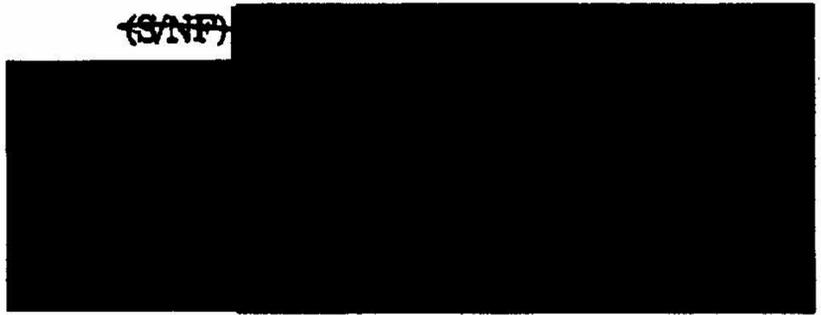
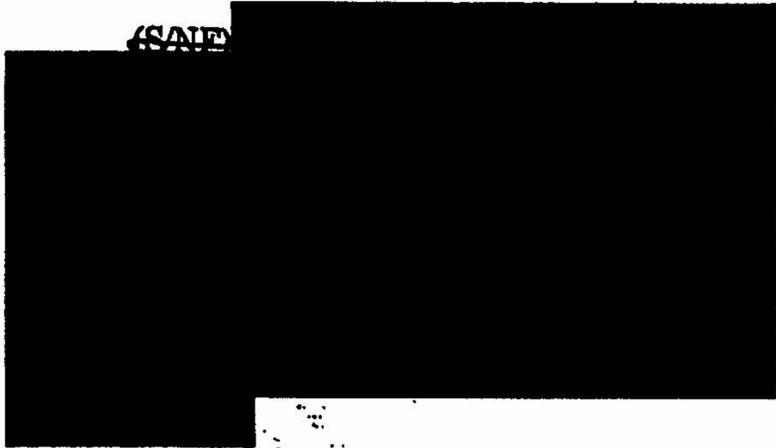
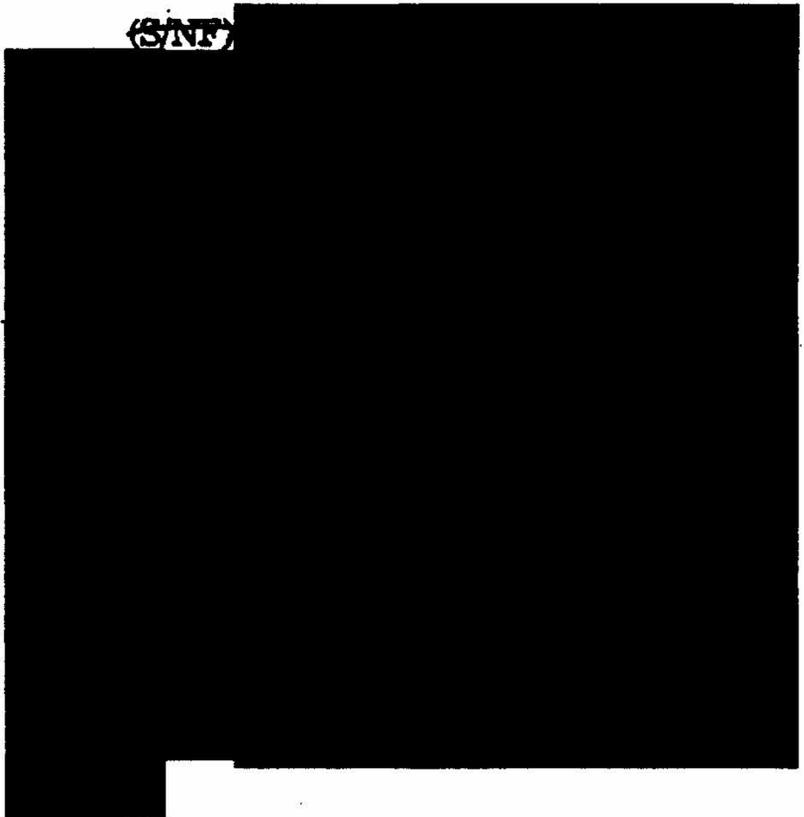
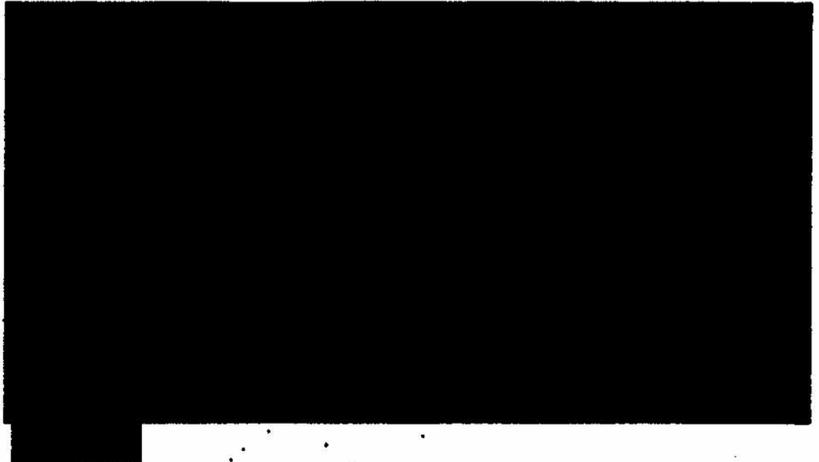
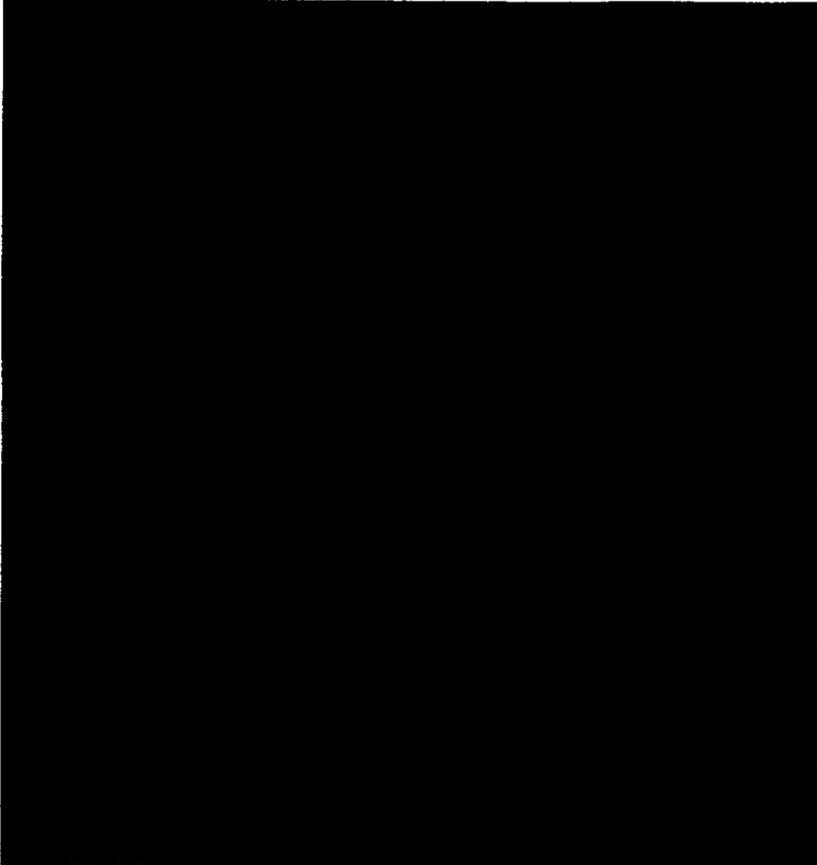


