some under direct American control, others ostensibly under the supervision of foreign governments.

The C.I.A. high-level interrogation program seemed to show early results with the capture of Abu Zubaida in April 2002. Mr. Zubaida was a close associate of Mr. bin Laden's and had run Al Qaeda's recruiting, in which young men were brought from other countries to training camps in Afghanistan.

Under such intensive questioning, Mr. Zubaida provided useful information identifying Jose Padilla, a low-level Qaeda convert who was arrested in May 2002 in connection with an effort to build a dirty bomb. Mr. Zubaida also helped identify Mr. Mohammed as a crucial figure in the 9/11 plot, counterterrorism officials said.

A few other detainees have been identified by the Bush administration, like Ramzi bin al-Shibh, another 9/11 plotter and Walid Ba'Attash, who helped plan the East Africa embassy bombings in 1998 and the attack on the Navy destroyer Cole in October 2000.

Some of the prisoners have never been identified by the government. Some may have only peripheral ties to Al Qaeda. One Middle Eastern man, who had been identified by intelligence officials as a money launderer for Mr. bin Laden, was captured in the United Arab Emirates. He traveled there when some of the emirates' banks froze his accounts. When the U.A.E. government alerted the the C.I.A. that he was in the country, the man was arrested and subsequently disappeared into the secret detention

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program.

In the interrogation of Mr. Mohammed, C.I.A. officials became convinced that he was not being fully cooperative about his knowledge of the whereabouts of Mr. bin Laden. Mr. Mohammed was carrying a letter written by Mr. bin Laden to a family member when he was captured in Pakistan early in 2003.

The

C.I.A. officials then authorized even harsher techniques, according to officials familiar with the interrogation.

The C.I.A. has been operating its Qaeda detention system under a series of secret legal opinions by the agency's and Justice Department lawyers. Those rules have provided a legal basis for the use of harsh interrogation techniques, including the water-boarding tactic used against Mr. Mohammed.

One set of legal memorandums, the officials said, advises government officials that if they are contemplating procedures that may put them in violation of American statutes that prohibit torture, degrading treatment or the Geneva Conventions, they will not be responsible if it can be argued that the detainees are formally in the custody of another country.

The Geneva Conventions prohibit "violence to life and person, in particular . . . cruel treatment and torture" and "outrages upon personal dignity, in particular, humiliating and degrading treatment."

Regarding American anti-torture laws, one administration figure involved in discussions about the memorandums said: "The criminal statutes only apply to American officials. The question is how involved are the American officials."

The official said the legal opinions say restrictions on procedures would not apply if the detainee could be deemed to be in the custody of a different country, even though American officials were getting the benefit of the interrogation. "It would be the responsibility of the other country," the official said. "It depends on the level of involvement."

Like the more numerous detainees at Guantánamo Bay, the high-level Qaeda prisoners have also been defined as unlawful combatants, not as prisoners of war. Those prisoners have no standing in American civilian or military courts.

The Bush administration began the program when intelligence agencies realized that a few detainees captured in Afghanistan had such a high intelligence value that they should be separated from the lower-level figures who had been sent to a military installation at Guantánamo Bay, which officials felt was not suitable.

There was little long-term planning. The agency initially had few interrogators and no facilities to house the top detainees. After the Sept. 11 attacks, the agency began to search for remote sites in friendly countries around the world where Qaeda operatives could be kept quietly and securely.

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"There was a debate after 9/11 about how to make people disappear," a former intelligence official said.

The result was a series of secret agreements allowing the C.I.A. to use sites overseas without outside scrutiny.

So far, the Bush administration has not said what it intends to do over the long term with any of the high-level detainees, leaving them subject to being imprisoned indefinitely without any access to lawyers, courts or any form of due process.

Some officials have suggested that some of the high-level detainees may be tried in military tribunals or officially turned over to other countries, but counterterrorism officials have complained about the Bush administration's failure to have an "endgame" for these detainees. One official said they could also be imprisoned indefinitely at a new long-term prison being built at Guantánamo.

This article was reported and written by James Risen, David Johnston and Neil A. Lewis.

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CIA Sought Contractors for Interrogators

Katherine Pfleger Shrader, Associated Press, schuylkill.com, 12 May 2004

WASHINGTON (AP) -- The CIA did not have a trained corps of interrogators until the war on terror began and turned in part to contractors to handle the surge of detainees, including in Iraq. Some of those sent in are now under investigation in prisoner deaths in Iraq and Afghanistan.

Officials are considering one case as a homicide and have referred it to the Justice Department.

In interviews, intelligence veterans who spent decades with the CIA said interrogators are needed mostly during conflicts when a nation holds large numbers of military prisoners, which, until Afghanistan and Iraq, the United States had not had since the Vietnam War.

The CIA has used coercion in interrogating prisoners who were high-level members of al-Qaida, The New York Times reported Wednesday on its Web site, quoting unidentified current and former counterterrorism officials. At least one CIA worker has been disciplined for using a gun to threaten a detainee, the Times said.

Agency interrogators used a tactic known as "water boarding" on terrorism suspect Khalid Shaikh Mohammed, a tactic in which a strapped-down prisoner is pushed under water, making him believe he might drown, according to the Times. Mohammed is believed to have helped plan the Sept. 11,

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2001,
attacks.

The CIA has therefore had to develop the skill of interrogation since the 2001 Afghanistan invasion,
said
Milt Bearden, a former senior manager for the agency.

"There is no reserve within the CIA of experienced, trained interrogators," Bearden said. "There
never
was."

CIA Director George Tenet hinted at the issue in testimony before the Sept. 11 commission, saying
the
United States remains five years away from having the kind of clandestine service the country
requires.

Former officials say that would include interrogators, part of the CIA's directorate of operations.

The new focus on prisoner abuse has drawn attention to the role of the normally secretive CIA in
the
interrogations of prisoners. With at least two of the cases involving independent contractors, it also
has
highlighted the agency's practice of using short-term personnel for its missions.

It is unclear how many contract interrogators the agency uses. The Army employed 27 contract
interrogators at the now-famous Abu Ghraib prison, the deputy commander of Central Command,
Lt.
Gen. Lance L. Smith, said in Senate testimony Friday.

Since the Sept. 11, 2001, attacks, the United States has detained and interrogated prisoners
around
the globe, including at Guantanamo Bay, Cuba; Afghanistan and Iraq.

The CIA's defenders caution the agency's inspector general has not completed its investigation into
at
least two deaths in Iraq and one in Afghanistan. Some say the investigation's scope also appears to
narrower than the Army's inquiries into perhaps a dozen unjustified deaths and even more
allegations of
abuse at military-run prisons.

But agency critics caution that, unlike the Army's leaked Taguba Report, there is no documentation
to
offer a glimpse of the CIA personnel's alleged abuses. And with the CIA inspector general
investigating,
it is possible that the final report could remain classified, as is often the case, leaving many details
largely unknown.

Two agency officials declined to comment on interrogation issues.

The CIA runs a network of detention facilities worldwide, but details about them are largely kept
secret,
including their locations. The military and the CIA are believed to have separate rules and
guidelines on
prisoner detentions and interrogations, which the agency has declined to provide.

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Experts generally say that interrogation is a specialty that requires training, experience and an understanding of the human psyche and cultures.

When contractors are used, the same rules of interrogation governing CIA personnel would apply, said Lee Strickland, who retired from the CIA in December after 30 years and now teaches at the University of Maryland.

Privately, others say the rules may exist but question if they're followed.

One former intelligence officer, who still works in government and was approached about becoming a contractor, said it's very possible that some contractors wouldn't have gone through the full CIA training program. The former officer spoke on the condition of anonymity.

There may be tremendous financial incentives for becoming a contractor. Known as "green badgers" for the color of their IDs, CIA contractors take various short-term assignments, sometimes for triple their government salaries. What was once a \$40,000 a year government job could transition to an 18-month assignment, paying \$150,000 or more.

Strickland, whose assignments included the CIA general counsel's office, said the CIA, like many government agencies and private companies, has turned to contractors as a financially effective way to bring personnel with special skills, such as interrogation, to the job.

"It is an expertise," he said.

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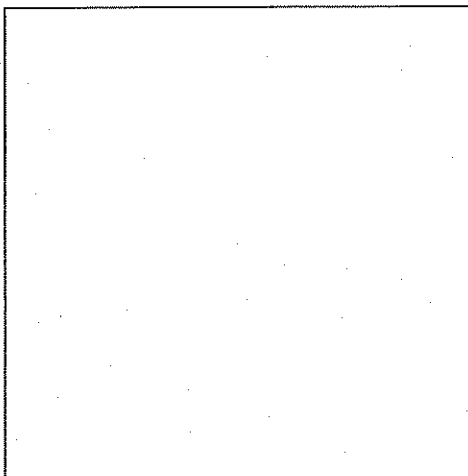
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FROM:



OFFICE:

Chief/NE

SUBJECT:

URGENT Rumsfeld says CIA will conduct Saddam's
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REFERENCE:

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William R. Harlow @ DCI

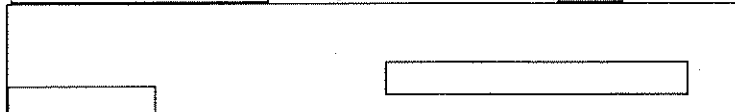
Office: OPA

12/16/03 01:54 PM

To: James L. Pavitt@DO, John E. McLaughlin@DCI, [redacted]

[redacted] Jami Miscik/STF/AGENCY@DI

cc: [redacted] Stanley M. Moskowitz@DCI, [redacted]



Subject: URGENT Rumsfeld says CIA will conduct Saddam's
interrogation

WASHINGTON, Dec 16 (AFP) - US Defense Secretary Donald Rumsfeld
said on Tuesday that the **Central Intelligence Agency (CIA)** headed by
George Tenet will be responsible for the interrogation of Saddam

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Investigations Staff/OIG

12/05/04 12:27 PM



To: John L. Helgerson/STF/AGENCY@DCI

cc: [Redacted]

Subject: FYI: Denver Post, 12/03/04, "Case Goes On In Secret - Hearings In Iraq General's Death Closed"

FYI

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Office of the Inspector General - Investigations Staff

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12/05/04 05:58 AM

To: [Redacted]

cc:

Subject: FYI: Denver Post, 12/03/04, "Case Goes On In Secret - Hearings In Iraq General's Death Closed"

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Denver Post
December 3, 2004
Pg. 1

Case Goes On In Secret

Hearings In Iraq General's Death Closed

By Arthur Kane, Denver Post Staff Writer

Fort Carson - An Army investigating officer has closed the preliminary judicial hearings that will help determine whether Fort Carson soldiers will face trial on murder and dereliction-of-duty charges in the death of an Iraqi general.

Article 32 hearings, similar to preliminary hearings in a civilian court, usually are open to the public. But Capt. Robert Ayers decided Thursday that classified information might be disclosed and open hearings might endanger the soldiers and their attorneys.

An attorney for The Denver Post argued that the hearings should for the most part be open, citing rulings that say only witnesses who discuss classified information should be allowed to testify in secret.

"This is a case of profound public interest," attorney Steven Zansberg told Ayers.

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After a 10-minute deliberation, Ayers decided to close the hearings. "The disclosure would cause serious damage to national security ... and the safety of those involved," he said before having the media, the soldiers' families and other observers cleared from the room.

The Post is weighing an appeal to get nonclassified portions of the hearing opened. If The Post goes forward, it will do so today at the U.S. Army Court of Criminal Appeals.

Ayers will make recommendations to superior officers so they can decide whether to try the soldiers, who could face life in prison.

Chief Warrant Officers Lewis E. Welshofer Jr. and Jefferson L. Williams, Sgt. 1st Class William J. Sommer and Spec. Jerry L. Loper are charged with murder in the death of Maj. Gen. Abed Mowhoush at the Qaim detention facility northwest of Baghdad.

Welshofer's hearing was delayed because his attorney could not attend.

Mowhoush was beaten by others before the Fort Carson soldiers interrogated him, according to investigative documents obtained by The Post. The charge sheets state soldiers suffocated Mowhoush with a sleeping bag and electrical cord.

The incident happened Nov. 26, 2003. Ayers said the soldiers made statements to investigators two days later.

Before closing the hearing, Ayers read the soldiers their rights and listed the witnesses he expected prosecutors and defense attorneys to call, including the soldiers' commander, Col. David Teeples.

Scott Silliman, a former Air Force legal officer who is a law professor and director of Duke University's Center for Law Ethics and National Security in North Carolina, said closing an Article 32 hearing is legal but rare. "That's kind of a broad-brush treatment and could possibly end up as an issue in the trial," he said, adding that it happened in a recent Air Force espionage case.

Sen. Wayne Allard, R-Colo., said through a spokeswoman that he backs Ayers' decision.

"Basically, on principle, (Allard) believes in open proceedings for these kinds of things, but he is hesitant to second-guess the decision to close the hearing for national security reasons," said the senator's communications director, Angela de Rocha.

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Inspector General

05/21/04 07:59 AM



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11. CIA seeks Justice probe of three deaths

Jerry Seper, Washington Times, 21 May 2004, Page A9

The CIA's Office of Inspector General has asked the Justice Department to investigate the deaths of three prisoners during interrogations by CIA operatives in Afghanistan and Iraq, including one at Abu Ghraib prison, U.S. authorities said yesterday.

One high-ranking U.S. official said yesterday the Justice Department had not yet determined whether it has jurisdiction in the cases or what laws, if any, had been broken. The official described existing law regarding the death of prisoners in foreign lands as "murky."

The official also said jurisdiction might lie with local authorities in Iraq and Afghanistan, where the deaths occurred.

The CIA, which lacks prosecutorial powers, requested the Justice probe in criminal referrals to the Nov. 4 death of Manadel al-Jamadi at the Abu Ghraib prison in Iraq and the Nov. 26 death at an undisclosed Iraqi location of Abed Hamed Mowhoush, an army major general who commanded Saddam Hussein's air defenses.

A third referral also was filed in the death of a man identified as a suspected al Qaeda leader, who died last year after interrogations in Afghanistan. His body was shipped out of the country in a plywood coffin to Egypt.

