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~~TOP SECRET~~ / (b)(1) (b)(3) NatSecAct

financier who reportedly handled the transfer of funds to the 9/11 hijackers and was captured with Khalid Shaykh Muhammad; and Khalid Shaykh Muhammad's nephew, Ammar al-Baluchi, were detained at [redacted] Although these individuals were not planners, they had access to information of particular interest, and the Agency used interrogation techniques at (b)(1) (b)(3) NatSecAct to seek to obtain this information.

(b)(1) (b)(3) NatSecAct

Site Management (b)(1) (b)(3) NatSecAct (b)(6)

124. (TS) (b)(1) (b)(3) NatSecAct (b)(7)(c) who was at [redacted] from [redacted] described [redacted] as a "high risk, high gain intelligence facility." He described his role regarding [redacted] as the "overall manager." He stated that he traveled there [redacted] to obtain a general sense of the facility or learn firsthand of a specific interrogation. [redacted] he released (b)(6) (b)(7)(c) all cables regarding the facility and the interrogations conducted there.

(b)(1) (b)(3) CIAAct (b)(3) NatSecAct (b)(6) (b)(7)(c)

125. (S//NF) (b)(6) (b)(7)(c) who had several overseas assignments was [redacted] [redacted] said his responsibilities included overseeing the activities at [redacted] He said he went to the facility about three times, explaining that Station management tried to limit the number of trips to the facility because going there was considered an operational act. Because of other responsibilities (b)(1) (b)(3) NatSecAct [redacted] relied (b)(6) (b)(7)(c) heavily on [redacted] and the [redacted] Site Manager (b)(1) to oversee the day-to-day running of the facility. (b)(3) CIAAct (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct

126. (TS//) [redacted] who was interviewed during this Review, [redacted] He was unable to estimate the percentage of time that he spent on detention-related matters but said it varied. [redacted] (b)(1) (b)(3) NatSecAct [redacted] stated that he went to [redacted] (b)(1) on a number of occasions and (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct

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believed he knew what was occurring there. He coordinated on all cable traffic related to detention matters (b)(3) CIAAct (b)(1) (b)(6) (b)(3) NatSecAct (b)(7)(c)

(b)(1) (b)(3) NatSecAct 127. (TS/ (b)(3) CIAAct (b)(6) (b)(7)(c) Station assigned responsibility for (b)(3) CIAAct (b)(6) (b)(7)(c) prior to its occupancy to a Staff officer hired in January This officer lacked any education or experience that was relevant to managing the construction of a detention facility. He only learned of his assignment after reporting to the Station. He was responsible for the site and construction during his TDY tour (b)(6) (b)(7)(c)

128. (S) The first Site Manager was a first-tour officer who arrived (b)(1) on 2002. (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct (b)(6) (b)(7)(c) (b)(1) (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct (b)(6) (b)(7)(c) 129. (TS/ (b)(3) CIAAct (b)(6) (b)(7)(c) When he arrived in in the 2002, the Site Manager had no idea what duties he would be assigned. He believes the primary factors in his assignment as Site Manager were the vacancy in the detention program and that The Site Manager received a copy of the DCI's Interrogation Guidelines in January 2003 and certified that he had read them. The first formal training the Site Manager received on the use of EITs, however, was an interrogation class he attended nine months into his tour. (b)(6) (b)(7)(c)

(b)(1) (b)(3) NatSecAct (b)(6) (b)(7)(c) 54

~~TOP SECRET~~ 55 (b)(1) (b)(3) NatSecAct

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(b)(1)
 (b)(3) NatSecAct
 (b)(3) CIAAct
 (b)(1) (b)(6)
 (b)(3) NatSecAct (b)(7)(c)

130. (TS/ [redacted] gave the Site Manager responsibility for anything that had to do with detention,

(b)(1)
(b)(3) NatSecAct

(b)(1) (b)(3) CIAAct
 (b)(3) CIAAct (b)(6)
 (b)(3) NatSecAct (b)(7)(c)
 (b)(6)
 (b)(7)(c)

131. (S) [redacted] explained that he selected the Site Manager based on several factors, including [redacted]

[redacted] added that he watched the Site Manager discharge his duties and was very satisfied with the job he performed. [redacted] said that he, [redacted] and the Site Manager talked a lot about issues. The Site Manager had free access to [redacted] Station Front Office, and [redacted] recalled consulting with the Site Manager at least once a day.

(b)(3) CIAAct
(b)(6)
(b)(7)(c)

(b)(1) (b)(3) CIAAct
 (b)(3) CIAAct (b)(6)
 (b)(3) NatSecAct (b)(7)(c)

132. (S//NF) The Site Manager advised he had discussions with Station management, including [redacted] and the [redacted] every other day or as issues arose. He stated that someone from Station management came out to [redacted] about once a month— [redacted] (b)(3) CIAAct came once or twice, [redacted] (b)(3) NatSecAct

[redacted] (b)(6) When senior Headquarters visitors, [redacted] (b)(7)(c) [redacted] traveled to [redacted] management accompanied them to [redacted] (b)(1) [redacted] (b)(3) NatSecAct

(b)(3) CIAAct
(b)(6)
(b)(7)(c)

(b)(1) (b)(3) CIAAct
 (b)(3) NatSecAct

133. (S//NF) A number of individuals who served at the Station with the Site Manager said that it was abundantly clear to them that he was overwhelmed. Additionally, they believed [redacted] was understaffed and did not receive the attention it required.

(b)(1)
(b)(3) NatSecAct

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(b)(3) CIAAct
(b)(6)
(b)(7)(c)

(b)(1)
(b)(3) NatSecAct

~~TOP SECRET~~ / [redacted]

(b)(3) CIAAct
(b)(6)
(b)(7)(c)

(b)(1)
(b)(3) NatSecAct

134. (S//NF) [redacted] was unaware until being interviewed during this Review that the first Site Manager at [redacted] had been a junior officer. [redacted] stated that a first-tour officer should not be running anything. One of the reasons he cited for his revocation of the assignment of the replacement Site Manager at [redacted] was that the nominee was only a [redacted] In [redacted] view, at a minimum, a [redacted] is more appropriate for the [redacted] assignment.⁵⁵

(b)(6)
(b)(7)(c)

(b)(1)
(b)(3) NatSecAct

Interrogators and Linguists

(b)(1)
(b)(3) NatSecAct

135. (TS/ [redacted]) The Site Manager explained that the interrogations conducted at [redacted] during the first months that it was operational were essentially custodial interviews coupled with environmental deprivations. When Agency officers came to conduct interrogations, the Site Manager initially took them to [redacted] The only guidance he provided them at that time was how to get in and out of the facility securely. Substantive experts were in short supply, so the interrogators had to read the background on the detainees. The Site Manager explained that the interrogators essentially had the freedom to do what they wanted; he did not have a list of "do's and don'ts" for interrogations.

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

136. (TS/ [redacted]) During [redacted] first four months of operation, individuals with no previous relevant experience, no training, and no guidance often conducted the interrogations. In fact, most of these individuals were sent to [redacted] in other capacities and were pressed into service at [redacted] For example, one analyst sent to [redacted] as a substantive expert took over the debriefing/interrogation function of three detainees after approximately a week of observing the process. Another officer who debriefed/interrogated at [redacted] said he agreed to do so because it needed to be done and because the alternative was to leave the detainees languishing indefinitely. Several officers expressed concern about the extended and sometimes

(b)(1)
(b)(3) NatSecAct

⁵⁵ (S) Nevertheless, a [redacted] officer, [redacted] was assigned as the second Site Manager.

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(b)(1)
(b)(3) NatSecAct

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unjustified detention of individuals at [redacted] A TDY interrogator stated that individuals might have been released or moved sooner had they been debriefed/interrogated earlier and if a determination had then been made that there was little justification for their continued detention at [redacted] (b)(1) (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct 137. (TS/ [redacted] (b)(1) (b)(3) NatSecAct In addition to a shortage of interrogators, [redacted] has suffered from a shortage of linguists. Because most of the debriefers/interrogators at [redacted] have had no relevant foreign language capability, linguists must assist in the interrogations. CTC assigned [redacted] interpreters to [redacted] facility [redacted] Instances have occurred, however, when detainees were not questioned because of a lack of linguistic support. [redacted] Station requested both interrogation and linguistic support when it has been specifically needed, but its requests have not always been accommodated.

Medical Support (b)(1) (b)(3) NatSecAct (b)(1) (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct 138. (TS/ [redacted] Providing medical attention to [redacted] detainees has also been a staffing problem. In addition, compared to [redacted] relatively small number of high value detainees at [redacted] the larger number and less well-known detainees at [redacted] posed unique challenges. (b)(1) (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct 139. (TS/ [redacted] Four months before [redacted] opened, [redacted] plan was to use Physician's Assistants on TDY to the Station for non-emergency medical treatment of detainees [redacted] [redacted] A small medical exam room was included in the design for [redacted]

(b)(1) (b)(3) CIAAct (b)(3) NatSecAct

[redacted] Station Physician's Assistants and occasionally Regional Medical Officers examined and treated the detainees. When a newly arrived Physician's Assistant requested guidance from OMS

~~TOP SECRET~~ 58 (b)(1) (b)(3) NatSecAct

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(b)(1)

(b)(3) NatSecAct

regarding his responsibilities to the detainees in early November 2002, he was reportedly instructed to follow the Hippocratic oath and "if someone is sick, you treat them."

(b)(1)

(b)(3) NatSecAct

140. (TS/ [redacted] Immediately following Gul Rahman's death on [redacted] November 2002, [redacted] reported by cable [redacted]

Station medics made [redacted] visits to evaluate the [redacted]

(b)(1)

(b)(3) NatSecAct

detainees. One week later [redacted] reported, [redacted]

[redacted] and "approximately a fourth of the prisoners

have one or more significant pre-existing medical problems upon

arrival." [redacted] Station offered Headquarters the option of either

funding [redacted] to provide on-site medical care or requiring one of the

Station's Physician's Assistants to travel [redacted] to [redacted]

Headquarters apparently did not respond to this request, nor is there

(b)(1)

(b)(3) NatSecAct

any indication that [redacted] supported [redacted] When the

Station subsequently requested full-time and TDY support for

[redacted] the Station made

no mention of any requirement for additional medical personnel. On

[redacted] September 2003, the new [redacted] requested an enhanced staffing

complement for [redacted] Among his requests was a full-time medic.