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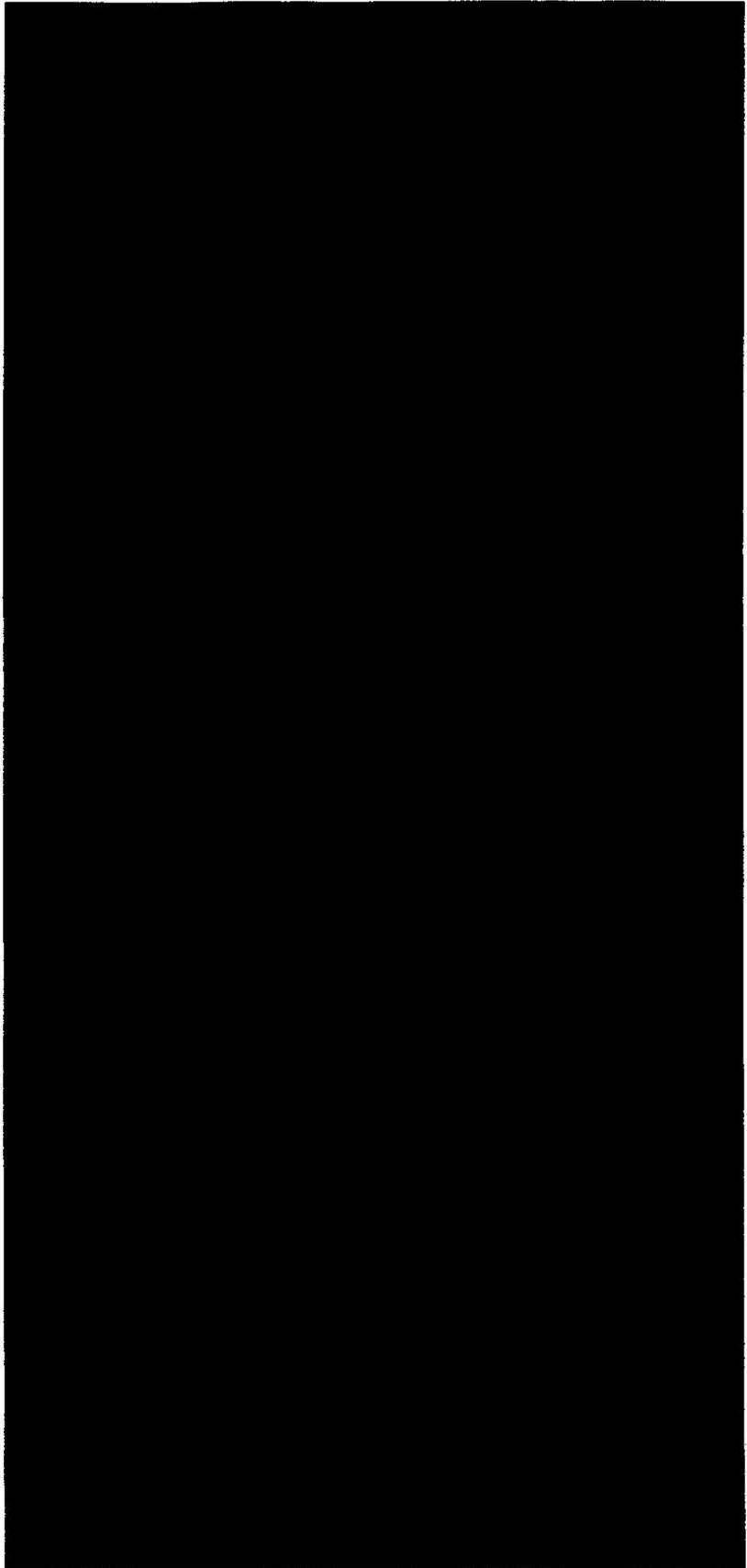
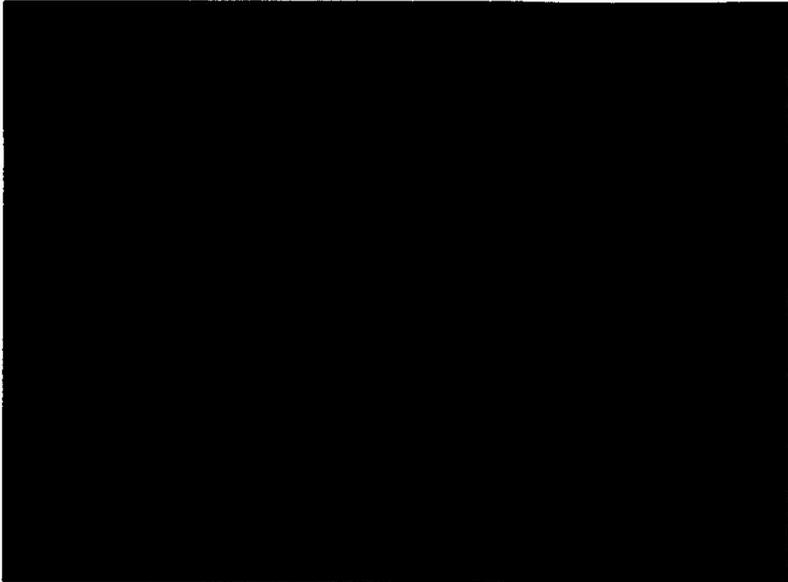