One U.S. intelligence official said he was captured in June 2003 and held at a U.S. holding facility near Asadabad, where he was interrogated by CIA operatives.

The CIA inquiry had focused on two CIA officers and one CIA contract employee, all of whom were involved in the interrogations, U.S. authorities said.

CIA operatives took over the lead role in the interrogation of Iraqi and Afghan prisoners two years ago,

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replacing FBI agents who previously conducted the sessions. One key U.S. law-enforcement official said the FBI had pulled its agents out of several CIA interrogations, concerned that they were abusive.

Yesterday, FBI Director Robert S. Mueller III told a Senate committee his agents did not participate in abusive prisoner interrogations, saying FBI guidelines prohibit agents from taking part in questioning that involves force, threat of force, or coercion.

"The FBI has directed its agents to conform to its policies with regard to the handling of the interviews, whether it be here in the United States or overseas, and to the extent that an agent believes that interviews were not being conducted according to the standards of the FBI, that agent was not to participate in those interviews," he told the Senate Judiciary Committee.

His comments came in response to questions by the committee's ranking Democrat, Sen. Patrick J. Leahy of Vermont, who asked if the FBI witnessed abusive conduct during the questioning of prisoners in Iraq or Afghanistan. Mr. Mueller said no, but added there were occasions when agents raised objections about the way some interrogations were handled.

"In cases where we have been handling interviews, particularly in Iraq, it has been done according to our standards and there has been no waiver of that," he said.

On Wednesday, ABC News said it had obtained new photographs showing Abu Ghraib prison guards posing over the body of a detainee it said had been "beaten to death by CIA or civilian interrogators" in the prison's showers.

U.S. officials told that Army Spc. Jason Kenner advised military investigators that Mr. al-Jamadi was in good health when he was brought to Abu Ghraib on Nov. 4 by members of a U.S. Navy SEAL team, but later saw the man's corpse and noticed extensive bruising.

The officials said Spc. Kenner reported that Mr. al-Jamadi's body was packed in ice. Pictures later were taken showing Sgt. Charles A. Graner Jr. and Spc. Sabrina Harman, both of whom have been charged in the Iraq prisoner abuse scandal, posing with the body.

The Los Angeles Times reported this week that Mr. al-Jamadi was brought to Abu Ghraib with his head covered by an empty sandbag and died during questioning. The newspaper, citing intelligence sources, said after the man collapsed, interrogators removed the bag and observed severe head wounds that had not been treated.

Mr. Mowhoush, captured Oct. 5, was believed to be involved in raising funds for the Iraqi resistance against U.S. forces.

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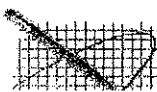
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Office of Inspector General
05/17/04 01:48 PM

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CLASS: UNCLASSIFIED
TITLE: CIA faces political heat as a result of military prisoner abuse in Iraq
TOPLINES:

MELISSA BLOCK, host:

What role, if any, CIA interrogators may have played in the prison abuse

TEXT:
BODY:

MELISSA BLOCK, host:

What role, if any, CIA interrogators may have played in the prison abuse scandal is still murky. The CIA has confirmed that it's investigating the deaths of three detainees. Two died after being questioned by CIA officers in Iraq. The third died in Afghanistan while being questioned by a contract interrogator hired by the CIA. Today, The New York Times reports that after the 9/11 terror attacks, the agency adopted new rules that allow harsh techniques in interrogating al-Qaeda suspects. NPR's Mary Louise Kelly joins us now.

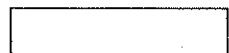
Mary Louise, what's the evidence that the CIA, in fact, changed the rules for interrogations after 9/11?

MARY LOUISE KELLY reporting:

Well, the CIA won't officially confirm that. As is often the case, they are declining to comment. And they won't actually give us or release the guidelines that they have on prisoner interrogations, because we have been asking for those. But I did speak today to one CIA official who has just retired a few months ago after 30 years at the agency, some of those years in the General Counsel's office. He chose his words very carefully when I asked him about this, but he confirmed that the Pentagon, as we know, drafted very detailed interrogation guidelines after 9/11. And this former CIA official said, and I'm quoting, "It would be very safe to assume that the agency would have taken similar steps."

BLOCK: And by agency, meaning the CIA. What exactly are the techniques that we're talking about here?

KELLY: The controversial one that's in the news today is something known as



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water boarding. This is apparently when you strap down a prisoner, push him underwater, and therefore convince him that he's about to drown. The New York Times today was reporting that this was the technique used on the senior al-Qaeda leader Khalid Shaikh Mohammed. I ran this term past a couple of

PAGE 238

National Public Radio (NPR) May 13, 2004 Thursday

former CIA officers today. One said he had heard of it. Another one said this was a new one to him. But both said it would not surprise them if this was, in fact, being used. They said the CIA for a long time has used a lot of these techniques that are very much in the news today. And by that I'm talking about sleep deprivation, loss of food, loss of water, exposure to extreme cold. These are techniques the CIA, in fact, practices on its own recruits who are going to be going overseas in order to prepare them should they ever be captured and interrogated. So these former officers I was talking to today said it would hardly be surprising, if they're using this on us, that they would be using this on senior al-Qaeda operatives who are not talking.

BLOCK: The New York Times report makes it clear that these al-Qaeda suspects are not known to be housed in Iraq. Do we know whether the CIA was, in fact, using these techniques at the Abu Ghraib prison in Iraq?

KELLY: No, we don't know that, and we should be clear. We know that CIA interrogators were at Abu Ghraib. There is no information at this point tying the CIA, though, to the abuse. And, in fact, when we talk about these new rules that governed interrogation, what we're talking about is their use on very high-level al-Qaeda leaders, probably in the range of two to three dozen senior detainees that the CIA is in charge of interrogating. So these are the big fish--the Khalid Shaikh Mohammeds, the Abu Zubaydahs and Saddam Hussein. We should note as a side note that the CIA is in charge of his interrogation.

BLOCK: In the report by General Taguba on the prisoner abuse scandal at Abu Ghraib, there are lots of references to other government agencies, which, I understand, is vernacular for the CIA.

KELLY: OGAs. That's right. It's usually used to describe the CIA, primarily. In this case, I'm told it could also be referring to other agencies, like the FBI or the National Security Agency. And the Taguba report, as you note, describes other government agencies and particularly talks about their role in bringing what it calls ghost detainees to Abu Ghraib. These are prisoners that even the guards at the prison didn't know their identities, what they were being held for.

I think this kind of gets at the heart of the problem here. At least when you're trying to figure out what was going on in the military regarding military intelligence, we have the Taguba report. There is no parallel document documenting what CIA practice was. So when you try to figure out what was going on, it's still very, very murky, as we noted.

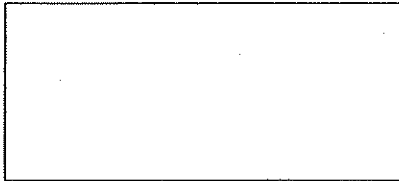
BLOCK: OK. NPR's Mary Louise Kelly, thanks very much.

KELLY: You're welcome, Melissa.

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William R. Harlow
OPA

05/20/04 04:00 PM



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[Redacted] Scott W. Muller/STF/AGENCY@DCI,
James L. Pavitt@DO, [Redacted]

cc: [Redacted]
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Subject: Denver Post Has Pentagon Documents on Detainee Deaths - Scroll Down

Denver Post
May 20 2004
10:11 AM

Brutal Interrogation in Iraq

Five Detainees' Deaths Probed

By Miles Moffett, Denver Post Staff Writer

Brutal interrogation techniques by U.S. military personnel are being investigated in connection with the deaths of at least five Iraqi prisoners in war-zone detention camps, Pentagon documents obtained by the Denver Post show.

The deaths include the killing in November of a high-level Iraqi general who was shoved into a sleeping bag and suffocated, according to the Pentagon report. The documents contradict an earlier Defense Department statement that said the general died "of natural causes" during an interrogation. Pentagon officials declined to comment on the new disclosure.

Another Iraqi military officer, records show, was asphyxiated after being gagged, his hands tied to the top of his cell door. Another detainee died "while undergoing stress technique interrogation," involving smothering and "chest compressions," according to the documents.

Details of the death investigations, involving at least four different detention facilities including the Abu Ghraib prison, provide the clearest view yet into war-zone interrogation rooms, where intelligence soldiers and other personnel have sometimes used lethal tactics to try to coax secrets from prisoners, including choking off detainees' airways. Other abusive strategies involve sitting on prisoners or bending them into uncomfortable positions, records show.

"There is the only thing you can call this," said a Pentagon source with knowledge of internal investigations into prisoner abuses. "There is a lot about our country's interrogation techniques that is very troubling. These are violations of military

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law."

Internal records obtained by The Post point to wider problems beyond the Abu Ghraib prison and demonstrate that some coercive tactics used at Abu Ghraib have shown up in interrogations elsewhere in the war effort. The documents also show more than twice as many allegations of detainee abuse - 75 - are being investigated by the military than previously known. Twenty-seven of the abuse cases involve deaths; at least eight are believed to be homicides.

No criminal punishments have been announced in the interrogation deaths, even though three deaths occurred last year.

Beyond the interrogation deaths, the military documents show that investigators are examining other abuse cases involving soldiers using choking techniques during interrogations, including the handling of prisoners at a detention facility in Samarra, Iraq, where soldiers allegedly "forced into asphyxiation numerous detainees."

Also under investigation are reports that soldiers in Iraq abused women and children. One April 2003 case, which is awaiting trial, involves a reservist who pointed a loaded pistol at an Iraqi child in front of witnesses, saying he should kill the youngster to "send a message" to other Iraqis.

Pentagon officials, asked to comment on synopses of the cases provided by The Post, released a statement saying they do not discuss ongoing investigations. "Make no mistake; we will take whatever corrective actions are determined to be appropriate," the statement said. "The offenders will be dealt with, and action will be taken to prevent such situations from happening again."

Military officials and the Bush administration face international scrutiny over the mistreatment of prisoners at Abu Ghraib, which entailed a range of physical assault, mental abuse and sexual humiliation by military police officers. The role of military intelligence personnel in abuse cases has been murky. On Tuesday, The New York Times reported that an American officer who led interrogations at the prison acknowledged that intelligence personnel sometimes instructed military police to mete out abuse.

In the case of Iraqi Major General Abed Hamed Mowhoush, who headed Saddam Hussein's air force, intelligence officers' role was documented in abuse that soon turned fatal, documents show.

Mowhoush, considered a "high-priority target," turned himself in for questioning in November, according to documents. After two weeks in custody at an Al Qaim detention facility, northwest of Baghdad, two soldiers with the 66th Military Intelligence Company, ~~with a sleeping bag over his body, except for his head, and began questioning him as they rolled him repeatedly from his back to his stomach, and documents show~~

Then, one of the soldiers, an interrogator, sat on Mowhoush's chest and placed his hands over the prisoner's mouth, according to the report: "During this interrogation, the (general) became non-responsive, medics were called and he was later pronounced dead." According to the documents, "The preliminary report lists the cause of death as asphyxia due to smothering and chest compressions."

Immediately after Mowhoush's death was reported, U.S. military officials released a statement acknowledging he died during an interview.

"Mowhoush said he didn't feel well and subsequently lost consciousness," read the press statement, which is still posted on a Pentagon website. "The soldier questioning him found no pulse, then conducted CPR and called for medical authorities. According to the on-site surgeon, it appeared Mowhouse died of natural causes."

An investigative report was finalized in late January, and the interrogating soldiers received reprimands, in addition to being barred from further interviews, documents show. According to the report obtained by The Post, commanders have not taken criminal action against the soldiers, citing an ongoing investigation.

Criminal punishments apparently have not been pursued in the other interrogation-death cases, which also are ongoing.

Another Iraqi prisoner was assaulted by interrogators on two occasions in early January of this year at the FOB Rifles Base in Asad, Iraq, documents state. U.S. forces arrested him for allegedly possessing explosive devices, and he was later placed in an isolation cell for questioning by special-forces soldiers with the Operational Detachment Alpha, where he was shackled to a pipe that ran along the ceiling. After he was allowed to sit, he lunged at one of the soldiers, grabbing his shirt. "The three ODA members punched and kicked (the prisoner) in the stomach and ribs for approximately one to two minutes," documents show.

Three days later, the prisoner escaped from his cell and was recaptured.

During questioning, the detainee refused to follow instructions. When he refused orders to remain quiet in his cell, his

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hands were tied to the top of his cell door, the report shows. When he still refused, he was gagged, the report notes, and five minutes later, a soldier "noticed that he was slumped down and hanging from his shackles" dead.

According to the investigative report, special forces commanders are reviewing "consideration of misconduct" in the case.

Other prisoner deaths under homicide investigation, records show:

The beating in early April of a detainee at the LSA Diamondback facility in Mosul, Iraq, who was found dead in his sleep. A death report showed "blunt-force trauma to the torso and positional asphyxia." He had gone to sleep immediately after questioning by members of the Naval Special Warfare Team. No disciplinary action was noted in the report, but the investigation continues, the report states.

In June, at a "classified interrogation facility" in Baghdad, an Iraqi detainee was found dead after being restrained in a chair for questioning. "While in custody the detainee was subjected to both physical and psychological stress," the report shows. An autopsy determined that he died of a "hard, fast blow" to the head. The investigation continues. No disciplinary action was noted.

On Nov. 14, an Iraqi died at Abu Ghraib during an interview by special forces and Navy SEAL soldiers. An autopsy revealed the cause of death was blunt force trauma as indicated by both homicide investigators. The report notes that Navy investigators concluded Navy personnel did not commit a crime leading to the detainee's death, but the investigation, including by CIA officials, is still ongoing. No disciplinary action was noted.

Amid a storm of controversy over prisoner handling in recent weeks, U.S. military officials have launched eight separate internal investigations into abuse cases, administrative procedures and interrogation techniques.

They also have acknowledged that reports of abuse at Abu Ghraib violate the Geneva Conventions and other treaties.

According to Human Rights Watch, which monitors prisoner maltreatment around the world, the patterns of interrogation tactics known as "stress techniques" in the death cases is tantamount to torture and should be investigated by an "independent" body or government.