(b)(1)

(b)(3) NatSecAct

141. (TS/ [redacted] When a Physician's Assistant at the

Station sent a cable to Headquarters on [redacted] 2003, "Medical

Assessment of Detainees," a CTC/RDG desk officer forwarded the

cable to CTC managers and a CTC attorney with the comment, "This

is the first time I've ever seen any official reporting on the PA visiting

the [redacted] detainees. We should ensure that this continues and is

documented in cable traffic. It's a great baseline for us."⁵⁶ One cable

per month reported the results of examinations of the [redacted]

detainee population over the following five-month period. Despite

(b)(1)

(b)(3) NatSecAct

the monthly reports of the examination and treatment of detainees at

[redacted] which commenced four months after the facility received

its first detainee, it is difficult to determine the extent of medical care

⁵⁶ (TS/ [redacted] In fact, one prior cable, on 19 January 2003, provided an assessment of 13 detainees at [redacted] (b)(1)

(b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct

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[redacted] (b)(3) NatSecAct

provided to the detainees. One Physician's Assistant who spent many months TDY [redacted] for example, reported that he did not prepare records of any treatment rendered [redacted] and his OMS supervisor reported that OMS does not have a written protocol requiring practitioners to produce documentation of patient contact, "relying rather on the accepted professional 'requirement' to document patient contacts." The Chief and Deputy Chief of Medical Services confirm his.

(b)(1)
(b)(3) NatSecAct

142. (TS/ [redacted] Station reported that it is standard procedure for one medical officer to participate in all renditions to ensure the detainee does not have a hidden weapon, to determine the

(b)(1)
(b)(3) NatSecAct

medical condition of the detainee, and to stabilize the detainee during rendition. That officer, therefore, arrived with any detainees who were rendered to [redacted] As further described in paragraph 1(b)(1) shortly after the death of Rahman, the DDO sent [redacted] Agency (b)(3) NatSecAct officers [redacted] (the "DO Investigative Team") to investigate the circumstances of the death. The [redacted] Site Manager advised the DO Investigative Team that detainees are examined and photographed upon their arrival to protect the Agency in the event they were beaten or otherwise mistreated by liaison prior to rendition. However, when asked for the identity of the medical officer, the information on Rahman's medical examination, and copies of the photographs, the Site Manager could not produce them. He reported that no medical documents were retained from the renditions and the Station did not retain medical documentation of detainees. Further, the digital photos of Rahman had been overwritten.

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(6)
(b)(7)(c)

143. (S//NF) [redacted]

The [redacted] medical provider assigned [redacted] from [redacted] November into December 2002, a Physician's Assistant, departed on [redacted] November and did not return [redacted] until [redacted] November 2002.

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(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

144.

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

145. (TS)

[Redacted]

The [Redacted] guardforce consisted of [Redacted] "interior guards" were assigned to duty within the cellblock and had direct contact with the detainees. The guards moved the detainees, hooded and restrained, back and forth in total silence. The remaining guards were responsible for security outside the cellblock. [Redacted] arranged for the U.S. Bureau of Prisons (BOP) to send a [Redacted] training team to [Redacted] from [Redacted] November.⁵⁹ This team worked with the guard force, concentrating on techniques, such as entry and escort procedures, application of restraints, security checks, pat-down and cell searches, and documenting checks of detainees.

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

(b)(1)
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(b)(3) NatSecAct

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(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

146.

(b)(1)
(b)(3) NatSecAct

147.

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

~~TOP SECRET~~ 62 (b)(1)
(b)(3) NatSecAct

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~~TOP SECRET~~ [redacted]

148. [redacted]

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

149. (TS/ [redacted] One week after Gul Rahman's death,

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct

[redacted] Station sent a cable, "Risk Assessment for [redacted] to Headquarters. In part it outlined problems facing the Station in the management of [redacted] and requested thoughts from the DDO. It included the following:

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

150. [redacted] After CTC/RDG assumed responsibility for the management of all CIA custodial interrogation facilities on 3 December 2002, CTC/RDG [redacted]

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct

151.

(b)(1)
(b)(3) NatSecAct

152. (S/

(b)(1)
(b)(3) NatSecAct

One of the psychologist/interrogators was opposed to
and suggested, as a minimum, that

(b)(1)
(b)(3) NatSecAct

Notwithstanding, as of January 2003, CIA designated [redacted] as a
"CIA Detention Facility," subject to the requirements of the DCI's
Guidelines on Confinement Conditions for CIA Detainees, reflecting
CIA's express recognition as of that time that [redacted] is "under the
direct or indirect control of CIA." (b)(1)
(b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct

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[redacted] (b)(3) NatSecAct

(b)(1) [redacted]
(b)(3) NatSecAct (b)(1)
(b)(3) NatSecAct

153. (TS/ [redacted] In [redacted] 2002, [redacted] Station
recognized the need for a detention facility to supplement [redacted]
and communicated that need to Headquarters. [redacted] Station cited
the increasing population at [redacted]

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

154. (TS/ [redacted] The proposal to Headquarters seeking
approval and funding of this initiative noted that the facility required
structural changes and security enhancements. The Station cited
disadvantages, [redacted]

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

155. (TS/ [redacted] [redacted] 2002, a cable from
CTC/RDG provided authority and funds for [redacted] Station to (b)(1)
proceed with construction and upgrades for the facility [redacted] (b)(3) NatSecAct
which would later be encrypted as [redacted] CTC/RDG
concurrently provided the authority and funds for [redacted] Station to
proceed in the construction of a second detention facility [redacted] as
a successor to [redacted] (b)(1) §2 The cable solicited the Station's comments
[redacted] (b)(3) NatSecAct

[redacted] (b)(1)
[redacted] (b)(3) NatSecAct

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[redacted] (b)(3) NatSecAct

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(b)(1) (b)(3) NatSecAct regarding training (b)(1) (b)(3) NatSecAct to ensure that detainees are handled in a proper manner and to ensure proper facility management in the succeeding years.⁶³ (b)(1) (b)(3) NatSecAct

156. (TS/ (b)(1) (b)(3) NatSecAct 2003, the (b)(1) (b)(3) NatSecAct Site Manager visited (b)(1) (b)(3) NatSecAct and observed that the construction enhancements to the facility were ahead of schedule. He also transferred two unnamed detainees to (b)(1) (b)(3) NatSecAct the first detainees sent there by CIA.

(b)(1) (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct 2003, the Station reported that (b)(1) (b)(3) NatSecAct had its own (b)(1) (b)(3) NatSecAct physician. Prior to (b)(1) (b)(3) NatSecAct 2003, the Station did not report on the health conditions of the Agency detainees at (b)(1) (b)(3) NatSecAct however. (b)(1) (b)(3) NatSecAct

157. (TS/ (b)(1) (b)(3) NatSecAct The Site Manager for (b)(1) (b)(3) NatSecAct advised OIG in May 2003 that the customary procedure was to transfer most detainees from (b)(1) (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct

158.

(b)(1) (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct

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(b)(1) (b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct **Death of Gul Rahman**

(b)(1)
(b)(3) NatSecAct 159. (TS/ [redacted] Gul Rahman, a suspected Afghan
extremist associated with the Hezbi Islami Gulbuddin organization,
(b)(1)
(b)(3) NatSecAct was captured in Pakistan on [redacted] October 2002 and rendered to
[redacted] on [redacted] November 2002. Between [redacted] November 2002,
Rahman underwent at least six interrogation sessions conducted by
various members of a team that included the [redacted] Site Manager,
an independent contractor psychologist/interrogator, the Station's
analyst, and [redacted] linguist. The
psychologist/interrogator was experienced from decades of work in
the SERE program, had helped develop the EITs, and had conducted
interrogations at [redacted]. The Site Manager and the analyst had
(b)(1)
(b)(3) NatSecAct no experience or relevant training in interrogations before their
assignment to [redacted] but had acquired approximately six
(b)(6)
(b)(7)(c) months of experience through on-the-job training. (b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct 160. (TS/ [redacted] Rahman was subjected to sleep
deprivation sessions of up to 48 hours, at least one cold shower, and a
"hard takedown"—euphemistically termed "rough treatment."⁶⁶ In
(b)(1)
(b)(3) NatSecAct addition, Rahman was apparently without clothing for much of his
time at [redacted] as part of the sleep deprivation and to cause cultural
humiliation. Despite these measures, Rahman remained
uncooperative and provided no intelligence. His only concession
was to admit his identity on [redacted] November 2002; otherwise, he
retained his resistance posture and demeanor. The [redacted] November
(b)(1)
(b)(3) NatSecAct 2002 [redacted] cable reporting that Rahman admitted his identity to
[redacted] officers includes the following, "Rahman spent the days since
his last session in cold conditions with minimal food and sleep." A

(b)(1)
(b)(3) NatSecAct

⁶⁶ (S) Both the cold shower and hard takedown are described in greater detail later in this Review.

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(b)(1)
(b)(3) NatSecAct~~TOP SECRET~~(b)(1)
(b)(3) NatSecAct

psychological assessment of Rahman on [] November 2002 noted his remarkable physical and psychological resilience and recommended, in part, "continued environmental deprivations."

(b)(1)
(b)(3) NatSecAct

161. (TS/ [] On the afternoon of [] November 2002, when [] guards delivered food to Rahman, he reportedly threw the food, his water bottle, and defecation bucket at the guards. In addition, he reportedly threatened the guards and told them he had seen their faces and would kill them upon his release. When the Site Manager learned of this incident, he authorized short-chaining, i.e., Rahman's hands and feet were shackled and connected with a short-chain.

162. (TS/ [] guards found Rahman dead in his cell on the morning of [] November 2002. The ambient temperature was recorded at a low of 31 degrees. Rahman was still in the short-chain position that required him to sit, naked from the waist down, on the concrete floor of his cell. He wore only a sweatshirt.