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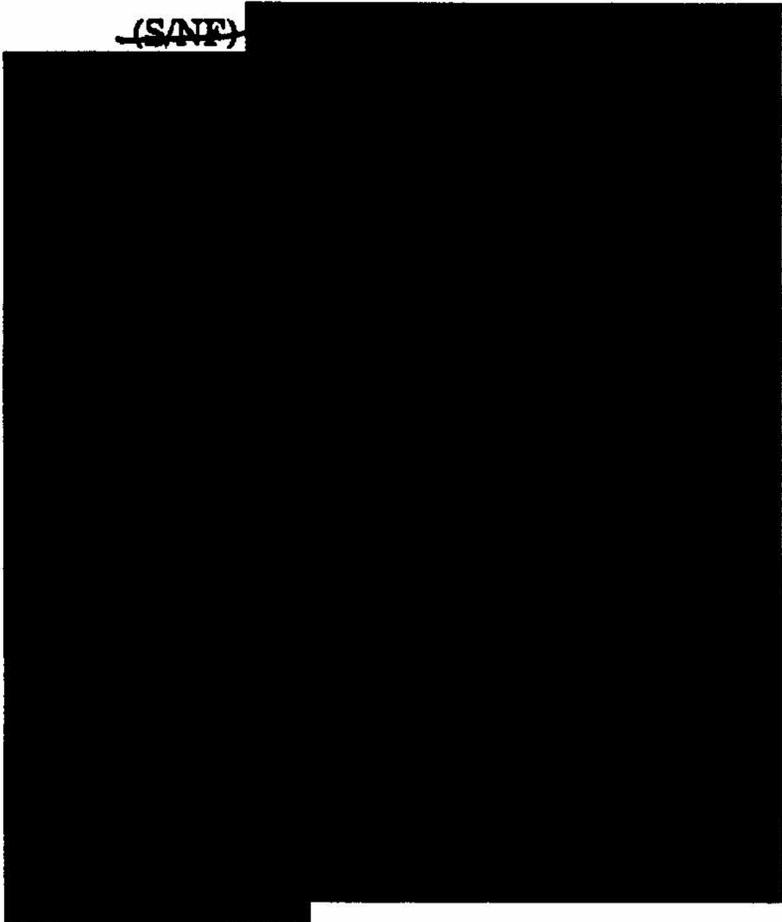
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