"It sounds as though the Iraqi general and others were being subjected to extreme techniques we are only just now learning about, and it's clearly cruel and degrading treatment," said Kenneth Roth, executive director of Human Rights Watch. "This highlights the need for independent scrutiny at a minimum by Congress or possibly an independent commission of inquiry."

Of the detainee cases that were not homicides, commanders typically handed down lenient job-related punishments to the accused, instead of seeking criminal convictions. Of 47 punishments given to those accused of prisoner abuse, according to the report, only 15 involved court-martial. Criminal penalties ranged from reprimands to 60 days' confinement.

Unlike civilian practices, in the military, commanders decide whether to send accused soldiers to trial.

Alleged abuses

Military investigations regarding allegations of Iraqi detainee abuse:

April 12, 2004: Member of the 1st Marine Expeditionary Force abused a detainee involved in shooting death of a Marine lieutenant and sergeant. During interrogation, detainee was kicked in the rib cage, punched in kidney area and slapped in the head. Incident being investigated.

Jan. 9, 2004: FOB Rifles Base detainee died while in custody. The detainee, an escapee who had been recaptured, was shackled to the door of his cell with his hands over his head and gagged. Five minutes later, he was found dead. The death is under investigation.

Dec. 31, 2003: Military police officer used butt of M-4 rifle to strike a detainee in the face and on the back of the neck. Then the officer placed the muzzle of his M-4 rifle in the detainee's mouth and pulled trigger on the empty weapon. Officer then chambered a round and pointed the rifle at detainee, firing a round 5 or 6 feet from detainee. The incident is under investigation.

Nov. 26, 2003: At the 3rd ACR detention facility, Iraqi Gen. Abed Hamad Mowhoush, a "high-priority target," was placed inside a sleeping bag with only his feet exposed. He was rolled back and forth while being questioned. One of the interrogators sat on his chest and placed hands over his mouth. He died during the interrogation, and an autopsy

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confirmed evidence of blunt force trauma to the chest and legs. The interrogating officers were given general officer reprimands, prohibited from conducting further interrogations and referred for consideration of misconduct charges.

Sept. 11, 2003: A guard at the FOB Packhorse detention facility fatally shot a detainee who was throwing rocks. The soldier, who did not follow regulations, was reduced in rank and discharged from the military in lieu of trial by court-martial.

June 13, 2003: A sergeant beat a detainee while his squad leader was present. Sergeant received rank reduction and 60 days' confinement. His commanding officer - who also beat detainees - was charged with dereliction of duty, given a reprimand and fined \$2,000.

Staff researcher Monnie Nilsson contributed to this report.

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APPROVED FOR RELEASE
DATE: APR 2008



[Redacted]
Inspector General

Deputy Inspector General

[Redacted]

05/20/04 03:44 PM

To: [Redacted]

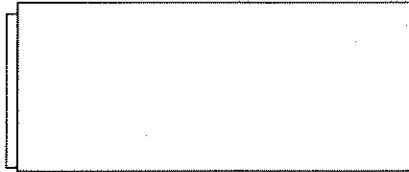
cc:

Subject: Excerpt from FBI Director Mueller Q&A Before Senate Judiciary Cmte re Interrogation



For your information.

----- Forwarded by [Redacted] on 05/20/04 03:43 PM -----



William R. Harlow
OPA

05/20/04 03:19 PM



To: John E. McLaughlin/STF/AGENCY@DCI, [Redacted]

Scott W. Muller/STF/AGENCY@DCI,

James L. Pavitt@DO

cc:

[Redacted]

Subject: Excerpt from FBI Director Mueller Q&A Before Senate Judiciary Cmte re Interrogation

SEN. LEAHY: All right. On May 15th, the New York Times reported that the interrogation methods employed by the CIA are so severe that some CIA employees have been sued. Many of the CIA employees who have been sued are former CIA employees. Robert Mueller, what was the interrogation method that the CIA used in the case of the CIA employees? Did the CIA direct its agents to stay out of the CIA interviews of high-level detainees because of the brutality of the interrogation methods being used?

MR. MUELLER: The -- ~~Some of the FBI's policy to prohibit~~ conducted interviews, we have adhered to that policy.

SEN. LEAHY: More specifically, though, my questions was, was the -- ~~Did the FBI direct its agents to stay out of CIA interviews~~

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~~specifically because of the brutality of the interrogation methods being used?~~

MR. MUELLER: Our agents are --

SEN. LEAHY: That's what the --

MR. MUELLER: Our --

SEN. LEAHY: That's what the press reported.

MR. MUELLER: Our agents are under a direction to adhere to the training and the directions that they have had in terms of how to handle interviews. In the case where we have been handling interviews, particularly over in Iraq, it has been done according to our standards, and there has been no waiver of that.

SEN. LEAHY: ~~I'll ask the question for the third time.~~ Did the FBI direct its agents to stay out of the CIA interviews of high-level detainees because of the brutality of the interrogation methods being used? Yes or no?

MR. MUELLER: I -- the --

SEN. LEAHY: It's been reported --

MR. MUELLER: -- FBI has -- if I might, sir -- the FBI has directed its agents to conform to its policies with regard to the handling of the interviews, whether it be here in the United States or overseas, and to the extent that an agent believes that interviews were not being conducted according to the standards of the FBI, that agent was not to participate in those interviews.

SEN. LEAHY: ~~Well, let me ask you just for the fourth time --~~ for the fourth time, did the FBI direct its agents to stay out of the CIA interviews of high-level detainees because of the brutality of the interrogation methods being used?

MR. MUELLER: No.

SEN. LEAHY: Thank you.

MR. MUELLER: But I will say that -- again, I will go back -- in the way the question is phrased, no, but I want to be absolutely clear that agents of the FBI were to participate where they believed that the interrogations would be done according to the standards that we have set in the FBI.

SEN. LEAHY: Were they told to anticipate that those standards would not be followed in CIA --

MR. MUELLER: No, my understanding is that there are standards that have been established by others, legally, that may well be different from the FBI standards. And if that were the case, and they were a departure from the FBI standards, we were not to participate.

SEN. LEAHY: What others?

MR. MUELLER: What others?

SEN. LEAHY: You said that the -- they understand that some interrogations that did not follow your standards. What others?

MR. MUELLER: DOD.

SEN. LEAHY: Whom?

MR. MUELLER: DOD and CIA.

SEN. LEAHY: Okay. That's basically my question. So, it is true the FBI agents are --

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MR. MUELLER: But by saying that, let me add, Senator, that that does not necessarily mean that those standards were not -- that those standards were unlawful. What I am saying is that they may not conform to what we -- the standard that we use in conducting investigations at the FBI.

SEN. LEAHY: Well, you have standards that would not -- your standards are set out and agents are instructed not to take steps that would compromise them in a criminal case. Is that a fair statement?

MR. MUELLER: I think that's part of it, yes. But also, I mean, for a variety of reasons, our standards relating to interviews and interrogations are based on our belief on what is effective, our belief on what is appropriate, our belief on -- and part of the footing of that is, quite obviously, the fact that we would have to testify in court on standards of voluntariness and the like. And so our standards may well be different than the standards applied by another entity in the United States.

SEN. LEAHY: Have any of your agents encountered objectionable practices involving the treatment of prisoners in Iraq, Afghanistan, or Guantanamo?

MR. MUELLER: We are -- we have conducted an investigation to determine whether or not any of our agents in Iraq were aware -- or was aware, of the practices that we have seen in the media, practices between, I believe, between October 1st and December 31st of '03. And we have interviewed each of the agents that conducted, may have conducted interviews in the Abu Ghraib prison, and none of those witnessed abuses --

SEN. LEAHY: Let me ask you this --

MR. MUELLER: -- such as we have seen.

SEN. LEAHY: -- is the FBI conducting any investigations involving handling of prisoners in Guantanamo?

MR. MUELLER: No.

SEN. LEAHY: It's not?

MR. MUELLER: We are not conducting any investigations into the handling --

SEN. LEAHY: Have you -- have you conducted any?

MR. MUELLER: No.

SEN. LEAHY: And you're not doing it in Iraq?

MR. MUELLER: We are not.

SEN. LEAHY: How about Afghanistan?

MR. MUELLER: No, not to my knowledge -- in any of the three. We are not conducting investigations into the handling of prisoners in either of those three countries. My understanding is that there has been no investigation conducted by the CIA which has been made public or certain's been -- but the investigation has been conducted by the CIA Inspector General.

SEN. LEAHY: So, if they -- if they refer this to Justice, you don't get involved in the investigation? I mean, does it sort of sit there in Justice, or what?

MR. MUELLER: No, I think if there are referrals to Justice, we are the appropriate investigating body, they'd ask us to conduct an investigation.

SEN. LEAHY: So when the Justice cases referred to them --

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MR. MUELLER: My understanding is the investigations have been conducted to date by the inspector general's office.

SEN. LEAHY: The same New York Times article says the CIA's coercive interrogation techniques were authorized by a set of secret rules adopted by the administration after the 9/11 attacks for the interrogation of high-level al Qaeda prisoners. The article states that these rules were endorsed by both the Justice Department and the CIA. Were you or anyone else at the FBI consulted about these rules?

MR. MUELLER: I don't believe so.

SEN. LEAHY: So, did you or anyone else at the FBI endorse these rules?

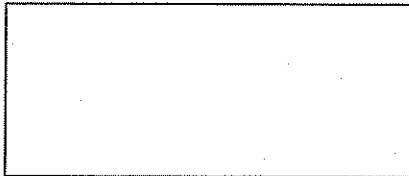
MR. MUELLER: No.

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DATE: APR 2008



Inspector General
Deputy Inspector General



05/21/04 02:03 PM

To:

cc:

Subject: Excerpt from CJCS Testimony Before HASC Today

FYI

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William R. Harlow
OPA



05/21/04 01:39 PM

To: John E. McLaughlin/STF/AGENCY@DCI,
 Scott W. Muller/STF/AGENCY@DCI,
Stanley M. Moskowitz/STF/AGENCY@DCI, James L. Pavitt@DO

cc:

Subject: Excerpt from CJCS Testimony Before HASC Today

REP SNYDER: And my two questions are, in terms of the investigations that you know are going on, how will the perception -- when these investigations are concluded, will it be perceived as complete and factual and transparent with regard to civilians and OGA and CIA alleged perpetrators, in some of these incidents?

GEN. MYERS: Well, Congressman Snyder, I believe it will be. And there have been -- there are some things that I am not cognizant of, in terms of OGA and others, that are going to have to be worked very hard. But in terms of what I know about the military piece of this, that -- absolutely that will be transparent. And there are some things that we're looking at --

REP. SNYDER: But my concern is -- excuse me for interrupting; as you know, we have a very short time.

GEN. MYERS: Sure.

REP. SNYDER: And I believe that. I believe that the military side of it will be transparent. My concern is that OGA side of it will not, and we'll end up with months and years of conspiracy theories. And I have fear that your processes that you and General Abizaid think are important -- as you think this is important, here today, but will not reach to the OGA/CIA part of it.

GEN. MYERS: The only problem I have is, I really can't speak for the other government agencies that might be involved. They're going to have to speak for themselves.

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It is important, though, that all of this is surfaced, the facts are known, and we work at this, as you said, as swiftly as you can, without (prejudicing ?) the process against those who may have been alleged to do something. I mean, you've got to give it time to work in a thorough manner. We -- again, we have a time-tested way of doing this, and we'll let that process work.

REP. SNYDER: I wanted to ask --

GEN. MYERS: But my hope -- and we have to do that. The perception -- we can't leave any stone unturned; it all has to be on the table.

REP. SNYDER: One of the -- and I agree with that. One of the issues of transparency -- in October there was a press report that a former senior Iraqi air defense commander, General Mowhoush, had been detained, and then at the end of November there were press reports that he died in interrogation. And I'll just read part of it -- "was being questioned on Wednesday when he lost consciousness after complaining that he did not feel well, the military said. He was pronounced dead by a U.S. Army doctor. The cause of death and interrogation techniques are under investigation, but General Mowhoush was not hooded during questioning, the 82nd Airborne said."

Has that press report been updated publicly, or is that still considered accurate? As you know, we've had --

GEN. MYERS: I'll have to get that for the record. I'm familiar with the case. I don't know if it's been updated. I don't know if it's been closed out. I have some reference material here, and if I have a second, I'll go through that, and then I can come back to you and see if it's in that reference material. But we can get that for the record.

REP. SNYDER: As you know, The Denver Post a few days ago had a (concerning ?) story -- specifically regarded General Mowhoush -- that in fact he had died of asphyxiation while being headfirst in a sleeping bag. And the allegation, according to -- and I actually have, I think, a copy of the Pentagon report that the allegation is that someone was sitting on his chest while he was in a sleeping bag, with a hand over his mouth, and he was asphyxiated.

GEN. MYERS: I don't know about that. I didn't -- yeah --

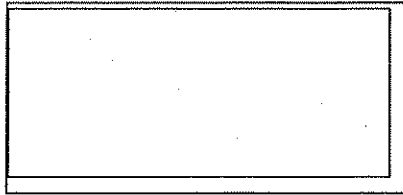
REP. SNYDER: That seems different than the report that was released at the time of his death.

GEN. MYERS: Right. I have not -- I have read through summaries of all of those reports, and some of those investigations are ongoing. I never remember reading anything like that. That was not any of the allegations that I've read. But I can get that to you for the record.

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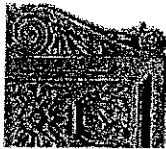


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Inspector General
Deputy Inspector General

[Redacted]



05/25/04 08:24 AM

To: [Redacted]

John L. Helgerson/STF/AGENCY@DCI

cc:

Subject: FYI - Story Could Have Been A Lot Worse...

FYI.

[Redacted] If not, we will need to pursue.

----- Forwarded by [Redacted] on 05/25/04 08:22 AM -----

William R. Harlow
OPA



05/25/04 08:16 AM

To: [Redacted]
cc: [Redacted]

Subject: FYI - Story Could Have Been A Lot Worse...