(b)(3) NatSecAct

163. (T(b)(1) [] Station reported Rahman's death at day in an (b)(3) NatSecAct cable to the DDO. The DDO dispatched the DO Investigative Team, consisting of a senior security officer

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(6)
(b)(7)(c)

[] an OGC [] attorney, and an Agency pathologist, to [] CIA also promptly reported the incident to SSCI and HPSCI. The DO Investigative Team conducted interviews and the pathologist performed an autopsy of Rahman. The autopsy indicated, by a diagnosis of exclusion, that death was caused by hypothermia.⁶⁷ After the DO investigation was completed, CIA reported the death to DoJ and further briefed the SSCI and HPSCI leadership. OIG opened an investigation into the circumstances surrounding this incident. DoJ declined prosecution of the Agency employee responsible for [] OIG's investigation will be the subject of a separate Report of Investigation.

(b)(1)
(b)(3) NatSecAct

⁶⁷ (S) The pathologist estimated Rahman to be in his mid-30s.

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(b)(3) NatSecAct

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(b)(1) (b)(3) NatSecAct **Specific Unauthorized or Undocumented Techniques**

(b)(1) (b)(3) NatSecAct 164. (TS/ [redacted]) The treatment of Gul Rahman was but one event in the early months of [redacted] Agency activity in [redacted] that involved the use of interrogation techniques that DoJ and Headquarters had not approved. Agency personnel reported a range of improvised actions that interrogators and debriefers reportedly used at that time to assist in obtaining information from detainees. The extent of these actions is illustrative of the consequences of the lack of clear guidance at that time and the Agency's insufficient attention to interrogations in (b)(1) (b)(3) NatSecAct [redacted]

(b)(1) (b)(3) NatSecAct 165. (TS/ [redacted]) OIG opened separate investigations into two incidents: the November 2002 death of Gul Rahman at [redacted] and the death of a detainee at a military base in Northeast Afghanistan (discussed further in paragraph 192). These two cases presented facts that warranted criminal investigations. Some of the techniques discussed below were used with Gul Rahman and will be further addressed in connection with a Report relating to his death. In other cases of undocumented or unauthorized techniques, the facts are ambiguous or less serious, not warranting further investigation. Some actions discussed below were taken by employees or contractors no longer associated with the Agency. Agency management has also addressed administratively some of the actions.

Pressure Points

(b)(6) (b)(7)(c)

166. (TS [redacted]) In July 2002, [redacted] operations officer, participated with another operations officer in a custodial interrogation of a detainee [redacted] reportedly used a "pressure point" technique: with both of his hands on the detainee's neck, [redacted] manipulated his fingers to restrict the detainee's carotid artery.

(b)(1) (b)(3) NatSecAct (b)(6) (b)(7)(c)

(b)(6) (b)(7)(c)

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~~TOP SECRET~~ / [redacted] (b)(1)
[redacted] (b)(1) (b)(3) NatSecAct
[redacted] (b)(3) NatSecAct [redacted] (b)(6)
[redacted] (b)(7)(c)

167. (TS/ [redacted] [redacted] who was facing the shackled detainee, reportedly watched his eyes to the point that the detainee would nod and start to pass out; then, the [redacted] shook the detainee to wake him. This process was repeated for a total of three applications on the detainee. The [redacted] acknowledged to OIG that he laid hands on the detainee and may have made him think he was going to lose consciousness. The [redacted] also noted that he has [redacted] (b)(6) (b)(7)(c) years of experience debriefing and interviewing people and until recently had never been instructed how to conduct interrogations.

(b)(6)
(b)(7)(c)

168. (S//NF) CTC management is now aware of this reported incident, the severity of which was disputed. The use of pressure points is not, and had not been, authorized, and CTC has advised the [redacted] that such actions are not authorized.

(b)(6)
(b)(7)(c)

Mock Executions

[redacted] (b)(1) (b)(1)
[redacted] (b)(3) NatSecAct [redacted] (b)(3) NatSecAct

169. (TS/ [redacted] The debriefer who employed the handgun and power drill on Al-Nashiri [redacted] advised that [redacted] (b)(1) (b)(3) NatSecAct se actions were predicated on a technique he had participated in [redacted] The debriefer stated that when he was [redacted] between September and October 2002, the Site Manager offered to fire a handgun outside the interrogation room while the debriefer was interviewing a detainee who was thought to be withholding information.⁶⁸ The Site Manager staged the incident, which included screaming and yelling outside the cell by other CIA officers and [redacted] guards. When the guards moved the detainee from the interrogation room, they passed a guard who was dressed as a hooded detainee, lying motionless on the ground, and made to appear as if he had been shot to death.

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct
(b)(6)
(b)(7)(c)

⁶⁸ (S) The actions [redacted] are being addressed as part of the Gul Rahman investigation.

~~TOP SECRET~~ / [redacted] (b)(1)
[redacted] (b)(3) NatSecAct

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~~TOP SECRET~~ / [redacted] (b)(1)
[redacted] (b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

170. (TS/ [redacted] The debriefer claimed he did not think he needed to report this incident because the Site Manager had openly discussed this plan [redacted] several days prior to and after the incident. When the debriefer was later [redacted] and believed he needed a non-traditional technique to induce the detainee to cooperate, he told [redacted] he wanted to wave a handgun in front of the detainee to scare him. The debriefer said he did not believe he was required to notify Headquarters of this technique, citing the earlier, unreported mock execution [redacted] (b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

(b)(6)
(b)(7)(c)

171. (TS [redacted] A senior operations officer [redacted] recounted that around September 2002 [redacted] heard that the debriefer had staged a mock execution. [redacted] was not present but understood it went badly; it was transparently a ruse and no benefit was derived from it. [redacted] observed that there is a need to be creative as long as it is not considered torture. [redacted] stated that if such a proposal were made now, it would involve a great deal of consultation. It would begin with [redacted] management and would include CTC/Legal, RDG, and the CTC [redacted] (b)(1)
(b)(3) NatSecAct

(b)(6)
(b)(7)(c)

(b)(6)
(b)(7)(c)

(b)(1)
(b)(3) NatSecAct

172. (S//NF) The Site Manager admitted staging a "mock execution" in the first days that [redacted] was open. According to the Site Manager, the technique was his idea but was not effective because it came across as being staged. It was based on the concept, from SERE school, of showing something that looks real, but is not. The Site Manager recalled that a particular CTC interrogator later told him about employing a mock execution technique. The Site Manager did not know when this incident occurred or if it was successful. He viewed this technique as ineffective because it was not believable.

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

69 (S//NF) This same debriefer submitted a cable from [redacted] in early January 2003 in which he proposed a number of other techniques, including disconnecting the heating system overnight. Headquarters did not respond.

[redacted] (b)(1)
[redacted] (b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct

~~TOP SECRET~~/

[redacted]

(b)(1)
(b)(3) NatSecAct

173. (TS/ [redacted] Four other officers and independent contractors who were interviewed admitted to either participating in one of the above-described incidents or hearing about them. An independent contractor who headed a CTC/RDG review of procedures at [redacted] after Rahman's death stated that the Site Manager described staging a mock execution of a detainee. Reportedly, a detainee who witnessed the "body" in the aftermath of the ruse "sang lik (b)(1) bird."

(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

174. (TS/ [redacted] revealed that approximately four days before his interview with OIG, the Site Manager stated he had conducted a mock execution [redacted] in October or November 2002. Reportedly, the firearm was discharged outside of the building, and it was done because the detainee reportedly possessed critical threat information. [redacted] stated that he told the Site Manager not to do it again. He stated that he has not heard a similar act occurring (b)(1) since then.

(b)(1)
(b)(3) NatSecAct

(b)(6)
(7)(c)

(b)(1)
(b)(3) NatSecAct

Use of Smoke

(b)(1)
(b)(3) NatSecAct

175. (TS/ [redacted] A CIA officer [redacted] at [redacted] in late 2002 and early 2003 revealed that cigarette smoke was once used as an interrogation technique in October 2002. Reportedly, at the request of an independent contractor serving as an interrogator, the officer, who does not smoke, blew the smoke from a thin cigarette/cigar in the detainee's face for about five minutes. The detainee started talking so the smoke ceased. [redacted] heard that a different officer had used smoke as an interrogation technique. OIG questioned numerous personnel who had worked [redacted] about the use of smoke as a technique. None reported any knowledge of the use of smoke as an interrogation technique. (b)(1)

(b)(6)
(b)(7)(c)

(b)(3) NatSecAct

176. (TS/ [redacted] An independent contractor [redacted] admitted that he has personally used smoke inhalation techniques on detainees to make them ill to the point where they would start to "purge." After this, in a weakened state,

~~TOP SECRET~~/

[redacted]

(b)(1)
(b)(3) NatSecAct

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~~TOP SECRET~~

(b)(1)
(b)(3) NatSecAct

these detainees would then provide the independent contractor with information.⁷⁰ The independent contractor denied ever physically abusing detainees or knowing anyone who has.

Use of Cold (b)(1)
(b)(3) NatSecAct

177. (TS/ [redacted] As previously reported, [redacted] received its first detainees in mid-September 2002. By many accounts the temperature [redacted] was hot at that time and remained generally hot or warm until November 2002.

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

178. (TS/ [redacted] In late July to early August 2002, a detainee was being interrogated [redacted] Prior to proceeding with any of the proposed methods, [redacted] officer responsible for the detainee sent a cable requesting Headquarters authority to employ a prescribed interrogation plan over a two-week period. The plan included the following:

(b)(1)
(b)(3) NatSecAct

Physical Comfort Level Deprivation: With use of a window air conditioner and a judicious provision/deprivation of warm clothing/blankets, believe we can increase [the detainee's] physical discomfort level to the point where we may lower his mental/trained resistance abilities.

CTC/Legal responded and advised, "[C]aution must be used when employing the air conditioning/blanket deprivation so that [the detainee's] discomfort does not lead to a serious illness or worse."