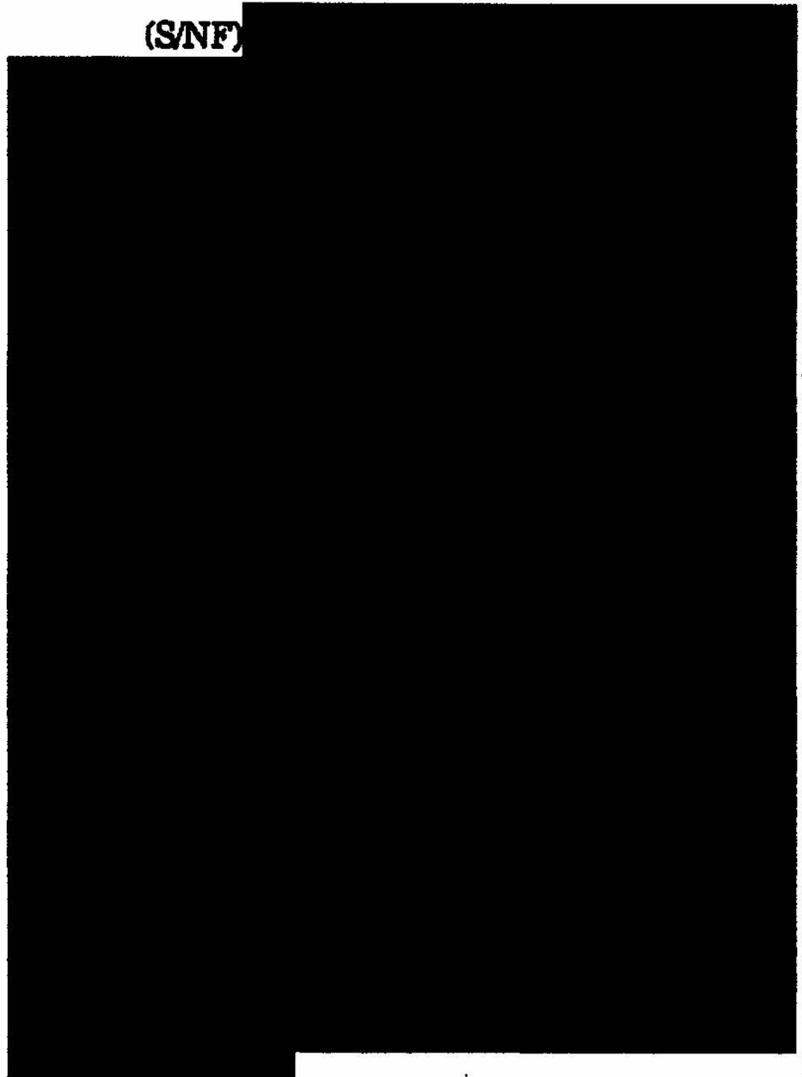
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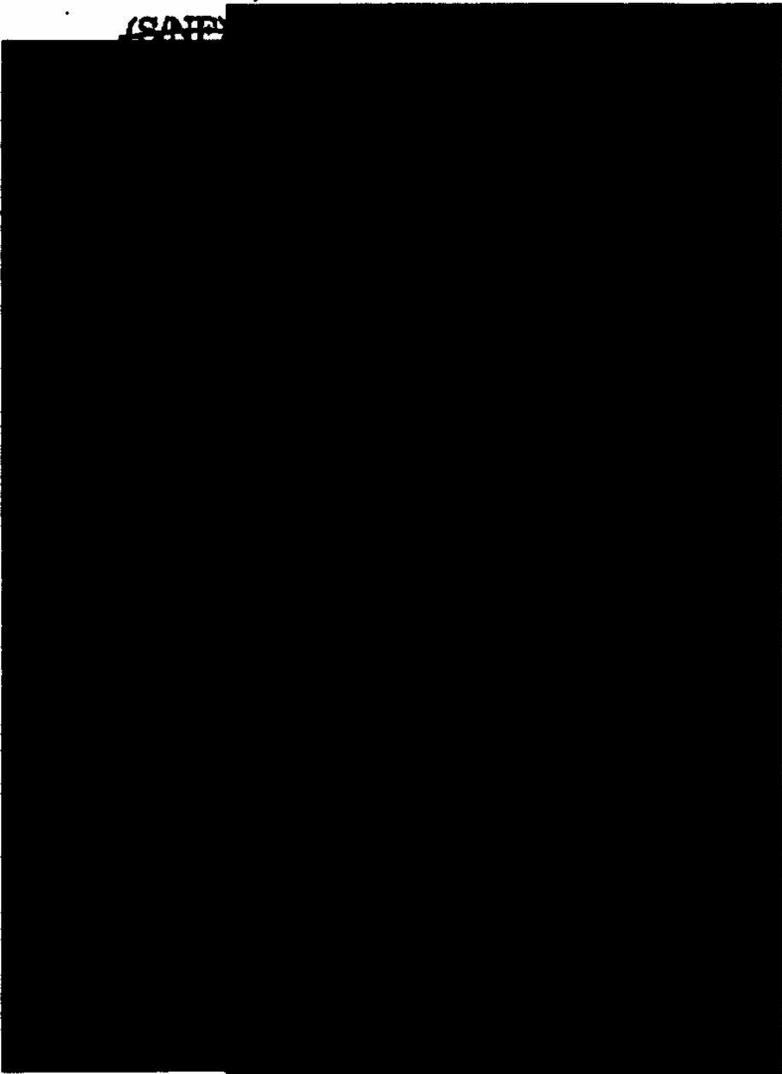