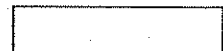
C.I.A. Bid to Keep Some Detainees Off Abu Ghraib Roll Worries Officials

Douglas Jehl and Eric Schmitt, New York Times, 25 May 2004, Page A13

WASHINGTON, May 24 -- The Central Intelligence Agency's practice of keeping some detainees in Abu Ghraib prison off the official rosters so concerned a top Army officer and a civilian official there that they reached a written agreement early this year to stop.

An undated copy of the memorandum was obtained by . It was described as an agreement between the Army intelligence unit assigned to the prison and "external agencies," a euphemism for the C.I.A. to halt practices that bypassed both military rules and international standards.

Maj. Gen. Antonio M. Taguba, the Army officer who first investigated the prison abuses, concluded in his classified report that the practice of allowing what he called "ghost detainees" at the prison was "deceptive, contrary to Army Doctrine, and in violation of international law." He complained that military guards were being enlisted to hide the prisoners from the Red Cross.



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The memorandum provides the clearest indication to date that military officials were troubled by the practice even before General Taguba wrote his report.

A senior intelligence official said last week that the practice was intended "to keep the capture of a small number of terrorists quiet for some time," but was discontinued in January.

In an e-mail message on Monday, Brig. Gen. Mark Kimmitt, the top military spokesman in Iraq, declined to comment on the undated memorandum. To do so, he said, "might compromise the fairness, integrity and impartiality of ongoing investigations."

Also on Monday, the leader of the Army Reserve suspended Brig. Gen. Janis L. Karpinski, the commander of the 800th Military Police Brigade, pending a review of the misconduct involving members of her unit while she was commander at Abu Ghraib prison. Seven enlisted soldiers who have already been charged with crimes in connection with the abuse of Iraqi prisoners there were under her command.

Lt. Gen. Ricardo S. Sanchez, the top American commander in Iraq, issued a letter of admonishment to General Karpinski in January. Officially, the leader of Army Reserve, Lt. Gen. James R. Helmly, temporarily reassigned General Karpinski to the Army Readiness Command at Fort Jackson, S.C.

But in effect, General Karpinski now joins a handful of officers who have been subjected to the additional step of a suspension in connection with the incident.

General Karpinski was quoted in The New York Times on Monday as saying that General Sanchez had rejected her recommendation in January that the American military make a public, Arabic-language address on radio or television to the Iraqi people to alert them to the abuses at Abu Ghraib.

A senior Army official denied there was any connection between General Karpinski's comments and her reassignment. He said the timing of the action coincided with General Karpinski leaving active duty and resuming reservist status.

"Makes me wonder what's next," General Karpinski said about her suspension, in an e-mail message to The Times on Monday.

Accounts from intelligence officials seem to indicate that the practice of keeping detainees off official prison rosters was widespread.

In one of several cases in which an Iraqi prisoner died at Abu Ghraib in connection with interrogations, was a hooded man identified only by his last name, Jamadi, who slumped over dead on Nov. 20 as he was being questioned by a C.I.A. officer and translator, intelligence officials said. The incident is being investigated by the C.I.A.'s inspector general, and military officials have said that the man, whose

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body

was later packed in ice and photographed at Abu Ghraib, had never been assigned a prisoner number,

an indication that he had never been included on any official roster at the prison.

The memorandum criticizing the practice of keeping prisoners off the roster was signed by Col. Thomas

M. Pappas, commander of the 205th Military Intelligence Brigade, and a James Bond, who is identified as "SOS, Agent in Charge." Military and intelligence officials said that they did not know of a Mr. Bond

who had been assigned to Abu Ghraib, and that it was possible that the name was an alias.

An intelligence official said Monday that he could not confirm the authenticity of the document, and that

neither "SOS" or "Agent in Charge" was terminology that the C.I.A. or any other American intelligence

agency would use. A military official said he believed that the document was authentic and was issued

on or about Jan. 12, two days before abuses at Abu Ghraib involving military police were brought to the

attention of Army investigators.

In presenting the military's complaints, the memorandum asserts that "inappropriate detainees" had been housed in an isolation unit at Abu Ghraib "without the approval" of the military's Joint

Interrogation and Debriefing Center there, which oversaw that cellblock.

A second "memorandum for the record" obtained by The Times is dated Jan. 12 and signed by Maj. Matt Price, who is identified as the operations officer in charge of the Joint Interrogation and

Debriefing Center. It declares that "only detainees approved by J.I.D.C. ops will be housed in block 1A/1B" and that "access to blocks 1A/1B will be controlled by an access roster."

The two cellblocks were the sites of the worst known cases of prisoner abuse, which were committed

by policemen from the 372nd Military Police Company. Questioning of prisoners housed in the cellblock

was the responsibility of the joint interrogation center, a military unit directed by Lt. Col. Steven Jordan

and reported to Colonel Pappas.

An American military policeman said in sworn testimony early last month that the man had been brought to Abu Ghraib by "O.G.A.," initials for other government agency, or the C.I.A., with a sandbag

over his head. Military guards took the prisoner to a shower room at the prison, which was used as a

temporary interrogation center, according to the account by Specialist Jason A. Kenner of the 372nd

Military Police Company.

"He went into the shower for interrogation and about an hour later he died on them," said Specialist Kenner, whose account left unclear whether the detainee was examined by a doctor or given any military treatment before he died.

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off at "When we put on his orange jumpsuit to take him to the tier, we were told not to take the sandbag
all," Specialist Kenner said. "After he passed, the sandbag was removed, and I saw that he was
was severely beaten on his face. At the time, they would interrogate people in the shower rooms. He
was shackled to the wall."

"Later that day," Specialist Kenner added, "they decided to put him on ice."

that On Capitol Hill on Monday, the Senate Armed Services Committee said the Army had promised to
deliver about 2,000 pages of supporting documents missing from copies of General Taguba's report
was sent to Congress earlier this month.

said Pentagon aides have described the omission as an administrative oversight. But Senate officials
the missing documents included about 200 pages from Colonel Pappas's sworn statement,
including a document titled, "Draft Update for Secretary of Defense."

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PAS

05/12/04 07:58 PM

To: John E. McLaughlin/STF/AGENCY@DCI, [Redacted]

[Redacted]

[Redacted] Stanley M.

Moskowitz/STF/AGENCY@DCI, [Redacted]

[Redacted] Scott W. Muller/STF/AGENCY@DCI

cc: William R. Harlow/STF/AGENCY@DCI, [Redacted]

[Redacted]

Subject: SSCI Hearing Cited in Story on More Iraqi Prisoner Pix

Lawmakers shocked by new images of Iraqi prisoners@
(updates with new quotes)

By Vicki Allen

WASHINGTON, May 12 (Reuters) - Members of the U.S. Congress saw new images of violence and sexual humiliation from a U.S.-run Iraqi prison on Wednesday in a closed viewing one lawmaker likened to a descent into "the wings of hell."

Lawmakers said images showed inmates apparently being coerced to commit sodomy, wounds possibly from dog bites, a number of dead bodies, and examples of "sadistic torture" and "sexual humiliation."

Some top Republicans urged that the still pictures and video not be released publicly, saying they could endanger U.S. forces overseas.

"What we saw is appalling. It is consistent with the photos that you've seen in the press to date. They go beyond that in many ways in terms of the various activities that are depicted," said Senate Majority Leader Bill Frist, a Tennessee Republican.

"There were some awful scenes. It felt like you were descending into one of the wings of hell and sadly it was our own creation," said Sen. Richard Durbin, an Illinois Democrat. "And when you think of the sadism, the violence, the sexual humiliation, after a while you just turn away, you just can't take it any more."

"I still cannot believe that this happened without the knowledge of those at higher levels," Durbin added.

Defense Secretary Donald Rumsfeld warned last week the pictures could worsen a scandal that ignited international outrage and shook U.S. global prestige as the United States seeks to stabilize Iraq.

Senators and members of the House of Representatives had a chance over several hours to look at some 1,600 images in separate secure rooms in a presentation conducted by the Pentagon, which kept custody of the material.

FORCED SODOMY

Many lawmakers said the images were similar to photographs shown around the world of naked prisoners stacked in a pyramid or positioned to simulate sex acts at the Abu Ghraib prison near Baghdad, but they said some were even more shocking.

Lawmakers said they did not see examples of outright rape, murder or abuses of children.

Sen. Peter Fitzgerald, an Illinois Republican, said "many of the same people were involved over and over" in the photographs. "I didn't see different characters than the ones who have been in the newspapers," he said.

Durbin described a picture of a man with half his head "blown off," lying on the ground in blood and gore, but said there was no explanation of where that was taken.

An Islamic Web site on Tuesday showed an American civilian, Nick Berg of suburban Philadelphia, being beheaded by an al Qaeda leader in Iraq in revenge for the "Satanic degradation"

[Redacted]

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of Iraqi prisoners.

Senate Intelligence Committee Chairman Pat Roberts, a Kansas Republican, whose committee had a closed-door hearing with Stephen Cambone, defense undersecretary for intelligence, said there were "44 CIA people in and out of" Abu Ghraib prison, "a lot during the evening, over a period of time." Congress is trying to establish whether the mistreatment was encouraged by intelligence personnel to "soften up" prisoners for interrogations.

Roberts also said two other U.S. prisons in Iraq were mentioned in the latest material, "but the abuses were not as severe."

'GUT WRENCHING'

Rep. Jane Harman, a California Democrat, said the new pictures showed "cruel and sadistic torture."

She described as "gut wrenching" images of a nearly naked man "handcuffed to a wall, beating his head against the wall, recoiling back and forward, probably trying to knock himself unconscious and avoid having to live through the experience."

Lawmakers said the images were shown fairly rapidly and with minimal explanation. Sen. James Jeffords, a Vermont independent, said the pictures were "horrible. But they go by so fast. Terrible scenes. ... It was click, click, click."

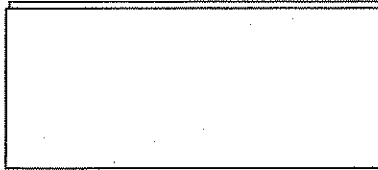
Senate Armed Services Committee Chairman John Warner, a Virginia Republican, urged that the images not be released before trials related to the abuses of detainees at the Abu Ghraib prison.

"I feel very strongly that these photographs should not be made public. I feel that it could possibly endanger the men and the women of the armed forces as they are serving and at great risk," Warner said.

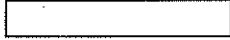
(Additional reporting by Anna Willard, Thomas Ferraro, Tabassum Zakaria and Donna Smith)

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APPROVED FOR RELEASE
DATE: APR 2008



Inspector General
Deputy Inspector General



05/12/04 11:48 AM



To: [Redacted]

cc:

Subject: Bob Baer on Torture

For your information.

----- Forwarded by [Redacted] on 05/12/04 11:48 AM -----

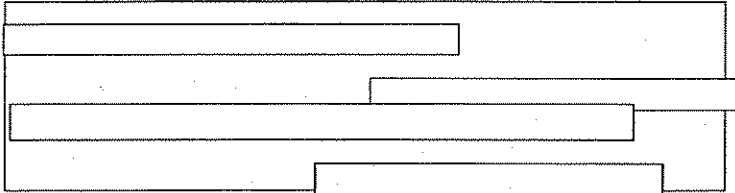
William R. Harlow
OPA



05/12/04 10:02 AM

To: John E. McLaughlin/STF/AGENCY@DCI, Buzzy
Krongard/STF/AGENCY@DCI, [Redacted]
[Redacted] Scott W.
Muller/STF/AGENCY@DCI, Stanley M.
Moskowitz/STF/AGENCY@DCI, [Redacted]

cc:



Subject: Bob Baer on Torture

SALON.COM

"The place is broken"

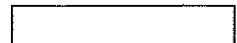
CIA veteran Bob Baer says torture was forbidden when he worked for the agency. "Now contractors are sent out to torture people to death and then hide it."

By Mary Jacoby

May 12, 2004 In 22 years as a CIA officer, not only did Bob Baer never hear of American agents using torture as an interrogation technique, but his career would have been over had he been anywhere near something like that. Other countries in the Middle East and Central Asia where he served may have practiced torture. But for CIA agents, it "was a definite no-no," he says. "After the Vietnam War, the culture was very much against it."

Now, the United States faces an international uproar over photos showing U.S. military personnel physically, mentally and sexually abusing Iraqi prisoners at the Abu Ghraib prison in Baghdad. Military officials are investigating the deaths of 10 detainees at undisclosed locations in Iraq, while the CIA's inspector general is examining the involvement of

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CIA

officers and contract employees in three deaths in Afghanistan and Iraq. The CIA has referred those three cases to the Justice Department for possible criminal prosecution in civilian courts. Justice won't say whether it is also examining the other deaths.

A fluent Arabic speaker, Baer is the author of two bestselling books, "See No Evil: The True Story of a Ground Solider in the CIA's War on Terrorism" and "Sleeping With the Devil: How Washington Sold Our Soul for Saudi Crude." In 1995 he operated in the protected no-fly zone of northern Iraq as a CIA liaison to Kurdish militia, the U.S.-backed Iraqi National Congress and other dissidents aiming to topple Saddam Hussein.

Salon caught up with Baer recently at a pub near his home on Capitol Hill in Washington. The former agent talked about the Abu Ghraib scandal and how U.S. policies on interrogation have changed since the Sept. 11, 2001, attacks.

As far as you know, was torture ever used as an interrogation technique while you were in the CIA?

No, not while I was there. I got in, in 1976, at the end of the conflict in Vietnam. And at that time in the CIA, torture was as serious as, say, fabricating reporting is in journalism today. It was a firing offense -- we knew that. You torture, you're fired. There are two kinds of political correctness in the CIA. One is that we don't want to annoy someone in the State Department trying to recruit someone in Moscow and have it blow up. And then there is the kind of stuff that's illegal, or used to be illegal -- which is assassination and torture.

But torture now seems to be acceptable in the American intelligence community?

Apparently. I mean, look at Iraq.

When did that happen?

It must have been after 9/11. I'd heard rumors of this in Afghanistan with the contractors, but no one had really nailed it down with pictures. Up until 9/11, torture was ... I mean, you wouldn't think about it. It was considered a criminal action.

Are you sure? You left the CIA six years ago.