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

179. (TS/ [redacted] An officer who was present at [redacted] in November 2002 reported that she witnessed "the shower from hell" used on Rahman during his first week in detention. The Site Manager asked Rahman his identity, and when he did not respond with his true name, Rahman was placed back under the cold water by the guards at the Site Manager's direction. Rahman was so cold that he could barely say his alias. According to the officer, the entire

⁷⁰ (C) This was substantiated in part by the CIA officer who participated in this act with the

(b)(6)
(b)(7)(c)

73 (b)(1)
(b)(3) NatSecAct

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(b)(1)

(b)(3) NatSecAct

process lasted no more than 20 minutes and was intended to lower Rahman's resistance and was not for hygienic reasons. At the conclusion of the shower, Rahman was moved to one of the four sleep deprivation cells where he was left shivering for hours or overnight with his hand chained over his head.

(b)(1)

(b)(3) NatSecAct

180. (TS/ [redacted]) A psychologist/interrogator who was present at [redacted] at the same time in November 2002 recalled the guards giving Rahman a cold shower as a "deprivation technique." This person detected Rahman was showing the early stages of hypothermia, and he ordered the guards to give the detainee a blanket. An independent contractor who was present around the same time witnessed the Site Manager order a cold shower for Rahman. Rahman was being uncooperative at the time and the independent contractor stated that it was evident that the shower was not ordered for hygienic reasons.

(b)(1)

(b)(3) NatSecAct

181. (TS/ [redacted]) A cable prepared three days after Rahman's rendition to [redacted] appears to provide corroboration to these accounts. It reports in part, "Despite 48 hours of sleep deprivation, auditory overload, total darkness, isolation, a cold shower, and rough treatment, Rahman remains steadfast in maintaining his high resistance posture and demeanor."⁷¹

182. (TS/ [redacted])

(b)(1)

(b)(3) NatSecAct

(b)(5)

(b)(6)

(b)(7)(c)

(b)(1)

(b)(3) NatSecAct

⁷¹ (S//NF) On [redacted] November 2002, a senior CTC/RDG officer forwarded this cable via an e-mail message to a CTC lawyer highlighting this paragraph and wrote, "Another example of field interrogation using coercive techniques without authorization."

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~~TOP SECRET~~

(b)(1)

(b)(3) NatSecAct

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(b)(1) ~~TOP SECRET~~ / [redacted] (b)(1)
(b)(3) NatSecAct (b)(3) NatSecAct

183. (TS/ [redacted] Many of the officers interviewed about the use of cold showers as a technique cited that the water heater was inoperable and there was no other recourse except for cold showers. However, the Site Manager explained that if a detainee was cooperative, he would be given a warm shower. He stated that when a detainee was uncooperative, the interrogators accomplished two goals by combining the hygienic reason for a shower with the unpleasantness of a cold shower.

(b)(1) (b)(1)
(b)(3) NatSecAct (b)(3) NatSecAct

184. (TS/ [redacted] In December 2002, less than one month after Rahman's hypothermia-induced death, a [redacted] cable reported that a detainee was left in a cold room, shackled and naked, until he demonstrated cooperation.

(b)(1)
(b)(3) NatSecAct

185. (TS/ [redacted] When asked in February 2003, if cold was used as an interrogation technique, the [redacted] responded, "not per se." He explained that physical and environmental discomfort was used to encourage the detainees to improve their environment. [redacted] observed that cold is hard to define. He asked rhetorically, "How cold is cold? How cold is life threatening?" He stated that cold water was still employed [redacted] however, showers were administered in a heated room. He stated there was no specific guidance on it from Headquarters, and [redacted] was left to its own discretion in the use of cold. [redacted] added there is a cable from [redacted] documenting the use of "manipulation of the environment."

(b)(1) (b)(1)
(b)(3) NatSecAct (b)(3) NatSecAct
(b)(6) (b)(6)
(b)(7)(c) (b)(7)(c)

186. (TS/ [redacted] Although the DCI Guidelines do not mention cold as a technique, the September 2003 draft OMS Guidelines on Medical and Psychological Support to Detainee Interrogations specifically identify an "uncomfortably cool environment" as a standard interrogation measure. (Appendix F.) The OMS Guidelines provide detailed instructions on safe temperature ranges, including the safe temperature range when a detainee is wet or unclothed.

(b)(1)
(b)(3) NatSecAct

~~TOP SECRET~~ / [redacted] 75 (b)(1)
(b)(3) NatSecAct

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~~TOP SECRET~~ [redacted] (b)(1)
(b)(3) NatSecAct

Water Dousing (b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct 187. (TS/[redacted] According to the Site Manager and
[redacted] "water dousing" has been used
[redacted] since early 2003 when a CTC/RDG officer introduced
this technique to the facility. Dousing involves laying a detainee
down on a plastic sheet and pouring water over him for 10 to
15 minutes. Another officer explained that the room was maintained
at 70 degrees or more; the guards used water that was at room
temperature while the interrogator questioned the detainee.

(b)(1)
(b)(3) NatSecAct

188. (TS/[redacted] A review of cable traffic from April and
May 2003 revealed that [redacted] Station sought permission from
CTC/RDG to employ specific techniques for a number of detainees.
Included in the list of requested techniques was water dousing.⁷²
Subsequent cables reported the use and duration of the techniques by
detainee per interrogation session.⁷³ One certified interrogator,
noting that water dousing appeared to be a most effective technique,
requested CTC to confirm guidelines on water dousing. A return
cable directed that the detainee must be placed on a towel or sheet,
may not be placed naked on the bare cement floor, and the air
temperature must exceed 65 degrees if the detainee will not be dried
immediately.

(b)(1)
(b)(3) NatSecAct

189. (TS/[redacted] The DCI Guidelines do not mention
water dousing as a technique. The 4 September 2003 draft OMS
Guidelines, however, identify "water dousing" as one of 12 standard
measures that OMS listed, in ascending degree of intensity, as the
11th standard measure. OMS did not further address "water
dousing" in its guidelines.

⁷² (S) The presence of a psychologist and medic was included in each report of the use of these techniques.

⁷³ (TS/[redacted] reported water dousing as a technique used, but
in a later paragraph used the term "cold water bath."

(b)(1)
(b)(3) NatSecAct

~~TOP SECRET~~ [redacted] (b)(1)
(b)(3) NatSecAct

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~~TOP SECRET~~ / [REDACTED]

(b)(1)

(b)(3) NatSecAct

(b)(1)

(b)(3) NatSecAct

Hard Takedown

(b)(1)

(b)(3) NatSecAct

190. (TS/ [REDACTED]) During the course of the initial investigation of Rahman's November 2002 death, the pathologist noted several abrasions on the body.⁷⁴ A psychologist/interrogator, who was present during the first 10 days of Rahman's confinement, reported that he witnessed four or five [REDACTED] officers execute a "hard takedown" on Rahman.⁷⁵ His clothes were removed and he was run up and down the corridor; when he fell, he was dragged. The process took between three to five minutes and Rahman was returned to his cell. The psychologist/interrogator observed contusions on his face, legs and hands that "looked bad." The psychologist/interrogator saw a value in the exercise in order to make Rahman uncomfortable and experience a lack of control. He recognized, however, that the technique was not within the parameters of what was approved by DoJ and recommended to the Site Manager that he obtain written approval for employing the technique. Three other officers who were present at the same time provided similar accounts of the incident. No approval from Headquarters was sought or obtained.

(b)(1)

(b)(3) NatSecAct

(b)(1)

(b)(3) NatSecAct

191. (TS/ [REDACTED]) According to the Site Manager, the hard takedown was used often in interrogations at [REDACTED] as "part of the atmospherics." For a time, it was the standard procedure for moving a detainee to the sleep deprivation cell. It was done for shock and psychological impact and signaled the transition to another phase of the interrogation. The act of putting a detainee into a diaper can cause abrasions if the detainee struggles because the floor of the facility is concrete. The Site Manager stated he did not discuss the hard takedown with Station managers, but he thought they understood what techniques were being used at [REDACTED]. The Site Manager stated that the hard takedown had not been used recently [REDACTED]. [REDACTED] After taking the interrogation class, he understood that if

(b)(1)

(b)(3) NatSecAct

⁷⁴ (S//NF) The Final Autopsy Findings noted "superficial excoriations of the right and left upper shoulders, left lower abdomen, and left knee, mechanism undetermined."

⁷⁵ (S//NF) This incident is also being addressed in the Gul Rahman investigation.

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~~TOP SECRET~~ / [REDACTED]

(b)(1)

(b)(3) NatSecAct

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~~TOP SECRET~~ / [redacted] (b)(1)
(b)(3) NatSecAct

he was going to do a hard takedown, he must report it to Headquarters. Although the DCI and OMS Guidelines address physical techniques and treat them as requiring advance Headquarters approval, they do not otherwise specifically address the "hard takedown."

(b)(1)
(b)(3) NatSecAct
(b)(6)
(b)(7)(c)

192. (TS) [redacted] stated that he was generally familiar with the technique of hard takedowns. He asserted that they are authorized and believed they had been used one or more times at [redacted] in order to intimidate a detainee. [redacted] stated that he would not necessarily know if they have been used and did not consider it a serious enough handling technique to require Headquarters approval. Asked about the possibility that a detainee may have been dragged on the ground during the course of a hard takedown, [redacted] responded that he was unaware of that and did not understand the point of dragging someone along the corridor in [redacted]

(b)(1)
(b)(3) NatSecAct
(b)(6)
(b)(7)(c)

(b)(1)
(b)(3) NatSecAct

Abuse [redacted] at Other Locations Outside of the CTC Program
(b)(1)
(b)(3) NatSecAct

193. (TS) [redacted] Although not within the scope of the CTC Program, two other incidents [redacted] were reported in 2003.