(U) May 13, 2004 CJTF-7 Interrogation and Counter-Resistance Policy

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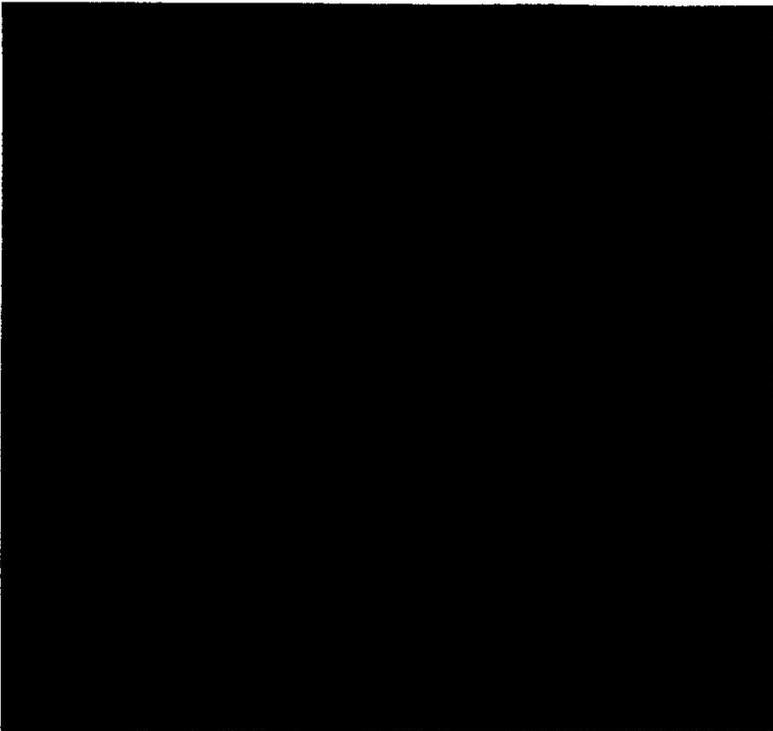
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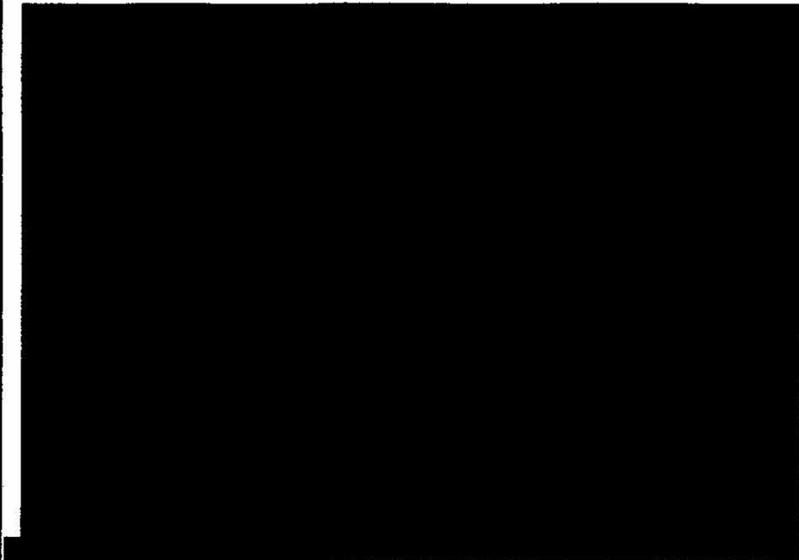
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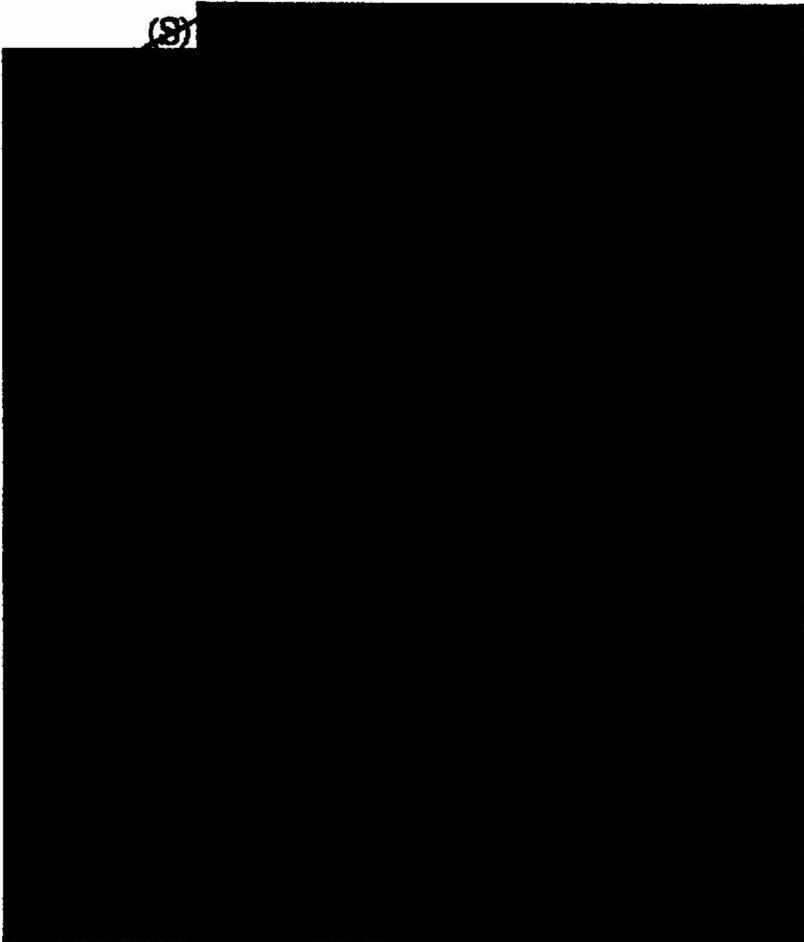
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**(U) Interrogation Techniques Employed**