I can't believe the atmosphere when I left the place in 1998 would have changed so radically. Frankly, it is inconceivable to me. Without the incentive of 9/11, I don't think that this would be happening.

Why do you think it became acceptable after 9/11? Is there an element of revenge involved? Or is there a feeling it will help us get information to protect us from future attacks?

I just don't think there's a lot of supervision, for one thing. And torture -- I just don't think it really works. I think it works for the Egyptians, the Syrians, the Saudis, who want to scare the hell out of people. But you don't get the truth. What happens when you torture people is, they figure out what you want to hear and they tell you.

You said that in your day, torture was a firing offense. Were any agents fired for involvement in torture while you were in the CIA?

Yeah. Remember those two guys in Guatemala [CIA agents Terry Ward and Frederick Brugger]? They were running the Guatemalan colonel who was alleged to have been involved in the torture and death of the husband of an American woman, Jennifer Harbury. That's a key case that people have forgotten. Those guys weren't even involved. But they didn't report it quickly enough, and Sen. Bob Torricelli of New Jersey leaked it to the papers. Administratively they didn't report it, and these guys were forced to retire. That's how serious it was, torture. And the colonel wasn't even involved, as it turned out.

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In his testimony before the Senate Armed Services Committee last week, Defense Secretary Donald Rumsfeld called the violence at Abu Ghraib "fundamentally un-American." But the Washington Post reported Tuesday that the CIA general counsel issued a new set of interrogation rules after the Sept. 11 attacks authorizing methods that cause temporary physical or mental pain. Isn't that torture? And can we conclude from that that the torture in Iraq was officially sanctioned?

Sure, it's classical torture. Any pain, whether it's being forced to squat down or bend over, is torture. Putting a cloth over your head and pouring water over you so you choke, that's torture. I think [the CIA directive] was probably meant for the 9/11 prisoners who were taken last year, not necessarily for Iraq, but someone transferred it over to Iraq. It was so systematic that I suspect that someone higher up the line said, "Just get these people to talk."

Perhaps it's more of a wink-and-nod approach?

It looks more systematic than that. The fact they were moving prisoners around tells me that. I've been to Abu Ghraib [as an ABC News consultant after the Iraq invasion]. You can't move prisoners around there unless the commander of the prison is aware of it. If you've got an ICRC [International Committee of the Red Cross] visit -- and they're supposedly moving people out to abandoned buildings so they're not questioned -- then you've got to have someone other than the [military police] approving this. It's a large facility; it's a huge ground. If you take people out of their cells, handcuff them, and move them to another block, it's not something a small group of rogue M.P.'s could have done.

What is the prison like?

It's grim. It's cement blocks. People lived in communal rooms and, according to people who'd been in the prison that I talked to, there were no beds. You had to sleep on cement floors, and it was so crowded you had to sleep on your side. There were no toilets, just holes. I was in it right after the Iraq invasion. The doors were open -- the only people in there were Iraqis looting it. I can't imagine what they were looting. All the records were burned. They had portraits of Saddam Hussein on the wall, a mural of Saddam holding this little girl on his lap, wearing his best suit. Can you imagine being tortured and coming out to see Papa Saddam sitting there?

And now the Americans -- at least in the minds of Iraqis and many others in the Middle East -- are no better than Saddam?

That's right. The U.S. was going to go in and win the hearts and minds of the Iraqi people, and instead we take over Abu Ghraib when we should have torn it down. It's just enormously symbolic. It's sort of like going into Baghdad and tearing down the central mosque and building a synagogue in its place. I don't think [U.S. policymakers] really get the full picture of this.

Have you personally ever participated in an interrogation?

No. I have questioned Iraqi soldiers who were taken overnight in fighting in northern Iraq in 1995. But it was just a sit-down. I was more interested in making sure the Kurds weren't fooling us. There was fighting going on [between Kurds in the north and Saddam's forces in the south], but Washington was doubting it because the fighting was taking place at night when people couldn't see it. So I wanted to make sure those prisoners were actually current Iraqi soldiers rather than people who were posing as soldiers. And there was some question in my mind whether I could even do that.

Why?

Well, what would have happened to me if the guy had walked out of there and then the Kurds tortured or killed him? Then they could say, "Well, Mr. Bob told me to do it."

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Such things had happened before?

Yes, in Lebanon in 1983, when terrorists blew up the American Embassy. Two agents came back and said they'd seen the Lebanese torturing a suspect. The question was, "Did you encourage it?" They said, "No, we just saw it."

But

that was enough to stop the Embassy-bombing investigation, because the Lebanese had tortured one guy to death. It turns out the guy was a Christian, and he had nothing to do with the bombing. Amin Gemayel was the president, and he rolled up the usual suspects. And since he was in a civil war with the Christian militia, he tried to blame one of them

for it. But we all knew the predecessor to Hezbollah [was to blame] -- and we all know they don't hire Christian Maronites to do their bombings. But after that, messages went out to CIA stations all over the world saying, "We don't torture."

What about the contractors who are allegedly involved in the abuse and at least one of the deaths. Does that surprise you? Did the CIA ever use contractors to conduct interrogations while you were at the agency?

No. The only contractors we had were people who fixed your computers and stuff. You never used a contractor to run agents or sources, interrogate, or anything like that. And there were all sorts of reasons for that. How can you trust somebody you haven't vetted? I mean, an outside company -- who knows who these people are that they're hiring?

Should Defense Secretary Rumsfeld resign over this?

I think he should, because it was systematic and there was a failure to deal with Abu Ghraib right from the beginning.

He did not understand the significance [it would have] all over the Arab world.

Should the director of central intelligence, George Tenet, resign?

Come on. Here's a guy who has overseen a string of intelligence failures, from the [mistakenly bombed] Chinese Embassy in Belgrade, to the [failure to find] weapons of mass destruction in Iraq, to 9/11. And now torture? How bad does it have to get before you hold someone accountable? When contractors are sent out to torture people to death and then hide it, the place is broken.

About the writer

Mary Jacoby is Salon's Washington correspondent.

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 (b) (2) DATE: APR 2008
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Subject: CNN - David Ensor on Interrogation

EXCERPT FROM CNN 1200 May 13, 2004

WOLF BLITZER: Join us now to help us better understand what's going on, our national security correspondent David Ensor.

First of all, what are you learning about the actual murderer or murderers of Nick Berg?

DAVID ENSOR, CNN CORRESPONDENT: Well, Wolf, CIA officials are confirming that, after a technical analysis of the videotape, the tape that shows the beheading but also shows these hooded terrorists standing behind Nick Berg before he was killed, one of them reading a statement.

Technical analysis of that tape has now established to them that they believe that the person who speaks on that tape and who is also seen cutting off the head of Nick Berg in the tape, the one you see in the middle here holding the paper, they believe that individual is in fact Abu Musab al-Zarqawi, the Jordanian terrorist, leader of a terrorist gang operating inside Iraq, wanted for a score or more of attacks on U.S. forces and others inside Iraq, wanted for the murder of an American diplomat in Amman. There's a \$10 million price on his head.

It looks as if, CIA officials say, this man personally executed Nick Berg.

BLITZER: Because originally our own linguists here at CNN suspected that -- they listened to this audiotape and they didn't think the it sounded, the voice sounded like Abu Musab al-Zarqawi. But now definitively, the experts at the CIA say it almost certainly is Abu Musab al-Zarqawi?

ENSOR: They say it almost certainly is. There's just a disagreement between the CNN linguists and the CIA linguists. The U.S. Government now believes that the person speaking on that tape and killing Nick Berg on that tape is the actual man, Abu Musab al-Zarqawi.

BLITZER: And this is significant. Is he al-Qaeda?

ENSOR: No. He is the member of an organization that he, himself, set up, which in the past has in fact been in competition with al Qaeda from time to time for money and for recruits, but which operates very closely with al Qaeda, which is considered an affiliated organization with al Qaeda. It's as good as al Qaeda, but it is not al Qaeda. He's not a member.

BLITZER: All right.

ENSOR: And in fact, he's had disagreements with him.

BLITZER: All right. Let's talk a little bit about interrogation techniques, because all of us are getting totally confused. What is admissible by the U.S. military, by civilian contractors, by CIA, other intelligence agencies? You've been doing some digging on this and what have you come up with?

ENSOR: Well, Wolf, there are two different worlds here, and we need to make clear to our audience what they are. The story of the abuses at Abu Ghraib prison is about abuses against Iraqi prisoners being held in that prison by -- allegedly by U.S. military M.P.'s.

There is now a story in "The New York Times" today, which has raised some other issues. Let me just go through them for a second.

This is about CIA interrogation of al Qaeda. U.S. officials are confirming that CIA interrogators questioning top al Qaeda prisoners operate now under a new set of rules, which was adopted after 9/11 that allow greater pressure, rules

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that were approved by, quote, senior-most officials at the Justice Department and at the White House. Senior-most officials.

Now CIA and administration officials are refusing any comment on The New York Times report today that says a technique known as water boarding has been used on 9/11 mastermind Khalid Sheikh Mohammed. Water boarding is a technique where the prisoner is strapped down, forcibly pushed under water and made to believe that he might be allowed to drown. Other techniques that are believed to be being used involve sleep deprivation, heat, light and loud noise.

U.S. officials do say that the U.S. government has confirmed beyond any doubt that Khalid Sheikh Mohammed personally beheaded Wall Street Journal reporter Danny Pearl in Pakistan.

As one official pointed to me, these are not nice people. And if they suffer a bit of discomfort -- this is the official speaking -- that does not trouble him.

Now, sources do draw a clear distinction, Wolf, between the interrogation of top al Qaeda prisoners in CIA hands and the treatment by military M.P.'s of Iraqi prisoners at the Abu Ghraib prison. The stress that the CIA has, quote, "a paper trail" that is specific authorization of the techniques that they use from the White House and the Justice Department.

And of course, you're talking about a couple dozen top al Qaeda personnel like Khalid Sheikh Mohammed, known terrorists, on the one hand. On the other hand, you're talking about a large prison population at Abu Ghraib, thousands of them, in some cases innocent people who were pulled in in sweeps by the U.S. military.

So, you're also talking about a different set of rules. The CIA believes it has clear rules from the top down, and that it follows them carefully. In the case of Abu Ghraib, with these military M.P.'s, it looks as if there weren't rules, or if there were, they certainly weren't followed.

BLITZER: The military says the military detainees at Abu Ghraib and other military prisons are treated in accordance with the Geneva Conventions. But what you're saying is, from your CIA sources, that those small number of terrorist suspects like Sheikh Mohammed and others, the few like those aren't necessarily treated according to the Geneva Conventions.

ENSOR: The Geneva Conventions do not legally apply to these individuals. That said, U.S. officials will tell you they don't conduct what they regard as torture.

The problem is you get into a gray area. Where exactly the lines are drawn is something that officials don't want to talk about because they don't want the next al Qaeda prisoner to know where those lines are. It would make it easier for that prisoner to get through the interrogation knowing where the line is, where the treatment will stop.

They need to get information out of these people that can save lives. So they are deliberately, shall we say, ambiguous. There's kind of a -- in fact, one official said that ambiguity is a natural security resource in this matter.

BLITZER: One final question, David, before I let you go. There have been widespread reports, speculation that the U.S., the intelligence community, deliberately hands over some detainees or prisoners to other countries -- Jordan, Morocco, Egypt -- where they're not necessarily as polite in interrogation as the U.S. might be.

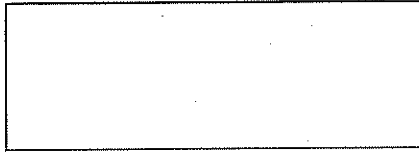
What have you heard, if anything, about those suggestions?

ENSOR: My understanding is that, and here I'm not entirely speaking from U.S. officials I've spoken to. My understanding is that that does occur and that that policy started some years back. I'm still trying to look into this, but I understand there may have been some renditions, in fact, prior to 9/11.

BLITZER: David Ensor with some important information for us. Thanks David, as usual, very much.

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John L. Helgerson
Inspector General



05/04/04 04:21 PM



To:



cc:

Subject: "Two war prisoners murdered by Americans- US probe"

Pls forward to others as appropriate. JH

----- Forwarded by John L. Helgerson/STF/AGENCY on 05/04/04 04:21 PM -----

William R. Harlow
OPA

05/04/04 04:19 PM



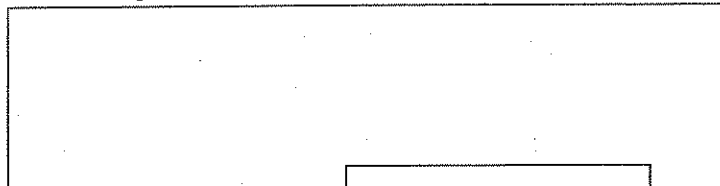
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Krongard/STF/AGENCY@DCI, [redacted]

James L. Pavitt@DO, Stanley M.

Moskowitz/STF/AGENCY@DCI, [redacted]

John L. Helgerson/STF/AGENCY@DCI

cc:



Subject: "Two war prisoners murdered by Americans- US probe"

^BC-IRAQ-ABUSE-DEATHS (URGENT)@
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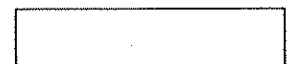
WASHINGTON, May 4 (Reuters) - The U.S. military has investigated the deaths of 25 prisoners held by American forces in Iraq and Afghanistan and determined that two prisoners were murdered by Americans, one an Army soldier and the other a CIA contractor, Army officials said on Tuesday.

An Army official said that a soldier was convicted in the U.S. military justice system of killing a prisoner by hitting him with a rock, and was reduced in rank to private and thrown out of the service but did not serve any jail time.

~~the official speaking on condition of anonymity said a private contractor who worked for the CIA was found to have committed the murder of the other prisoner~~

Word of these investigations came as the Pentagon continued to investigate the abuse of Iraqi prisoners by U.S. forces at the Abu Ghraib prison on the outskirts of Baghdad.