[redacted] (b)(1)
(b)(3) NatSecAct

As noted above, one [redacted] resulted in the death of a detainee at Asadabad Base⁷⁶ [redacted]

(b)(1)
(b)(3) NatSecAct

194. (S//NF) In June 2003, the U.S. military sought an Afghan citizen who had been implicated in rocket attacks on a joint U.S. Army and CIA position in Asadabad located in Northeast Afghanistan. On 18 June 2003, this individual appeared at Asadabad Base at the urging of the local Governor. The individual was held in a detention facility guarded by U.S. soldiers from the Base. During

⁷⁶ (S) For more than a year, CIA referred to Asadabad Base as [redacted] (b)(1)
(b)(3) NatSecAct

78
~~TOP SECRET~~ / [redacted] (b)(1)
(b)(3) NatSecAct

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[redacted] (b)(1)
[redacted] (b)(3) NatSecAct

the four days the individual was detained, an Agency independent contractor, who was a paramilitary officer, is alleged to have severely beaten the detainee with a large metal flashlight and kicked him during interrogation sessions. The detainee died in custody on 21 June; his body was turned over to a local cleric and returned to his family on the following date without an autopsy being performed. Neither the contractor nor his Agency staff supervisor had been trained or authorized to conduct interrogations. The Agency did not renew the independent contractor's contract, which was up for renewal soon after the incident. OIG is investigating this incident in concert with DoJ.⁷⁷

(b)(1)
(b)(3) NatSecAct

195. (S//NF) In July 2003,

[redacted]

(b)(6)
(b)(7)(c)

[redacted] officer assigned to [redacted] assaulted a teacher at a religious school [redacted] This assault occurred during the course of an interview during a joint operation [redacted]

(b)(1)
(b)(3) NatSecAct

[redacted] The objective was to determine if anyone at the school had information about the detonation of a remote-controlled improvised explosive device that had killed eight border guards several days earlier.

(b)(6)
(b)(7)(c)

196. (S//NF) A teacher being interviewed

[redacted]

[redacted] reportedly smiled and laughed inappropriately, whereupon [redacted] used the butt stock of his rifle to strike or "buttstroke" the teacher at least twice in his torso, followed by several knee kicks to his torso. This incident was witnessed by 200 students. The teacher was reportedly not seriously injured. In response to his actions, Agency management returned the [redacted] to Headquarters. He was counseled and given a domestic assignment.

(b)(6)
(b)(7)(c)

(b)(6)
(b)(7)(c)

(b)(6)
(b)(7)(c)

[redacted]

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[redacted] (b)(1)
[redacted] (b)(3) NatSecAct

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[redacted] (b)(3) NatSecAct

(b)(1) **ACCOUNTING FOR DETAINEES** [redacted] (b)(1)
(b)(3) NatSecAct [redacted] (b)(3) NatSecAct

197. (TS/ [redacted] Although the documentation of the capture, rendition, detention, and interrogation of high value detainees at [redacted] and [redacted] was comprehensive, documentation pertaining to detainees of lesser notoriety has been less consistent.⁷⁸ Because the Agency had no requirement to document the capture and detention of all individuals until June 2003,⁷⁹ OIG has been unable to determine with any certainty the number or current status of individuals who have been captured and
(b)(1) detained [redacted] Four specific examples follow.
(b)(3) NatSecAct

198. (TS/ [redacted] **Abu Bakr. Hassan Muhammad Abu Bakr** is a Libyan who was captured during a raid on [redacted] May 2002 in Karachi, Pakistan. [redacted]
(b)(1) [redacted] rendering him on [redacted] June
(b)(3) NatSecAct [redacted] 2002

[redacted] (b)(1)
[redacted] (b)(3) NatSecAct

[redacted] (b)(1) (b)(1)
[redacted] (b)(3) NatSecAct (b)(3) NatSecAct

⁷⁸ (TS/ [redacted] had two detainees and [redacted] had eight detainees, which included the two at [redacted]

⁷⁹ (e) Per DDO Guidance, as described in paragraph 54.

⁸⁰ (e) By January 2004, CTC/RDG developed a database to include all detainees in CIA custody

(b)(1) [redacted]
(b)(3) NatSecAct

80
~~TOP SECRET~~ / [redacted] (b)(1)
[redacted] (b)(3) NatSecAct

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[redacted] (b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

199.

[redacted] (b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

200. (TS/ [redacted] **Ridha Ahmad Al-Najjar.** Al-Najjar, a Tunisian who reportedly was a UBL bodyguard and Al-Qa'ida travel facilitator, was captured during the same raid in Karachi that netted Abu Bakr on [redacted] May 2002. Cable traffic reflects Al-Najjar and Abu Bakr were rendered [redacted] June 2 02. Al-Najjar became the first detainee [redacted] on September 2002.

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

201. (TS/ [redacted] **Lutfi Al-Gharisi.** Al-Gharisi (a.k.a. Salim Khan) is a Tunisian Al-Qa'ida detainee captured in Peshawar, Pakistan, in September 2002. The Agency subsequently rendered him to [redacted] October 2002. [redacted] (b)(1)
(b)(3) NatSecAct

[redacted]

81

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[redacted] (b)(1)
(b)(3) NatSecAct

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(b)(1)

(b)(3) NatSecAct

(b)(1)

(b)(3) NatSecAct

(b)(1)

(b)(3) NatSecAct

(b)(1)

(b)(3) NatSecAct

202. (TS/ [redacted] Gul Rahman. Rahman was the Afghan who was captured in Pakistan, rendered to [redacted] November and died in custody on [redacted] November 2002. [redacted] Station listed him among the current detainees at [redacted] as of 2 January 2003. He was omitted altogether from CTC/RDG's September 2003 "comprehensive" list of rendees.

203. [redacted]

(b)(1)

(b)(3) NatSecAct

(b)(1)

(b)(3) NatSecAct

ANALYTICAL SUPPORT TO INTERROGATIONS

204. (TS/ [redacted] Directorate of Intelligence analysts assigned to CTC provide analytical support to interrogation teams in the field. Analysts are responsible for developing requirements for the questioning of detainees as well as conducting debriefings in some cases. [redacted]

(b)(1)

(b)(3) NatSecAct

[redacted] Analysts, however, do not participate in the application of interrogation techniques.

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(b)(1)

(b)(3) NatSecAct

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(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

205. (TS/ [redacted] According to a number of those interviewed for this Review, the Agency's intelligence on Al-Qa'ida was limited prior to the initiation of the CTC Interrogation Program. The Agency lacked adequate linguists or subject matter experts and had very little hard knowledge of what particular Al-Qa'ida leaders—who later became detainees—knew. This lack of knowledge led analysts to speculate about what a detainee "should know," vice information the analyst could objectively demonstrate the detainee did know. For these reasons, several interrogators considered the analytical support provided by CTC/UBL to have been inadequate and sometimes flawed.

206. (TS/

(b)(1)
(b)(3) NatSecAct

[redacted] When

a detainee did not respond to a question posed to him, the assumption at Headquarters was that the detainee was holding back and knew more; consequently, Headquarters recommended resumption of EITs.

(b)(1)
(b)(3) NatSecAct

207. (TS/ [redacted] The standard that CTC/UBL employed to assess one detainee's level of compliance was articulated in a December 2002 cable requesting interrogators to further press Al-Nashiri for actionable threat information:

... it is inconceivable to us that Nashiri cannot provide us concrete leads to locate and detain the active terrorists in his network who are still at large. . . .

From our optic, the single best measure of this cooperation will be in his reporting. Specifically, when we are able to capture other terrorists based on his leads and to thwart future plots based on his reporting, we will have much more confidence that he is, indeed, genuinely cooperative on some level.

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208. (TS/ (b)(1) (b)(3) NatSecAct) disagreed in its 23 December 2002 response:

Base recommends against resuming enhanced measures with Subject] unless there are specific pieces of information he has provided that we are certain/certain are lies or omissions; or there is equally reliable additional information from other sources which implicates subj[ect] in a heretofore unknown plot to attack U.S. or allied interests. If such is the case, Base would eagerly support returning to all enhanced measures; indeed, we would be the first to request them. Without tangible proof of lying or intentional withholding, however, we believe employing enhanced measures will accomplish nothing except show subj[ect] that he will be punished whether he cooperates or not, thus eroding any remaining desire to continue cooperating. . . .

Bottom line is we think subj[ect] is being cooperative, and if subjected to indiscriminate and prolonged enhanced measures, there is a good chance he will either fold up and cease cooperating, or suffer the sort of permanent mental harm prohibited by the statute. Therefore, a decision to resume enhanced measures must be grounded in fact and not general feelings that subj[ect] is not being forthcoming

(b)(1) It was after this interchange that Headquarters sent a new debriefer, (b)(3) NatSecAct whose unauthorized actions are discussed in paragraphs 90 through (b)(3) NatSecAct Subsequently, after further deliberation and renewed medical and psychological assessment, EITs, not including the waterboard, were authorized for a brief period.

(b)(1) (b)(3) NatSecAct 209. (TS/ (b)(3) NatSecAct) The shortage of accurate and verifiable information available to the field to assess a detainee's compliance is evidenced in the final waterboard session of Abu Zubaydah.

(b)(1) (b)(3) NatSecAct According to a senior CTC officer, the interrogation team at (b)(3) NatSecAct considered Abu Zubaydah to be compliant and wanted to terminate EITs. CTC/UBL believed Abu Zubaydah continued to withhold information, (b)(3) NatSecAct

(b)(1) (b)(3) NatSecAct at the time it

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generated substantial pressure from Headquarters to continue use of the EITs. According to this senior officer, the decision to resume use of the waterboard on Abu Zubaydah was made by senior officers of the DO. A team of senior CTC officers traveled from Headquarters to [redacted] to assess Abu Zubaydah's compliance and witnessed the final waterboard session, after which, they reported back to Headquarters that the EITs were no longer needed on Abu Zubaydah.

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210. (TS/ [redacted]) told OIG that "risk" for CTC/UBL is very different from the "risk" perceived by CTC/RDG and the interrogators. Specifically, for CTC/UBL, risk is associated with not obtaining the actionable information needed to prevent "the next big attack," hence analysts are reluctant to agree that a detainee is not employing resistance techniques. On the other hand, risk for CTC/RDG is associated with the continued use of EITs, which could possibly lead, directly or indirectly, to a detainee's death or cause him permanent harm.

EFFECTIVENESS

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211. (TS/ [redacted]) The detention of terrorists has prevented them from engaging in further terrorist activity, and their interrogation has provided intelligence that has enabled the identification and apprehension of other terrorists, warned of terrorists plots planned for the United States and around the world, and supported articles frequently used in the finished intelligence publications for senior policymakers and war fighters. In this regard, there is no doubt that the Program has been effective. Measuring the effectiveness of EITs, however, is a more subjective process and not without some concern.