(U) As in the previous sections covering GTMO and Afghanistan, this section begins with a brief summary of our investigation, followed by a comparison of the techniques approved for use in Iraq (i.e., the CJTF-7 interrogation policies) with those techniques actually employed.

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**(U) Investigative Procedure**

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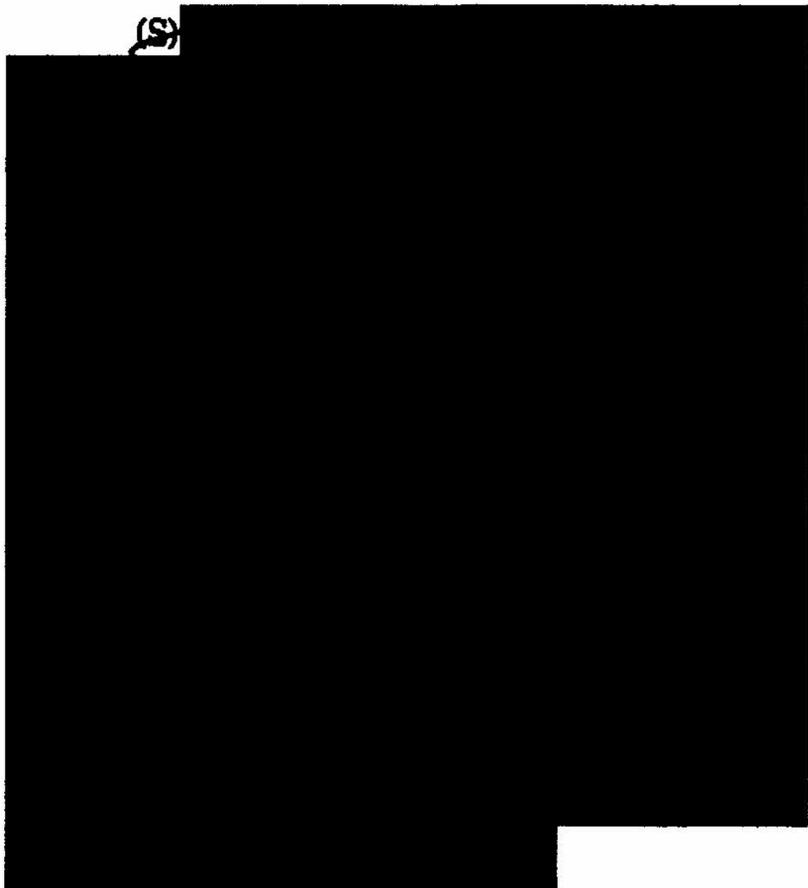


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(U) In order to avoid duplication of previous efforts by other investigations that focused on Abu Ghraib, and because of constraints related to ongoing criminal proceedings concerning the abuses there, we relied primarily on the Taguba, Jones, and Fay reports for data regarding the Abu Ghraib events of October through December 2003. However, the analysis presented here is our own; in addition, our team's visit and interviews at Abu Ghraib provided a snapshot of current interrogation and detention conditions there.

(U) As in GTMO and Afghanistan, the interviews covered the entire spectrum of personnel involved in detainee and interrogation operations, from flag and general officers to junior enlisted interrogators and personnel who participated in the capture of detainees. We took interviews or written statements from general officers including GEN Abizaid and LTG Sanchez, as well as other key personnel including CJTF-7/MNF-I senior intelligence officer MG Barbara Fast, MG Geoffrey Miller, and the debriefing and interrogation commanders at the ISG and Abu Ghraib, respectively. In addition, our team in Washington conducted an extensive review of the documentary evidence gleaned from responses to our data requests to commands and agencies throughout DoD, as well as data collected during previous investigations, particularly the reports of LTG Jones, MG Fay, MG Taguba, and the Independent Panel.