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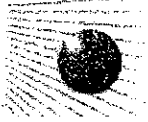


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05/04/04 08:21 AM

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Subject: Article

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13. Official: CIA Not Involved in Abu Ghraib Abuses

Reuters, 3 May 2004

WASHINGTON (Reuters) -- The CIA inspector general is conducting an investigation of the death of an Iraqi prisoner while being held at Abu Ghraib prison outside Baghdad, a senior CIA official said on Monday.

But the official, speaking on condition of anonymity, said he was not aware that any CIA officers involved in interrogating prisoners there participated in the abuses depicted by recent photographs.

"I know of no CIA officers involved in the abuses which are now so famously described," the official told Reuters.

"There were a small number of prisoners at Abu Ghraib who are of interest to CIA, and a small number of CIA officers would periodically visit the prison to interrogate them," the official said.

"But I don't know of anything which connects us to those particularly ugly photos," the official said.

The CIA inspector general was continuing an investigation into the death of the one prisoner who had



UNCLASSIFIED

been interrogated by CIA officers, the official said.

"One prisoner at that prison who we were talking to did die, and so there is an ongoing IG investigation about why did that guy die," the official said. "But I don't have anything to connect us to the ugliness that went on there."

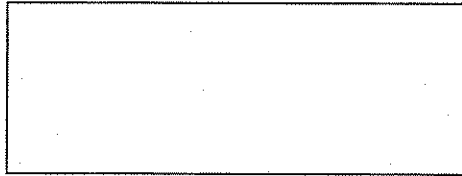
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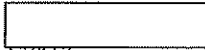
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12/16/03 04:23 PM



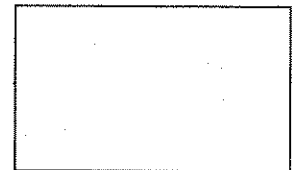
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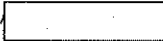
Subject: Re: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

Next up--Geraldo.

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Office: DO/CPD



12/16/03 03:21 PM

To: [redacted]
cc: [redacted]

Subject: Re: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

A little more detail, from an American source.

PUBLISHR: DOW JONES INTERNATIONAL NEWS SERVICE
DOR: 20031216
TOR: 144129
CLASS: UNCLASSIFIED
TITLE: Rumsfeld: CIA Taking Lead In Saddam Questioning
TEXT:

WASHINGTON (AP)--The U.S. Central Intelligence Agency is taking the lead in overseeing the interrogation of former Iraqi leader Saddam Hussein, Defense Secretary Donald H. Rumsfeld said Tuesday. Central Intelligence Agency head George Tenet will decide who will interrogate Saddam and what information they will seek, Rumsfeld said at a Pentagon news conference. Rumsfeld wouldn't say whether Saddam had offered any information of value. "Characterizing his general relationship with his captors, probably the best word would be resigned," Rumsfeld said. The defense secretary said Saddam was being "accorded the protections" of prisoners of war but wasn't formally designated a POW. Rumsfeld defended the Pentagon's release of a videotape of Saddam after his capture, saying Iraqis needed to see proof he was "off the street, out of commission." The Geneva conventions governing treatment of POWs bans prisoners from being displayed publicly as objects of

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ridicule. While some critics have said the Saddam videos did that, Rumsfeld disagreed.

"He has been handled in a professional way," Rumsfeld said. "He has not been held up to public curiosity in any demeaning way by reasonable definitions of the Geneva convention." When asked why he wanted the CIA to oversee the questioning of Saddam, Rumsfeld said they have the competence and the professionals in this area and "they know the threads that have to come up through the needlehead." (c) 2003 Dow Jones & Company, Inc.

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Office: CP/LGL



12/16/03 03:05 PM

To:

[Redacted]

cc:

Subject: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

And he gave the announcement to the FRENCH!

----- Forwarded by [Redacted] on 12/16/03 03:04 PM -----

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Office: NE/LGL

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12/16/03 03:01 PM

To:

[Redacted]

Scott W. Muller@DCI

cc:

[Redacted]

Subject: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

We need to discuss next steps.

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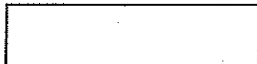
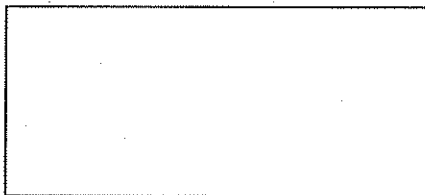
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08/20/04 04:04 PM

To:

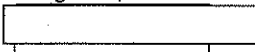


cc:

Subject: Copies available of excerpts of Kern Reports

The [redacted] has copies available for your information of excerpts [redacted] from the Jones and Fay investigations of Abu Ghurayb Prison and the 205th MI BDE. The copies are available for pick up at the [redacted] work space [redacted]

Regards,



~~SECRET~~//20290820



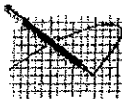
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UNCLASSIFIED

APPROVED FOR RELEASE
DATE: APR 2008

[Redacted]

NE/LGL



06/11/03 11:08 AM

To:

cc:

[Redacted]

Subject: Re: DOD Manual FM 34-52 Intelligence Interrogation

[Redacted] thanks!

To all, when is the bar review course?

Seriously, I see this as for our background information only since I'm not sure we can/should attempt to match military's expertise in this area.

Original [Redacted] Text of [Redacted]

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[Redacted]

UNCLASSIFIED

(b) (2) APPROVED FOR RELEASE
(b) (3) DATE: APR 2008

[Redacted]

DO/NE/L

06/11/03 11:10 AM



To:
cc:

[Redacted]

Subject: Re: DOD Manual FM 34-52 Intelligence Interrogation [Redacted]

Thanks very much, [Redacted]

Original Text of [Redacted]

0007623

UNCLASSIFIED

[Redacted]

UNCLASSIFIED

APPROVED FOR RELEASE
DATE: APR 2008 (b) (2)
(b) (3)

[Redacted]
AGC/DO [Redacted]

06/11/03 11:11 AM



To: [Redacted]
cc: [Redacted]

Subject: TOC for the Field Manual on Interrogation

Sorry, forgot to include the Table of Contents.



fm3452_toc.htm

0007622

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(b) (1)

(b) (3)

APPROVED FOR RELEASE
DATE: APR 2008[Redacted]
Special Agent
[Redacted]

04/07/05 11:25 AM

To:
cc:

Subject: I was wrong, its Jordan who was "fascinated" by the CIA...



I checked my notes. I guess it was Jordan who was "fascinated" with the CIA. Boltz was the "cooperate" guy. No mention of him being in love with CIA.

If you read the Congressional testimony, it almost sounds as though General Kern is about to say Boltz did hear about ghosting from Pappas, but the question is not fully answered because of the back and forth between Sen. Reed and Warner. Perhaps that was resolved later. Col. Boltz may have dodged the bullet by a word or two in that exchange.....

SEN. REED: If I could, I would like to introduce one other aspect.

SEN. WARNER: I'll see that you get time to reply, General.

SEN. REED: And I apologize, but the time is very short, that's one of the frustrating aspects of this. The Chairman is doing a remarkable job getting us this far, but this is a report of many, many pages requiring intense questioning, and I apologize if I'm a little bit more direct than I should be. But let me go to page 54 of the report, local CIA officers convinced Colonel Pappas and Lieutenant Colonel Jordan that they should be allowed to operate outside the established local rules and procedures. When Colonel Pappas raised the issue of CIA use of Abu Ghraib to Colonel Boltz, Colonel Boltz encouraged Colonel Pappas to cooperate with the CIA because everyone was all one team. Colonel Boltz directed Colonel Jordan to cooperate.

Did Colonel Pappas raise the issues of abuse and violation of regulations by the CIA with Colonel Boltz?

GEN. KERN: Senator, to my knowledge, he did not. But I think there is an issue here of what the word "cooperate" means. Cooperate does not mean violate laws, regulations, and policies. And there is a development that was going on here to build intelligence architectures, to build intelligence fusion, and so there are two ways you can interpret those words. Colonel Pappas, in my view, did not interpret it correctly.

SEN. REED: Did Colonel Pappas relate, as it appears in this statement, that the CIA was operating outside the established local rules and procedures?

GEN. KERN: We believe that they were, and that's what we found out after the fact, and that's why we have asked for that particular piece to be further investigated.

SEN. REED: I understand that. But, let me ask it another way, was Colonel Boltz, because Colonel Pappas told him, aware of the potential abuses at Abu Ghraib? I mean, let's just -- the nice, I think, et cetera. Here is a commanding officer in a very difficult position who is making difficult decisions every day. And I think the first response of any commander is to go to his higher commander or the staff and ask for commander's guidance. What do I do when the CIA

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walks in with a prisoner, and you're suggesting that Pappas never did that, that he simply came in and said, they're not following rules, he gave no specific examples?

GEN. JONES: Sir, let me add some clarification, if I may. When the initial request for the agency to use facilities, not only Abu Ghraib, but our detention facilities manned by our military police, General Fast (sp) directed Colonel Pappas to consult the commanders of the military police to see if they had a problem with that. Now, subsequent to that there is no documented memo of agreement between CJTF-7 staff, and/or any other agencies to do that. My assumption in what I read was that Colonel Pappas coordinated with the military police who were in charge of the detention facilities to see if they would accept that request. He, himself, was not in charge of the detention facility.

SEN. REED: But, it says specifically that he informed the staff of abuses by the CIA, overstepping regulations, and established local rules. That's what I read, is that right?

GEN. FAY: Sir, I don't believe it reads that they knew about abuses, my recollection was the conversations related to the control of the detainees, and the lack of accountability of the detainees. There was never any conversations relating to the direct abuses, it was the ghost issues of bringing them in undocumented.

SEN. REED: Which is a violation?

GEN. FAY: Which is a violation, but it not --

SEN. REED: Well, now we're making a very nice distinction between the abuses, and other violations of the Geneva Convention. As I read your report, subject to Article 92 of the DCMJ, those are abuses that had to be reported. Did Colonel Boltz have knowledge of those types of abuses of those detainees?

GEN. FAY: We did not consider that, nor are they one of those 44 that we enumerated as abuses, so that did not meet our definition of abuse when we were writing the report.

SEN. REED: So you never asked General Fast or Colonel Boltz whether they had specific knowledge of ghost detainees?

GEN. FAY: Yes, we did ask them.

SEN. REED: And what did they say?

GEN. FAY: General Fast did not know about the ghost detainee issues until later on. Colonel Boltz when he had that conversation with Colonel Pappas, Colonel Pappas had a conversation about what was occurring with the CIA bringing in undocumented, unaccounted for detainees. Colonel Boltz did know that that was --

SEN. REED: What date was that, sir?

SEN. WARNER: Senator, we've got to -- we'll come back on the second round here, and we'll have an opportunity --

SEN. REED: Thank you sir. May I have just the date, sir?

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APPROVED FOR RELEASE
DATE: APR 2008



Office: Chief/NE

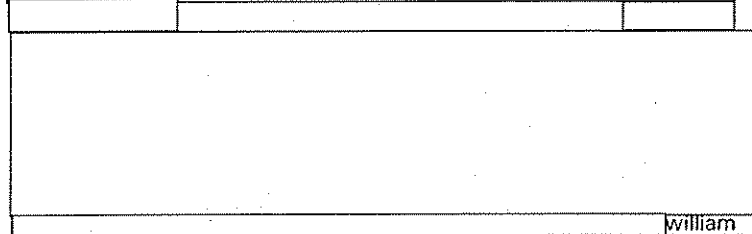
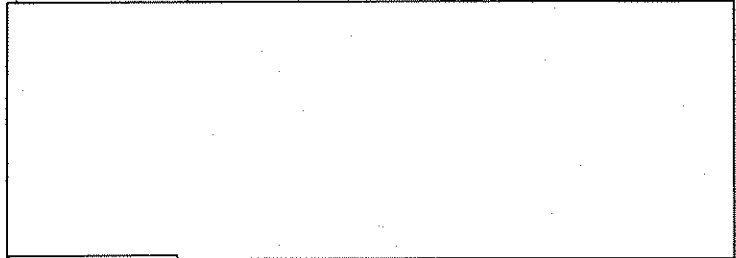


12/16/03 01:59 PM

To: [Redacted]

Buzzy

krongard@DCI, [Redacted]



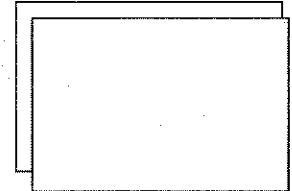
William

harlow@dci, [Redacted]

cc:

Subject: URGENT Rumsfeld says CIA will conduct Saddam's
interrogation

----- Forwarded by [Redacted] on 12/16/03 01:59 PM -----



William R. Harlow @ DCI

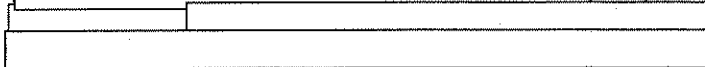
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12/16/03 01:54 PM

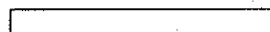
To: [Redacted] John E. McLaughlin@DCI [Redacted]

cc: [Redacted]



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~~CONFIDENTIAL//X1~~



[Redacted]
Subject: URGENT Rumsfeld says CIA will conduct Saddam's
interrogation

WASHINGTON, Dec 16 (AFP) - US Defense Secretary Donald Rumsfeld said on Tuesday that the Central Intelligence Agency (CIA) headed by George Tenet will be responsible for the interrogation of Saddam Hussein.

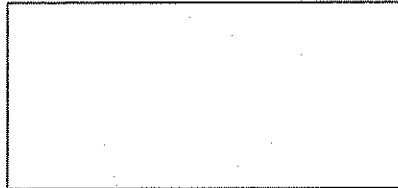
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US-Iraq-Rumsfeld-CIA
AFP 161838 GMT 12 03

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12/16/03 03:21 PM



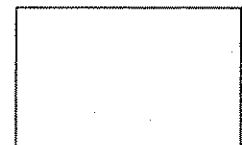
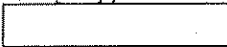
To:
cc:

Subject: Re: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

A little more detail, from an American source.