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212. (TS/ [redacted]) When the Agency began capturing terrorists, management judged the success of the effort to be getting them off the streets, [redacted]

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With the capture of terrorists who had access to much more significant, actionable information, the measure of success of the Program increasingly became the intelligence obtained from the detainees.

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213. (TS/ [redacted]) Quantitatively, the DO has significantly increased the number of counterterrorism intelligence reports with the inclusion of information from detainees in its custody. Between 9/11 and the end of April 2003, the Agency produced over 3,000 intelligence reports from detainees. Most of the reports came from intelligence provided by the high value detainees at [redacted]

[redacted]

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214. (TS/ [redacted]) CTC frequently uses the information from one detainee, as well as other sources, to vet the information of another detainee. Although lower-level detainees provide less information than the high value detainees, information from these detainees has, on many occasions, supplied the information needed to probe the high value detainees further. According to two senior CTC analysts, the triangulation of intelligence provides a fuller knowledge of Al-Qa'ida activities than would be possible from a single detainee.

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215. (TS/ [redacted]) Detainees have provided information on Al-Qa'ida and other terrorist groups. Information of note includes: the modus operandi of Al-Qa'ida, members who are worth targeting, terrorists who are capable of mounting attacks in the United States, [redacted]

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[redacted] and sources of funding for Al-Qa'ida. Perhaps the most significant information about Al-Qa'ida obtained from detainees is on the subject of the group's planned use of weapons of mass destruction (WMD) in the United States. Analysts had long suspected Al-Qa'ida was attempting to develop a WMD capability, and information from Abu Zubaydah and Ibn al-Ahaykh al-Libi (a.k.a. Zubayr) hinted at such efforts. It was the information from Khalid Shaykh Muhammad, however, that confirmed the analysts' suspicions. In addition to information on anthrax; chemical, biological, radiological, and nuclear programs; and training in the use of poisons and explosives, Khalid Shaykh Muhammad provided information that has led to the capture of individuals who headed the programs to develop WMD capabilities, including Sayed Al-Barq who was the head of Al-Qa'ida's anthrax program.

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216. (TS/[redacted]) Detainee information has assisted in the identification of terrorists. For example, information from Abu Zubaydah helped lead to the identification of Jose Padilla and Binyam Muhammed—operatives who had plans to detonate a uranium-topped dirty bomb in either Washington, D.C., or New York City. Riduan "Hambali" Isomuddin provided information that led to the arrest of previously unknown members of an Al-Qa'ida cell in Karachi. They were designated as pilots for an aircraft attack inside the United States. Many other detainees, including lower-level detainees such as Zubayr and Majid Khan, have provided leads to other terrorists, but probably the most prolific has been Khalid Shaykh Muhammad. He provided information that helped lead to the arrests of terrorists including Sayfullah Paracha and his son Uzair Paracha, businessmen whom Khalid Shaykh Muhammad planned to use to smuggle explosives into the United States; Saleh Almari, a sleeper operative in New York; and Majid Khan, an operative who could enter the United States easily and was tasked to research attacks against U.S. water reservoirs. Khalid Shaykh Muhammad's information also led to the investigation and prosecution of Iyman Faris, the truck driver arrested in early 2003 in Ohio. Although not

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yet captured, information from Khalid Shaykh Muhammed and Abu Zubaydah led to the identification of an operative termed one of the most likely to travel to the United States and carry out operations.

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217. (TS/ [redacted] Detainees, both planners and operatives, have also made the Agency aware of several plots planned for the United States and around the world. The plots

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identify plans to [redacted] attack the U.S. Consulate in Karachi, Pakistan; hijack aircraft to fly into Heathrow Airport and the Canary Wharf Tower; loosen track spikes in an attempt to derail a train in the United States

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[redacted] blow up several U.S. gas stations to create panic and havoc; hijack and fly an airplane into the tallest building in California in a west coast version of the World Trade Center attack; cut the lines of suspension bridges in New York in an effort to make them collapse; and poison the U.S. water supply by dumping poison into water reservoirs. With the capture of some of the operatives for the above-mentioned plots, it is not clear whether these plots have been thwarted or if they remain viable. This Review did not uncover any evidence that these plots were imminent. Agency senior managers believe that lives have been saved as a result of the capture and interrogation of terrorists who were planning attacks, in particular Khalid Shaykh Muhammad, Abu Zubaydah, Hambali, and Al-Nashiri.

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218. (TS/ [redacted] CTC analysts judge the reporting from detainees as one of the most important sources for finished intelligence. [redacted] viewed

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analysts' knowledge of the terrorist target as having much more depth as a result of information from detainees and estimated that detainee reporting is used in all counterterrorism articles produced for the most senior policymakers. Detainee reporting is also used regularly in daily publications

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In an interview, the DCI

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said he believes the use of EITs has proven to be extremely valuable in obtaining enormous amounts of critical threat information from detainees who had otherwise believed they were safe from any harm in the hands of Americans.

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219. (TS/ [redacted] senior officers familiar with the dissemination of reporting from detainee interrogations voiced concerns about compartmentation. In particular, those concerns regarded the impact on the timeliness of disseminating intelligence to analysts in CIA and to the FBI while the initial operational recipients of the information are separating out the intelligence from more sensitive operational information. [redacted] senior officers who voiced these concerns indicated that the issue was being reviewed by analysts to more precisely assess the impact of the problem.

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220. (TS/ [redacted] Inasmuch as EITs have been used only since August 2002, and they have not all been used with every high value detainee, there is limited data on which to assess their individual effectiveness. This Review identified concerns about the use of the waterboard, specifically whether the risks of its use were justified by the results, whether it has been unnecessarily used in some instances, and whether the fact that it is being applied in a manner different from its use in SERE training brings into question the continued applicability of the DoJ opinion to its use. Although the waterboard is the most intrusive of the EITs, the fact that precautions have been taken to provide on-site medical oversight in the use of all EITs is evidence that their use poses risks:

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221. (TS/ [redacted] Determining the effectiveness of each EIT is important in facilitating Agency management's decision as to which techniques should be used and for how long. Measuring the overall effectiveness of EITs is challenging for a number of reasons including: (1) the Agency cannot determine with any certainty the totality of the intelligence the detainee actually possesses; (2) each detainee has different fears of and tolerance for EITs; (3) the application of the same EITs by different interrogators may have

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different results; and (4) the lack of sufficient historical data related to certain EITs because of the rapid escalation to the use of the waterboard in the cases where it was used.

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222. (TS/ [redacted]) The waterboard has been used on three detainees: Abu Zubaydah, Al-Nashiri, and Khalid Shaykh Muhammad. The waterboard's use was accelerated after the limited application of other EITs in all three cases because the waterboard was considered by some in Agency management to be the "silver bullet," combined with the belief that each of the three detainees possessed perishable information about imminent threats against the United States.

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223. (TS/ [redacted]) Prior to the use of EITs, Abu Zubaydah provided information for over 100 intelligence reports. Interrogators applied the waterboard to Abu Zubaydah at least 83 times during August 2002. During the period between the end of the use of the waterboard and 30 April 2003, he provided information for approximately 210 additional reports. It is not possible to say definitively that the waterboard is the reason for Abu Zubaydah's increased production, or if another factor, such as the length of detention, was the catalyst. Since the use of the waterboard, however, Abu Zubaydah has appeared to be cooperative, helping with raids by identifying photographs of the detainees captured,

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[redacted] and giving interrogators information on how to induce other detainees to talk, based on his own experiences.

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(b)(3) NatSecAct 224. (TS/ [redacted]) With respect to Al-Nashiri, [redacted] reported two waterboard sessions in November 2002, after which the psychologist/interrogators determined that Al-Nashiri was compliant. However, after being moved to [redacted] where a different interrogation team assumed responsibility for his interrogations, Al-Nashiri was thought to be withholding information. Al-Nashiri subsequently received additional EITs, including stress positions, but not the waterboard. The Agency then determined Al-Nashiri to be "compliant." Because of the litany of

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techniques used by different interrogators over a relatively short period of time, it is difficult to identify exactly why Al-Nashiri became more willing to provide information. However, following the use of EITs, he provided information about his most current operational planning and the Saudi Al-Qa'ida network, as opposed to the historical information he provided before the use of EITs.

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225. (TS/ [redacted]) On the other hand, Khalid Shaykh Muhammad, an accomplished resistor, provided only a few intelligence reports prior to the use of the waterboard, and analysis of that information revealed that much of it was outdated, inaccurate, or incomplete. As a means of less active resistance, at the beginning of their interrogation, detainees routinely provide information that they know is already known. Khalid Shaykh Muhammad received 183 applications of the waterboard in March 2003 and remained resilient, providing limited useful intelligence, until the application of sleep deprivation for a period of 180 hours. Although debriefers still must ask the right questions to get answers from Khalid Shaykh Muhammad, since the employment of sleep deprivation, intelligence production from his debriefings totaled over 140 reports as of 30 April 2003. In Khalid Shaykh Muhammad's case, the waterboard was determined to be of limited effectiveness. One could conclude that sleep deprivation was effective in this case, but a definitive conclusion is hard to reach considering that the lengthy sleep deprivation followed extensive use of the waterboard.

POLICY CONSIDERATIONS AND CONCERNS REGARDING THE DETENTION AND INTERROGATION PROGRAM

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226. (TS/ [redacted]) The EITs used by the Agency under the CTC Program are inconsistent with the public policy positions that the United States has taken regarding human rights. This divergence has been a cause of concern to some Agency personnel involved with the Program.

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Policy Considerations

227. (U//~~FOUO~~) Throughout its history, the United States has been an international proponent of human rights and has voiced opposition to torture and mistreatment of prisoners by foreign countries. This position is based upon fundamental principles that are deeply embedded in the American legal structure and jurisprudence. The Fifth and Fourteenth Amendments to the U.S. Constitution, for example, require due process of law, while the Eighth Amendment bars "cruel and unusual punishments."