(U) Comparison of Interrogation Techniques Approved and Employed



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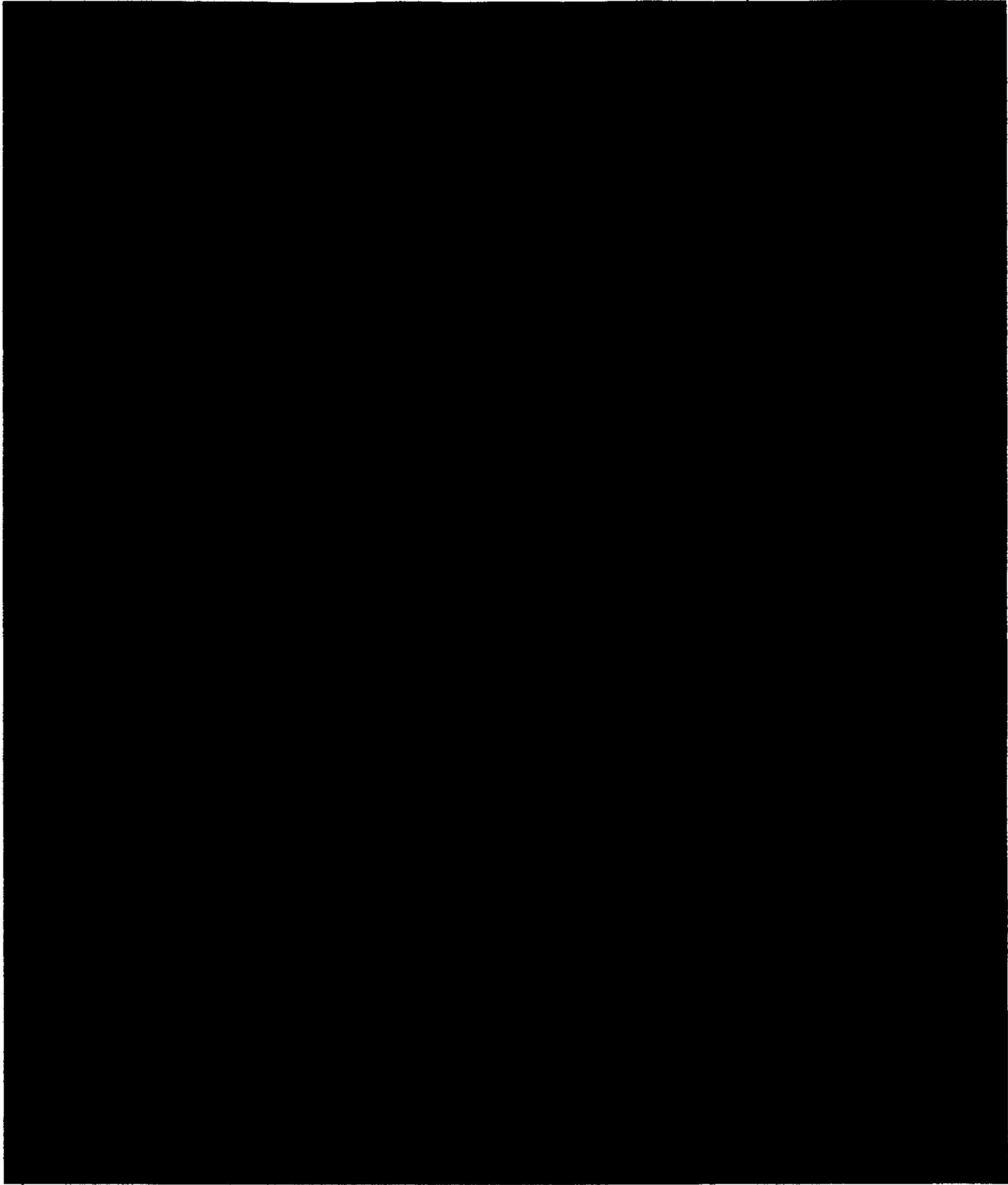
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(U) In addition, before beginning our analysis of the chart, a further clarifying note is necessary: in the third column, representing the period between October 12, 2003, and May 12, 2004, the chart includes several X markings depicting the abuses at Abu Ghraib detailed in MG Taguba's report - in particular, Removal of Clothing; Presence of Military Working Dogs (which attacked detainees, rather than simply being present); Beating; Mock Electric Shock; Photographing under Humiliating Circumstances; and Sexual Acts / Mock Sexual Acts. By including the Abu Ghraib abuses on the chart, we do not imply that those specific acts are in fact considered to be interrogation techniques, that they were the result of any policy, or that they occurred during the course of interrogations (except as noted in previous reports). Rather, they are included in order to contrast the nature of those abuses with the interrogation policy that LTG Sanchez had mandated for all security internees held by CJTF-7, including those at Abu Ghraib. Clearly, each of these abuses was prohibited by the October 12, 2003 CJTF-7 interrogation policy, and LTG Jones found that the Abu Ghraib abuses primarily resulted from individual criminal misconduct; misinterpretation or ignorance of law, policy, doctrine, and approved interrogation techniques; and lack of proper organization, training, and supervision of the MI and MP forces at the prison. We found no evidence of any policy or directive that might be interpreted as ordering or permitting the Abu Ghraib abuse, and agree with LTG Sanchez, who stated to us that:

(U) "The cause of these abuses and deaths were the training, leadership and discipline failures inside of the units. The institutional guidance and the policies were all in place. The advice, the procedures, everything that was necessary for a commander to be successful I think had been done. The resourcing was progressing at a very slow pace, but it was in concert with the overall situation of the task force and the environment that we were in... And I think in the end, it was just plain and simple failures in those three areas at the lowest levels of leadership."