PUBLISHR: DOW JONES INTERNATIONAL NEWS SERVICE
DOR: 20031216
TOR: 144129
CLASS: UNCLASSIFIED
TITLE: Rumsfeld: CIA Taking Lead In Saddam Questioning

TEXT:
WASHINGTON (AP)--The U.S. Central Intelligence Agency is taking the lead in overseeing the interrogation of former Iraqi leader Saddam Hussein, Defense Secretary Donald H. Rumsfeld said Tuesday. Central Intelligence Agency head George Tenet will decide who will interrogate Saddam and what information they will seek, Rumsfeld said at a Pentagon news conference. Rumsfeld wouldn't say whether Saddam had offered any information of value. "Characterizing his general relationship with his captors, probably the best word would be resigned," Rumsfeld said. The defense secretary said Saddam was being "accorded the protections" of prisoners of war but wasn't formally designated a POW. Rumsfeld defended the Pentagon's release of a videotape of Saddam after his capture, saying Iraqis needed to see proof he was "off the street, out of commission." The Geneva conventions governing treatment of POWs bans prisoners from being displayed publicly as objects of ridicule. While some critics have said the Saddam videos did that, Rumsfeld disagreed. "He has been handled in a professional way," Rumsfeld said. "He has not been held up to public curiosity in any demeaning way by reasonable definitions of the Geneva convention." When asked why he wanted the CIA to oversee the questioning of Saddam, Rumsfeld said they have the competence and the professionals in this area and "they know the threads that have to come up through the needlehead." (c) 2003 Dow Jones & Company, Inc.



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Office: CP/LGL



12/16/03 03:05 PM

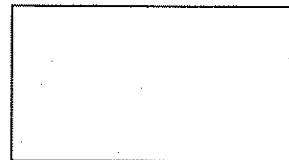
To: [Redacted]

cc:

Subject: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

And he gave the announcement to the FRENCH!

----- Forwarded by [Redacted] on 12/16/03 03:04 PM -----



Office: NE/LGL



12/16/03 03:01 PM

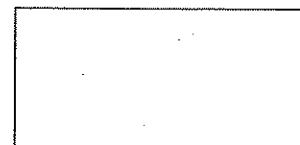
To: [Redacted] Scott W. Muller@DCI

cc: [Redacted]

Subject: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

We need to discuss next steps.

----- Forwarded by [Redacted] on 12/16/03 03:00 PM -----



Office: Chief/NE



12/16/03 01:59 PM

To: [Redacted]

Buzzy

Krongard@DCI, [Redacted]

[Redacted]

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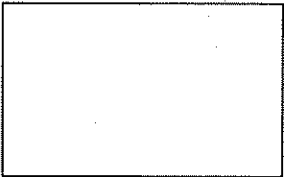
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[Redacted content]

cc:
Subject: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

----- Forwarded by [Redacted] on 12/16/03 01:59 PM -----



William R. Harlow @ DCI

Office: OPA



12/16/03 01:54 PM

To: [Redacted] John E. McLaughlin@DCI,
cc: [Redacted] Stanley M. Moskowitz@DCI,
[Redacted]

Subject: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

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bur-jjc/mac

US-Iraq-Rumsfeld-CIA
AFP 161838 GMT 12 03

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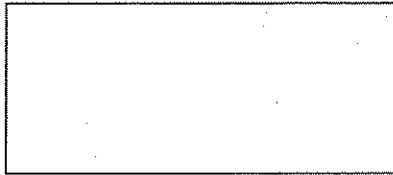
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CP/LGL

12/16/03 03:05 PM



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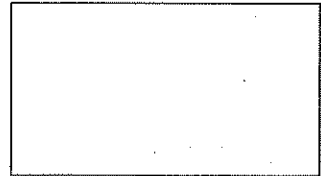


cc:

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----- Forwarded by [redacted] on 12/16/03 03:04 PM -----



Office: NE/LGL

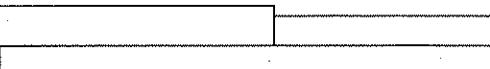


12/16/03 03:01 PM



To:

cc:

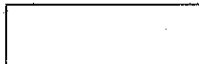
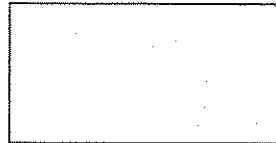


Scott W. Muller@DCI

Subject: URGENT Rumsfeld says CIA will conduct Saddam's interrogation

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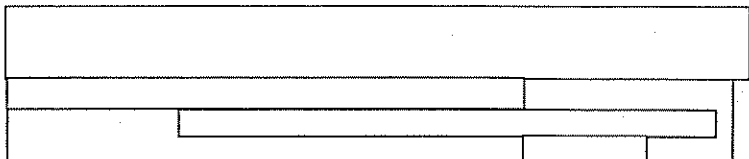


Office: Chief/NE

12/16/03 01:59 PM



To:



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[Redacted content]

cc:
Subject: URGENT Rumsfeld says CIA will conduct Saddam's
interrogation

----- Forwarded by [Redacted] on 12/16/03 01:59 PM -----



William R. Harlow @ DCI

Office: OPA



12/16/03 01:54 PM

To: [Redacted] John E. McLaughlin@DCI, [Redacted]

cc: [Redacted] Stanley M. Moskowitz@DCI, [Redacted]

[Redacted content]

Subject: URGENT Rumsfeld says CIA will conduct Saddam's
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bur-jjc/mac

US-Iraq-Rumsfeld-CIA
AFP 161838 GMT 12 03

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APPROVED FOR RELEASE
DATE: APR 2008

[Redacted]

Office of Inspector General/Investigations Staff

[Redacted]



10/25/2005 10:41 AM

To:

[Redacted]

cc:

Subject: FYI: Article from Denver Post

FYI, this is an unclassified article from The Denver Post (found in DenverPost.com), dated 10/18/05:

Jan. 16 start set for soldier's trial in Iraqi officer's death

A soldier charged with murder in the death of an Iraqi general during an interrogation had his trial set Monday for Jan. 16.

During a hearing, Chief Warrant Officer Lewis Welshofer Jr. also advised a judge that he would like to be tried by a jury of officers instead of by a military judge. Welshofer and Chief Warrant Officer Jefferson Williams are charged with killing Iraqi Maj. Gen. Abed Hamed Mowhoush near the Syrian border in 2003.

Col. Mark Toole, the judge in the case, also set a hearing for Nov. 16 to review classified defense evidence and determine if it can be used in trial.

Welshofer's trial was initially scheduled to start Monday, and Williams was scheduled for trial next month. But Fort Carson officials said Williams' case probably will be delayed until after Welshofer's court-martial.

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[Redacted]

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(b) (3)

[redacted]
Office of General Counsel/Litigation Division

APPROVED FOR RELEASE
DATE: APR 2008

10/25/2005 12:50 PM

To: [redacted]
cc: [redacted]

Subject: FYI: Article from Denver Post



[redacted]
Thank you for the information. For your information, I am moving over to OGC/ALD, and [redacted] here in LD will take over my place working with [redacted] on this case.

Thank you,
[redacted]

----- Forwarded by [redacted] on 10/25/2005 12:49 PM -----

[redacted]
Office of Inspector General/Investigations Staff

10/25/2005 10:41 AM

To: [redacted]
cc: [redacted]

Subject: FYI: Article from Denver Post



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Welshofer's trial was initially scheduled to start Monday, and Williams was scheduled for trial next month. But Fort Carson officials said Williams' case probably will be delayed until after Welshofer's court-martial.

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UNCLASSIFIED//~~FOUO~~

(b) (3)



[Redacted]
OIG Investigations Staff
03/11/05 06:21 AM

To: [Redacted]
cc:
Subject: Advisement to interviewees

APPROVED FOR RELEASE
DATE: APR 2008

The language below was what we used for witnesses only. It's changing, but at least gives you the background of what we had been telling interviewees.

----- Forwarded by [Redacted] STF/AGENCY on 03/11/05 06:20 AM -----



[Redacted]
OIG Investigations Staff
02/17/05 06:17 AM

To: [Redacted]
cc:
Subject: Advisement to interviewees

Below you will find the language we have been using for the interviews (ghosts, too).

----- Forwarded by [Redacted] STF/AGENCY on 02/17/05 06:16 AM -----



[Redacted]
DCI/OIG/INV
Secure: [Redacted]
Comm: [Redacted]

To: [Redacted]
cc:
Subject: Advisement to interviewees

11/10/04 11:12 AM

Upon further review....here's new and improved language for the oral advisement to be used during upcoming interviews:

THE OFFICE OF INSPECTOR GENERAL IS CONDUCTING A CRIMINAL INVESTIGATION INTO THE AGENCY'S INVOLVEMENT IN DETENTION AND INTERROGATION ACTIVITIES IN IRAQ. WE WOULD LIKE TO TALK WITH YOU AS A WITNESS WHO MAY HAVE KNOWLEDGE ABOUT THESE ISSUES. YOUR PARTICIPATION IN THIS INTERVIEW IS VOLUNTARY. YOU DO NOT HAVE TO ANSWER ANY QUESTIONS THAT YOU DO NOT WANT TO, AND YOU ARE FREE TO TERMINATE THE INTERVIEW AT ANY TIME.

The person's agreement to be interviewed should be recorded in the report of interview.

It's important that the interviewee is apprised that the investigation is of a criminal nature, that we are looking into potential criminal violations, not just administrative transgressions. Investigators typically have ways to provide the oral advisement that disarms objections/apprehensions on the part of an interviewee and avoid reading a notice, verbatim, to the individual.

Further to all this, as you all work to contact individuals for interviews, please inform team leaders and

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//FOUO

myself whenever an attorney or person in high visibility position is to be interviewed. We need to keep and sometimes the IG apprised of these events that sometimes cause officials in lofty positions to contact our front office.

UNCLASSIFIED//FOUO

~~TOP SECRET/~~ [redacted]

(b) (1)
(b) (2)
(b) (3)
(b) (5)

[redacted]

[redacted]

APPROVED FOR RELEASE
DATE: APR 2008

[redacted]
Deputy Counsel [redacted]
[redacted]



04/27/04 02:55 AM

To: [redacted]
cc: [redacted] Scott W. Muller/STF/AGENCY@DCI
Subject: Notes

[redacted] please classify this appropriately. thank you.

[redacted] Hello from [redacted] All is well. The flights were painless and the weather is beautiful. Not to mention the company. I got the materials you sent. Please pass the following along:

1. The OGC conversion panel proposals for paralegas, law librarians and assistant law librarians are fine.

2. For [redacted] and [redacted] please find out the status and do what is necessary to ensure close out of the situation involving [redacted]

[redacted] I would like to be informed of the status. I would also like to be sure the DCI, the EXDIR and [redacted] are informed in case of any blowback in the press, [redacted]

Please find a way to get the answer to me.

3. [redacted]

Again, please find a way to get me an update.

4. For [redacted] Please tell [redacted] that I would like to review with him on the Monday after I return, the draft he is preparing on the following which he and I have discussed. Please set a time and ask [redacted] to be there as well:

[redacted]

4. Please find a way to keep me apprised for any [redacted]

~~TOP SECRET/~~ [redacted]

0007296

~~TOP SECRET~~ [redacted]

[redacted]

That's it for now. I am having a good time. But being on [redacted] flight gave me time to go over loose ends. Hopefully none more will occur to me.

[redacted]

[redacted]

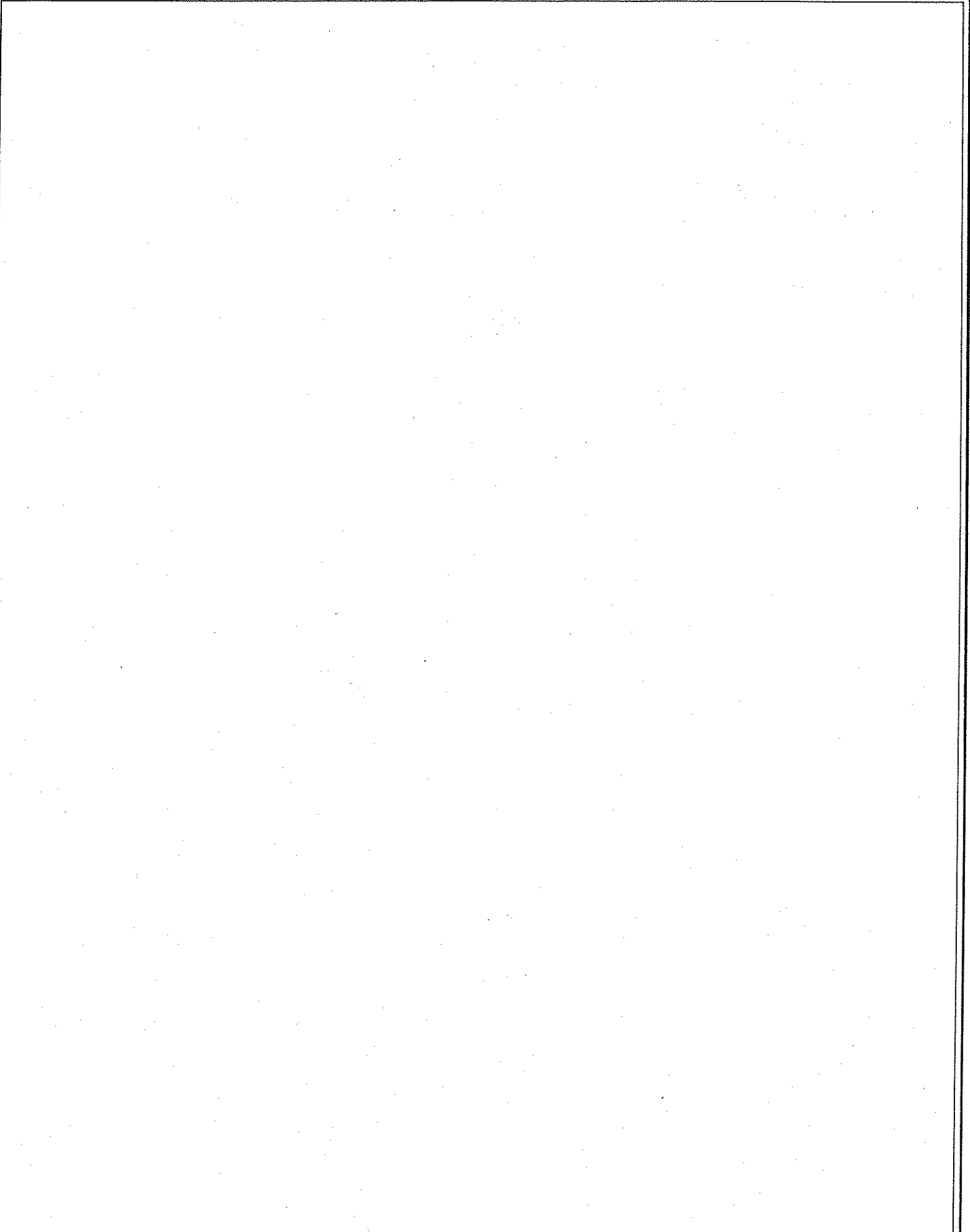
CAUTION: This message may contain information protected by attorney-client work product, deliberative process, or other privilege. Do not disseminate to non-governmental personnel without approval of the DDC/CM Counsel.