228. (U//~~FOUO~~) The President advised the Senate when submitting the Torture Convention for ratification that the United States would construe the requirement of Article 16 of the Convention to "undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman, or degrading treatment or punishment which do not amount to torture" as "roughly equivalent to" and "coextensive with the Constitutional guarantees against cruel, unusual, and inhumane treatment."⁸¹ To this end, the United States submitted a reservation to the Torture Convention stating that the United States considers itself bound by Article 16 "only insofar as the term 'cruel, inhuman or degrading treatment or punishment' means the cruel, unusual, and inhumane treatment or punishment prohibited by the 5th, 8th and/or 14th Amendments to the Constitution of the United States." Although the Torture Convention expressly provides that no exceptional circumstances whatsoever, including war or any other public emergency, and no order from a superior officer, justifies torture, no similar provision was included regarding acts of "cruel, inhuman or degrading treatment or punishment."

⁸¹ (U//~~FOUO~~) See Message from the President of the United States Transmitting the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Sen. Treaty Doc. 100-20, 100th Cong., 2d Sess., at 15, May 23, 1988; Senate Committee on Foreign Relations, Executive Report 101-30, August 30, 1990, at 25, 29, quoting summary and analysis submitted by President Ronald Reagan, as revised by President George H.W. Bush.

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229. (U//~~FOUO~~) Annual U.S. State Department Country Reports on Human Rights Practices have repeatedly condemned harsh interrogation techniques utilized by foreign governments. For example, the 2002 Report, issued in March 2003, stated:

[The United States] have been given greater opportunity to make good on our commitment to uphold standards of human dignity and liberty [N]o country is exempt from scrutiny, and all countries benefit from constant striving to identify their weaknesses and improve their performance [T]he Reports serve as a gauge for our international human rights efforts, pointing to areas of progress and drawing our attention to new and continuing challenges.

In a world marching toward democracy and respect for human rights, the United States is a leader, a partner and a contributor. We have taken this responsibility with a deep and abiding belief that human rights are universal. They are not grounded exclusively in American or western values. But their protection worldwide serves a core U.S. national interest.

The State Department Report identified objectionable practices in a variety of countries including, for example, patterns of abuse of prisoners in Saudi Arabia by such means as "suspension from bars by handcuffs, and threats against family members, . . . [being] forced constantly to lie on hard floors [and] deprived of sleep" Other reports have criticized hooding and stripping prisoners naked.

230. (U//~~FOUO~~) In June 2003, President Bush issued a statement in observance of "United Nations International Day in Support of Victims of Torture." The statement said in part:

The United States declares its strong solidarity with torture victims across the world. Torture anywhere is an affront to human dignity everywhere. We are committed to building a world where human rights are respected and protected by the rule of law.

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Freedom from torture is an inalienable human right Yet torture continues to be practiced around the world by rogue regimes whose cruel methods match their determination to crush the human spirit

Notorious human rights abusers . . . have sought to shield their abuses from the eyes of the world by staging elaborate deceptions and denying access to international human rights monitors

The United States is committed to the worldwide elimination of torture and we are leading this fight by example. I call on all governments to join with the United States and the community of law-abiding nations in prohibiting, investigating, and prosecuting all acts of torture and in undertaking to prevent other cruel and unusual punishment

Concerns Over Participation in the CTC Program

231. (S//NF) During the course of this Review, a number of Agency officers expressed unsolicited concern about the possibility of recrimination or legal action resulting from their participation in the CTC Program. A number of officers expressed concern that a human rights group might pursue them for activities [redacted]

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[redacted] Additionally, they feared that the Agency would not stand behind them if this occurred.

232. (S//NF) One officer expressed concern that one day, Agency officers will wind up on some "wanted list" to appear before the World Court for war crimes stemming from activities [redacted]

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[redacted] Another said, "Ten years from now we're going to be sorry we're doing this . . . [but] it has to be done." He expressed concern that the CTC Program will be exposed in the news media and cited particular concern about the possibility of being named in a leak.

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233. (S//NF) [redacted] that many countries consider the interrogation techniques employed by the CTC Program, i.e., hooding, stress positions, etc., to be illegal. Although he felt the 1 August 2002 OLC legal opinion provided to the Agency

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would preclude prosecution of Agency employees in the United States, he believed it to be conceivable that an employee could be arrested and tried in the European Union.

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234. (TS) [redacted] According to [redacted] U.S.

law does not proscribe the conduct of Agency employees and contractors who have employed EITs or authorized their use. The [redacted] said that DoJ's view is that CIA personnel are acting consistent with customary international law, but that view may not be shared by others. He added, "My position is that we are covered." When asked if the Agency treatment of detainees has been humane, he replied that he does not know how others would define the term, but the CTC Program and its activities have been consistent with the Torture Convention, as interpreted by the United States.

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235. (S//NF) [redacted] acknowledged he has some concern regarding the Torture Convention. However, he said his primary focus is what has been codified in U.S. law. He recognizes that interrogators may have a problem traveling to some locations overseas.

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ENDGAME (b)(1)
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236. (TS) [redacted] Post 9/11, the U.S. Government is having to address a number of extraordinary matters, not the least of which is an "endgame" for the disposition of detainees captured during the war on terrorism.

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237. (TS/ [redacted]) The number of detainees in CIA custody is relatively small by comparison with those in U.S. military custody. Nevertheless, the Agency, like the military, has an interest in the disposition of detainees and particular interest in those who, if not kept in isolation, would likely divulge information about the circumstances of their detention.

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238. (TS/ [redacted]) Although the former D/CTC in early 2002 proposed the establishment of a covert long-term detention facility, OIG found scant documentation of the issue before Agency personnel at [redacted] sent a cable to Headquarters on 19 August 2002. In that cable, TDY Agency personnel proposed that Agency management consider several options for the future disposition of detainees. Such options included constructing a permanent facility outside the United States for indefinite incarceration of detainees or arranging with DoD for incarceration of detainees at the U.S. Naval Base, Guantanamo Bay. TDY Agency personnel also called attention to security and counterintelligence risks associated with exposure of CIA methodology if detainees are released or rendered to another country. OIG found no cable response from Headquarters.

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239. (TS/ [redacted]) With respect to Agency equities, a particular concern for senior Agency managers is the long-term disposition of detainees who have undergone EITs or have been exposed to Agency sensitive sources and methods. Moreover, Agency employees have expressed concern that a lack of an endgame for Agency detainees results in overcrowding at Agency detention sites.

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240. ~~(TS)~~ [redacted] According to the DCI, Agency officers have had theoretical discussions about the disposition of detainees. The DDO explained that a key issue is what should happen to detainees who have undergone EITs. According to the DDO, no one knows the answer to that question and it is a policy decision that must be made outside the Agency.

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241. ~~(TS)~~ [redacted] This Review identified four options for the disposition of detainees. These options, discussed in more detail below, include [redacted]

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242. [redacted]

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243. [redacted]

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244. [redacted]

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245. (~~TS~~/ [redacted]) Policymakers have given consideration to prosecution as a viable possibility, at least for certain detainees. To date, however, no decision has been made to proceed with this option.

246. (~~TS~~/

[redacted]

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[redacted]

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83 (U//~~FOUO~~) Memorandum for the Record, dated 2 August 2002, on closed hearings with the SSCI.

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248. (TS/ [redacted] Senior U.S. Government and Agency officials have yet to determine if third parties, such as the ICRC, will eventually have access to individuals whose detention has been disclosed. Such is the case of Ibn Sheikh al-Libi, whom the U.S. military declared to the ICRC before the military transferred him to CIA control. According to the General Counsel, Al-Libi was not subjected to any of the interrogation techniques discussed in this Review. According to senior Agency officers, the Agency is loath to send CIA detainees who have been exposed to EITs or to other sensitive information, as in the case of al-Libi, to detention facilities where they would be available to the ICRC.

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249. (TS/ [redacted] According to the DCI, the CTC Interrogation Program will continue to exist as long as the Agency continues to elicit information from detainees. He added that, in the near future, he sees no change from the current system.

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(b)(3) NatSecAct(b)(1)
(b)(3) NatSecAct**CONCLUSIONS**

250. (TS/ [redacted] The Agency's detention and interrogation of terrorists has provided intelligence that has enabled the identification and apprehension of other terrorists and warned of terrorist plots planned for the United States and around the world. The CTC Detention and Interrogation Program has resulted in the issuance of thousands of individual intelligence reports and analytic products supporting the counterterrorism efforts of U.S. policymakers and military commanders. The effectiveness of particular interrogation techniques in eliciting information that might not otherwise have been obtained cannot be so easily measured,

(b)(1) however;
(b)(3) NatSecAct

251. (TS/ [redacted] After 11 September 2001, numerous Agency components and individuals invested immense time and effort to implement the CTC Program quickly, effectively, and within the law. The work of the Directorate of Operations, Counterterrorist Center (CTC), Office of General Counsel (OGC), Office of Medical Services (OMS), Office of Technical Service (OTS), and the Office of Security has been especially notable. In effect, they began with almost no foundation, as the Agency had discontinued virtually all involvement in interrogations after encountering difficult issues with earlier interrogation programs in Central America and the Near East. Inevitably, there also have been some problems with current activities.

252. (S//NF) OGC worked closely with DoJ to determine the legality of the measures that came to be known as enhanced interrogation techniques (EITs). OGC also consulted with White House and National Security Council officials regarding the proposed techniques. Those efforts and the resulting DoJ legal opinion of 1 August 2002 are well documented. That legal opinion was based, in substantial part, on OTS analysis and the experience and expertise of non-Agency personnel and academics concerning whether long-term psychological effects would result from use of the proposed techniques.

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(b)(3) NatSecAct

253. (S//NF) The DoJ legal opinion upon which the Agency relies is based upon technical definitions of "severe" treatment and the "intent" of the interrogators, and consists of finely detailed analysis to buttress the conclusion that Agency officers properly carrying out EITs would not violate the Torture Convention's prohibition of torture, nor would they be subject to criminal prosecution under the U.S. torture statute. The opinion does not address the separate question of whether the application of standard or enhanced techniques by Agency officers is consistent with the undertaking, accepted conditionally by the United States regarding Article 16 of the Torture Convention, to prevent "cruel, inhuman or degrading treatment or punishment."