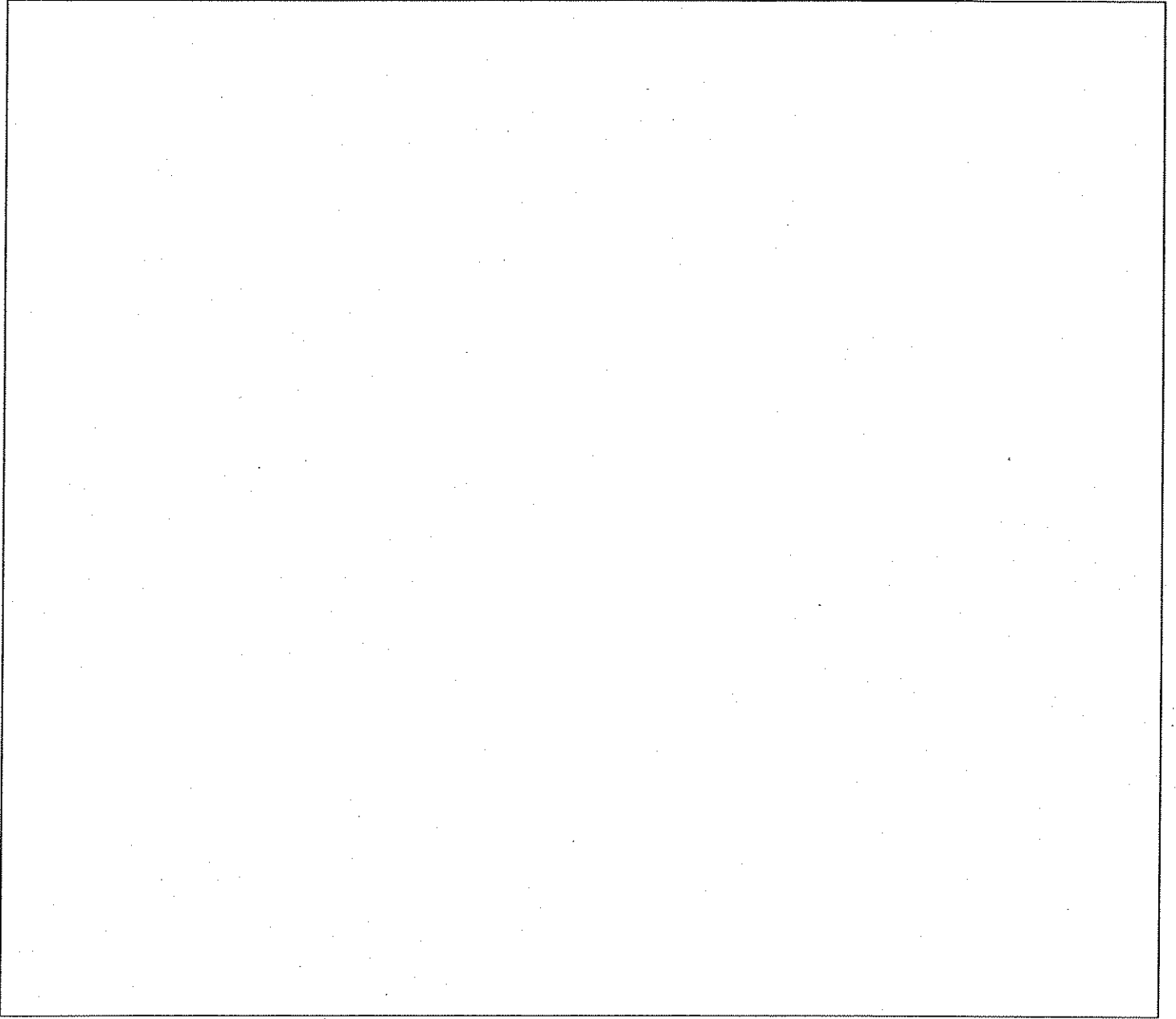
0007297

~~TOP SECRET~~ [redacted]

[redacted]

0007298





0007300



- (1) Members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces.
- (2) Members of other militias and members of other volunteer corps, including those of organized resistance movements, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied, provided that such militias or volunteer corps, including such organized resistance movements, fulfil the following conditions:
 - (a) that of being commanded by a person responsible for his subordinates;
 - (b) that of having a fixed distinctive sign recognizable at a distance;
 - (c) that of carrying arms openly;
 - (d) that of conducting their operations in accordance with the laws and customs of war.
- (3) Members of regular armed forces who profess allegiance to a government or an authority not recognized by the Detaining Power.
- (4) Persons who accompany the armed forces without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization, from the armed forces which they accompany, who shall provide them for that purpose with an identity card similar to the annexed model.
- (5) Members of crews, including masters, pilots and apprentices, of the merchant marine and the crews of civil aircraft of the Parties to the conflict, who do not benefit by more favourable treatment under any other provisions of international law.
- (6) Inhabitants of a non-occupied territory, who on the approach of the enemy spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war.

B. The following shall likewise be treated as prisoners of war under the present Convention:

- (1) Persons belonging, or having belonged, to the armed forces of the occupied country, if the occupying Power considers it necessary by reason of such allegiance to intern them, even though it has originally liberated them while hostilities were going on outside the territory it occupies, in particular where such persons have made an unsuccessful attempt to rejoin the armed forces to which they belong and which are engaged in combat, or where they fail to comply with a summons made to them with a view to internment.
- (2) The persons belonging to one of the categories enumerated in the present Article, who have been received by neutral or non-belligerent Powers on their territory and whom these Powers are required to intern under international law, without prejudice to any more favourable treatment which these Powers may choose to give and with the exception of Articles 8, 10, 15, 30, fifth paragraph, 58-67, 92, 126 and, where diplomatic relations exist between the Parties to the conflict and the neutral or non-belligerent Power concerned, those Articles concerning the Protecting Power. Where such diplomatic relations exist, the Parties to a conflict on whom these persons depend shall be allowed to perform towards them the functions of a Protecting Power as provided in the present Convention, without prejudice to the functions which these Parties normally exercise in conformity with diplomatic and consular usage and treaties.

C. This Article shall in no way affect the status of medical personnel and chaplains as provided for in Article 33 of the present Convention.

Art 5. The present Convention shall apply to the persons referred to in Article 4 from the time they fall into the power of the enemy and until their final release and repatriation.

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towards the Party to the conflict on which persons of war depend, and shall be required to furnish that it is in a position to undertake the appropriate discharge them impartially.

GENERAL PROTECTION OF PRISONERS OF WAR

Prisoners of war are in the hands of the enemy Power. Individuals or military units who have captured them bear individual responsibilities that may exist, the Detaining Power for the treatment given them.

Prisoners may only be transferred by the Detaining Power to a Party to the Convention and after the Detaining Power has ascertained the willingness and ability of such transferee Power to accept them. When prisoners of war are transferred in such circumstances, responsibility for the application of the Convention is accepted by the Detaining Power while they are in its custody. If that Power fails to carry out the provisions of the Convention in an important respect, the Power by whom the prisoners were captured shall, upon being notified by the Protecting Power, request the Detaining Power to correct the situation or shall request the Protecting Power to do so. Such requests must be complied with.

Prisoners of war must at all times be humanely treated. Any ill-treatment by the Detaining Power causing death or serious injury to the health of a prisoner of war in its custody shall be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical, medical or scientific experiments of any kind which are not justified by medical, dental or hospital treatment of the prisoner and which are carried out in his interest.

Prisoners of war must at all times be protected, particularly against violence or intimidation and against insults and public humiliation. Acts of reprisal against prisoners of war are prohibited. Prisoners of war are entitled in all circumstances to respect for their honour.

Prisoners of war must be treated with all the regard due to their sex and shall be treated as favourable as that granted to men.

Prisoners of war shall retain the full civil capacity which they enjoyed at the time of their capture. The Detaining Power may not restrict the exercise, either within or without its own territory, of the rights such capacity confers except in so far as the captivity requires.

Article 15. The Power detaining prisoners of war shall be bound to provide free of charge for their maintenance and for the medical attention required by their state of health.

Article 16. Taking into consideration the provisions of the present Convention relating to rank and sex, and subject to any privileged treatment which may be accorded to them by reason of their state of health, age or professional qualifications, all prisoners of war shall be treated alike by the Detaining Power, without any adverse distinction based on race, nationality, religious belief or political opinions, or any other distinction founded on similar criteria.

BEGINNING OF CAPTIVITY

Article 17. Every prisoner of war, when questioned on the subject, is bound to give only his surname, first names and rank, date of birth, and army, regimental, personal or serial number, or failing this, equivalent information.

If he wilfully infringes this rule, he may render himself liable to a restriction of the privileges accorded to his rank or status.

Each Party to a conflict is required to furnish the persons under its jurisdiction who are liable to become prisoners of war, with an identity card showing the owner's surname, first names, rank, army, regimental, personal or serial number or equivalent information, and date of birth. The identity card may, furthermore, bear the signature or the fingerprints, or both, of the owner, and may bear, as well, any other information the Party to the conflict may wish to add concerning persons belonging to its armed forces. As far as possible the card shall measure 6.5 x 10 cm. and shall be issued in duplicate. The identity card shall be shown by the prisoner of war upon demand, but may in no case be taken away from him.

No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind.

Prisoners of war who, owing to their physical or mental condition, are unable to state their identity, shall be handed over to the medical service. The identity of such prisoners shall be established by all possible means, subject to the provisions of the preceding paragraph.

The questioning of prisoners of war shall be carried out in a language which they understand.

Article 18. All effects and articles of personal use, except arms, horses, military equipment and military documents, shall remain in the possession of prisoners of war, likewise their metal helmets and gas masks and like articles issued for personal protection. Effects and articles used for their clothing or feeding shall likewise remain in their possession, even if such effects and articles belong to their regulation military equipment.

At no time should prisoners of war be without identity documents. The Detaining Power shall supply such documents to prisoners of war who possess none.

Badges of rank and nationality, decorations and articles having above all a personal or sentimental value may not be taken from prisoners of war.

Sums of money carried by prisoners of war may not be taken away from them except by order of an officer, and after the amount and particulars of the owner have been recorded in a special register and an itemized receipt has been given, legibly inscribed with the name, rank and unit of the person issuing the said receipt. Sums in the currency of the Detaining Power, or which are changed into such currency at the prisoner's request, shall be placed to the credit of the prisoner's account.

The Detaining Power may withdraw articles of value from prisoners of war only for reasons of security; when such articles are withdrawn the procedure laid down for sums of money impounded shall apply.

Such objects, likewise sums taken away in any currency other than that of the Detaining Power and the conversion of which has not been asked for by the owners, shall be kept in the custody of the Detaining Power and shall be returned in their initial shape to prisoners of war at the end of their captivity.

Article 19. Prisoners of war shall be evacuated, as soon as possible after their capture, to camps situated in an area far enough from the combat zone for them to be out of danger.

Only those prisoners of war who, owing to wounds or sickness, would run greater risks by being evacuated than by remaining where they are, may be temporarily kept back in a danger zone.

Prisoners of war shall be awaiting evacuation for
Article 20. The evacuation shall be carried out humanely and in accordance with the Detaining Power in their

The Detaining Power shall provide for the evacuation of prisoners of war with sufficient clothing and medical precautions to be taken as soon as possible.

If prisoners of war are kept in camps, their stay in

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Article 21. The Detaining Power shall, within certain limits, be responsible for the care of prisoners of war. It may, if necessary, be assisted by the Detaining Power of the present Convention. The Detaining Power shall be responsible for the safety of prisoners of war in the circumstances of the present Convention.

Prisoners of war shall be treated humanely and shall be provided with the necessities of life, in so far as possible, in accordance with the laws and regulations of the Detaining Power. Such measures shall be taken as to contribute to the well-being of prisoners of war.

Upon the outbreak of hostilities, the adverse Party of the conflict shall be responsible for the evacuation of its own nationals to areas where they are paroled or released. The Detaining Power shall be scrupulously to full compliance with the laws and regulations of the Detaining Power towards the Power of

PRISONERS OF WAR

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INTERNMENT OF PRISONERS OF WAR

GENERAL OBSERVATIONS

Article 21. The Detaining Power may subject prisoners of war to in-
termment. It may impose on them the obligation of not leaving, beyond
certain limits, the camp where they are interned, or if the said camp is
fenced in, of not going outside its perimeter. Subject to the provisions
of the present Convention relative to penal and disciplinary sanctions,
prisoners of war may not be held in close confinement except where
necessary to safeguard their health and then only during the continuation
of the circumstances which make such confinement necessary.

Prisoners of war may be partially or wholly released on parole or
promise, in so far as is allowed by the laws of the Power on which they
depend. Such measures shall be taken particularly in cases where this
may contribute to the improvement of their state of health. No prisoner
of war shall be compelled to accept liberty on parole or promise.

Upon the outbreak of hostilities, each Party to the conflict shall notify
the adverse Party of the laws and regulations allowing or forbidding its
own nationals to accept liberty on parole or promise. Prisoners of war
who are paroled or who have given their promise in conformity with the
laws and regulations so notified, are bound on their personal honour
scrupulously to fulfil, both towards the Power which they depend and
towards the Power on which has captured them, the engagements of their

PRISONERS OF WAR

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