(b)(1)

(b)(3) NatSecAct

254. (TS/ [redacted]) Periodic efforts by the Agency to elicit reaffirmation of Administration policy and DoJ legal backing for the Agency's use of EITs—as they have actually been employed—have been well advised and successful. However, in this process, Agency officials have neither sought nor been provided a written statement of policy or a formal signed update of the DoJ legal opinion, including such important determinations as the meaning and applicability of Article 16 of the Torture Convention. In July 2003, the DCI and the General Counsel briefed senior Administration officials on the Agency's expanded use of EITs. At that time, the Attorney General affirmed that the Agency's conduct remained well within the scope of the 1 August 2002 DoJ legal opinion.

(b)(1)

(b)(3) NatSecAct

255. (TS/ [redacted]) A number of Agency officers of various grade levels who are involved with detention and interrogation activities are concerned that they may at some future date be vulnerable to legal action in the United States or abroad and that the U.S. Government will not stand behind them. Although the current detention and interrogation Program has been subject to DoJ legal review and Administration political approval, it diverges sharply from previous Agency policy and practice, rules that govern interrogations by U.S. military and law enforcement officers, statements of U.S. policy by the Department of State, and public

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statements by very senior U.S. officials, including the President, as well as the policies expressed by Members of Congress, other Western governments, international organizations, and human rights groups. In addition, some Agency officers are aware of interrogation activities that were outside or beyond the scope of the written DoJ opinion. Officers are concerned that future public revelation of the CTC Program is inevitable and will seriously damage Agency officers' personal reputations, as well as the reputation and effectiveness of the Agency itself.

(b)(1)
(b)(3) NatSecAct

256. (TS/ [redacted]) The Agency has generally provided good guidance and support to its officers who have been detaining and interrogating high value terrorists using EITs pursuant to the Presidential Memorandum of Notification (MON) of 17 September 2001. In particular, CTC did a commendable job in directing the

(b)(1)
(b)(3) NatSecAct interrogations of high value detainees at [redacted]

At these foreign locations, Agency personnel—with one notable exception described in this Review—followed guidance and procedures and documented their activities well.

(b)(1)
(b)(3) NatSecAct

257. (TS/ [redacted]) By distinction, the Agency—especially in the early months of the Program—failed to provide adequate staffing, guidance, and support to those involved with the detention and interrogation of detainees in [redacted]. Significant problems occurred first at the facility known as [redacted] which this Review found to be an Agency operation.

(b)(1)
(b)(3) NatSecAct

[redacted] Although some EITs were employed with terrorist detainees at [redacted] most of the interrogations there used standard techniques.

(b)(1)
(b)(3) NatSecAct

258. (TS/ [redacted]) Unauthorized, improvised, inhumane, and undocumented detention and interrogation techniques were used [redacted]. Two individuals died as a result. The circumstances of the two cases are quite different. Both were referred to the Department of Justice (DoJ) for potential prosecution. One has been declined and the other remains open. Each incident will be the

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[redacted] (b)(3) NatSecAct

(b)(1) subject of a separate Report of Investigation by the Office of Inspector
(b)(3) NatSecAct General. One case, in November 2002, took place at [redacted] where
the treatment resulted in the death of a detainee. In the second case,
unauthorized techniques were used in the interrogation of an
individual who died at Asadabad Base while under interrogation by
(b)(1) an Agency contractor in June 2003. Agency officers did not normally
(b)(3) NatSecAct conduct interrogations at that location. [redacted] the Agency
officers involved lacked timely and adequate guidance, training,
experience, supervision, or authorization, and did not exercise sound
(b)(1) judgment.
(b)(3) NatSecAct

259. (TS/ [redacted] The Agency failed to issue in a timely
manner comprehensive written guidelines for detention and
interrogation activities. Although ad hoc guidance was provided to
many officers through cables and briefings in the early months of
detention and interrogation activities, the DCI Confinement and
Interrogation Guidelines were not issued until January 2003, several
months after initiation of inter ogation activity and after many of the
unauthorized activities had taken place. The DCI Guidelines do not
address certain important issues [redacted]

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(b)(3) NatSecAct [redacted] (b)(3) NatSecAct

(b)(1) 260. (TS/ [redacted] Such written guidance as does exist to
(b)(3) NatSecAct address detentions and interrogations undertaken by Agency office s
[redacted] is inadequate. The
Directorate of Operations Handbook contains a single paragraph that
(b)(1) is intended to guide officers [redacted]
(b)(3) NatSecAct [redacted] Neither this dated guidance nor general
Agency guidelines on routine intelligence collection is adequate to
instruct and protect Agency officers involved in contemporary
(b)(1) interrogation activities, [redacted]
(b)(3) NatSecAct [redacted]

(b)(1) 261. (TS/ [redacted] During the interrogations of two
(b)(3) NatSecAct detainees, the waterboard was used in a manner inconsistent with the
written DOJ legal opinion of 1 August 2002. DOJ had stipulated that

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(b)(3) NatSecAct

its advice was based upon certain facts that the Agency had submitted to DoJ, observing, for example, that "... you (the Agency) have also orally informed us that although some of these techniques may be used with more than once [sic], that repetition will not be substantial because the techniques generally lose their effectiveness after several repetitions." One key Al-Qa'ida terrorist was subjected to the waterboard at least 183 times at 15 waterboard sessions during a two-week period and was denied sleep for a period of 180 hours. In this and another instance, the technique of application and volume of water used differed from the DoJ opinion.

262. (TS/ (b)(1) (b)(3) NatSecAct) provided comprehensive medical

attention to detainees (b)(1) (b)(3) NatSecAct where EITs were employed with high value detainees, but did not provide adequate attention to detainees (b)(1) (b)(3) NatSecAct Even after the death of a detainee (b)(1) (b)(3) NatSecAct OMS did not give sufficient attention and care to these detainees, and did not adequately document the medical care that was provided. OMS did not issue formal medical guidelines until April 2003. Per the advice of CTC/Legal, the OMS Guidelines were then issued as "draft" and remain so even after being re-issued in September 2003.

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(b)(3) NatSecAct

263. (TS/ (b)(1) (b)(3) NatSecAct) The Agency did not maintain an accounting of all detainees (b)(1) (b)(3) NatSecAct Specifically, CTC did not ensure that, for every detainee, responsible personnel documented the circumstances of capture, basis for detention, specific interrogation techniques applied, intelligence provided, medical condition and treatment, and the location and status of the detainee throughout his detention. Accounting for detainees is improving because of the recent efforts of CTC.

(b)(1)

(b)(3) NatSecAct

264. (TS/ (b)(1) (b)(3) NatSecAct) Agency officers report that reliance on analytical assessments that were unsupported by credible intelligence may have resulted in the application of EITs without justification. Some participants in the Program, particularly field interrogators, judge that CTC assessments to the effect that detainees are withholding information are not always supported by an objective

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evaluation of available information and the evaluation of the interrogators but are too heavily based, instead, on presumptions of what the individual might or should know.

(b)(1)

(b)(3) NatSecAct

265. (TS/ [redacted]) A few senior officers are concerned that compartmentation practices may be delaying the dissemination of information obtained from the interrogation of detainees to analysts and the FBI in a timely manner. They believe it possible to report useful intelligence while still protecting the existence and nature of the Program.

(b)(1)

(b)(3) NatSecAct

266. (TS/ [redacted]) The Agency faces potentially serious long-term political and legal challenges as a result of the CTC Detention and Interrogation Program, particularly its use of EITs and the inability of the U.S. Government to decide what it will ultimately do with terrorists detained by the Agency.

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(b)(3) NatSecAct

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RECOMMENDATIONS

1.

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(b)(3) NatSecAct

(b)(5)

3. ~~(S//NF)~~ **For the General Counsel.** Within 10 days of receipt of this Review, submit in writing to the Department of Justice (DoJ) a request that DoJ provide the Agency, within 60 days, a formal, written legal opinion revalidating and modifying, as appropriate, the guidance provided on 1 August 2002, regarding the use of EITs. The updated opinion should reflect actual Agency experience and practices in the use of the techniques to date and expectations concerning the continued use of these techniques. For the protection of Agency officers, request of DoJ that the updated opinion specifically address the Agency's practice of using large numbers of repetitions of the waterboard on single individuals and a description of the techniques as applied in practice. The opinion

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(b)(3) NatSecAct

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should also address whether the application of standard or enhanced techniques by Agency officers is consistent with the undertaking accepted conditionally by the United States in Article 16 of the Torture Convention to prevent "cruel, inhuman or degrading treatment or punishment," and the potential consequences for Agency officers of any inconsistency. This Recommendation is significant.

4. ~~(S//NF)~~ For the DCI. In the event the Agency does not receive a written legal opinion satisfactorily addressing the matters raised in Recommendation 3 by the date requested, direct that EITs be implemented only within the parameters that were mutually understood by the Agency and DoJ on 1 August 2002, the date of the existing written opinion. This Recommendation is significant.

(b)(1)
(b)(3) NatSecAct

5. ~~(TS/)~~ [redacted] For the DCI. Brief the President regarding the implementation of the Agency's detention and interrogation activities pursuant to the MON of 17 September 2001 or any other authorities, including the use of EITs and the fact that detainees have died. This Recommendation is significant.

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(b)(3) NatSecAct
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Tab A

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(b)(1)
(b)(3) NatSecAct **PROCEDURES AND RESOURCES**

1. (TS/[redacted]) A team, led by the Deputy Inspector General, and comprising the Assistant Inspector General for Investigations, the Counsel to the Inspector General, a senior Investigations Staff Manager, three Investigators, two Inspectors, an Auditor, a Research Assistant, and a Secretary participated in this Review.

(b)(1)
(b)(3) NatSecAct

2. (TS/[redacted]) OIG tasked relevant components for all information regarding the treatment and interrogation of all individuals detained by or on behalf of CIA after 9/11. Agency components provided OIG with over 38,000 pages of documents. OIG conducted over 100 interviews with individuals who possessed potentially relevant information. We interviewed senior Agency management officials, including the DCI, the Deputy Director of Central Intelligence, the Executive Director, the General Counsel, and the Deputy Director for Operations. As new information developed, OIG re-interviewed several individuals.

(b)(1)
(b)(3) NatSecAct 3. (TS/[redacted]) OIG personnel made site visits to the [redacted] interrogation facilities. OIG personnel also visited an overseas Station to review 92 videotapes of interrogations of Abu Zubaydah [redacted]

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Tab B

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