(U) As in the GTMO and Afghanistan sections, the chart depicts the use of many techniques coded white or orange, indicating techniques employed without specific approval that nonetheless are not necessarily problematic. To reiterate, these two colors indicate that the applicable policy memoranda did not specifically discuss the techniques in question; therefore, it is by no means certain that interrogators would categorize the techniques' application as distinct from other, approved techniques. For example, though the current (1992) edition of FM 94-52 does not specifically authorize Mutt and Jeff (see first column), nothing in the FM, the Geneva Conventions, or other policies or doctrine inherently prohibits it. Similarly, interrogators in Iraq often opined that Yelling was inherent to Fear Up Harsh, which is a doctrinal technique, and that Deception was inherent to many, if not most of the

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doctrinal techniques. In these instances, X marks in orange blocks may not be a matter for concern, since neither interrogators nor the drafters of the policies might presume the technique to be outside the bounds of doctrine. (We will of course discuss exceptions below. In particular, when examining a line on the chart corresponding to a technique, if the color code changes from yellow to orange under subsequent policies, it can be understood that LTG Sanchez retracted the technique, but could allow it on a case-by-case basis following an official request and legal review.)

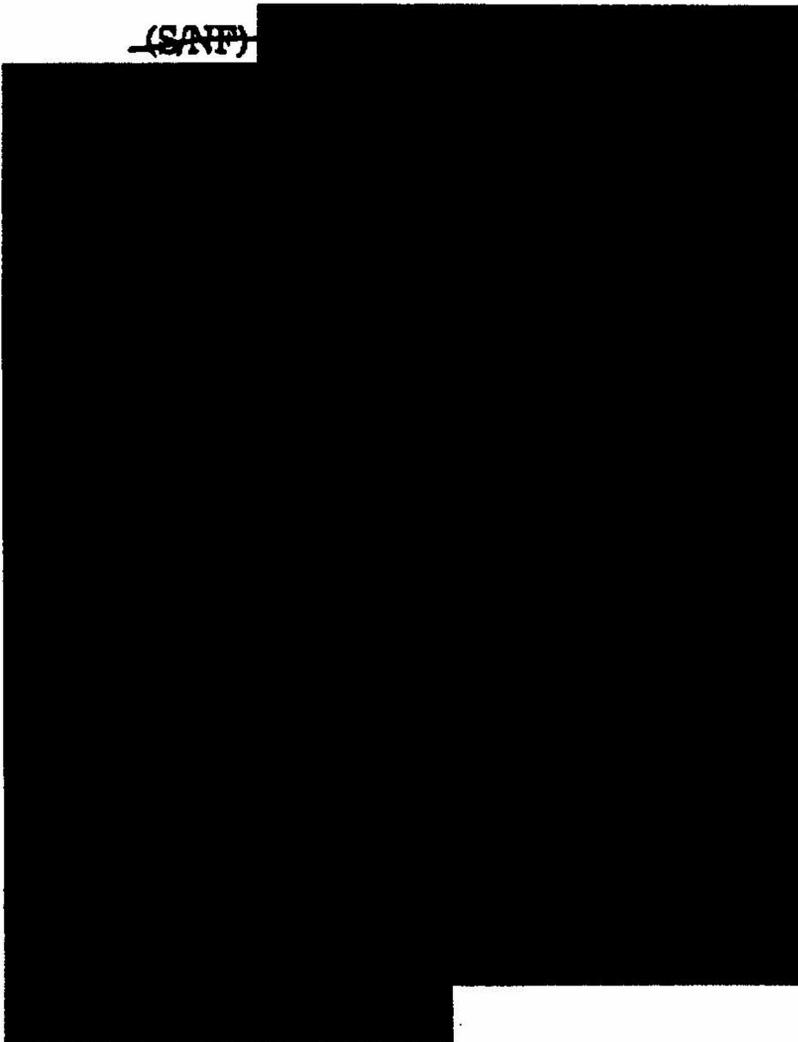
(U) A final qualification regarding the chart bears repeating: as in the previous sections, the absence of an "X" does not mean conclusively that a technique was never employed; rather, that we found no evidence of its employment. Nevertheless, based on our interviews we are confident that the chart presents an accurate picture of the techniques employed in Iraq, and that any abuse incidents or improper employment of techniques unknown to us would have been isolated events.

(U) Overall Compliance with Approved Techniques

(U) Before beginning our discussion of compliance with approved techniques, we must note one key observation regarding Abu Ghraib: the vast majority of abuses at Abu Ghraib (e.g., the "human pyramid") are completely unrelated to any doctrinal or otherwise approved interrogation techniques or policies, and did not occur during actual interrogations. Because the abuses there indicated a complete disregard for approved policies, they should not be considered representative of other issues pertaining to compliance with approved policies in Iraq (which are discussed below).

(U) A broad look at the chart illustrates a key finding regarding interrogation techniques employed in Iraq: the X marks in orange, yellow and red areas corresponding to techniques 1

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through 50 indicate that dissemination of approved interrogation policies was ineffective, resulting in widespread lack of awareness of which techniques were currently authorized. Though our interviews of senior leaders in Iraq uniformly demonstrated that they were aware of the latest guidance, the breakdown of dissemination was pervasive at the unit level - for example, many personnel interviewed in June and July were unaware of the May 13, 2004 CJTF-7 interrogation policy - and, we believe, stemmed in large part from a reliance on SIPRNET (DoD's classified internet system) to disseminate the CJTF-7 policy memos to the field.

(U) When asked how command interrogation policy was provided to individual units, the former CJTF-7 C-2X (i.e., the staff officer responsible for HUMINT and counterintelligence) stated, "These were posted on the CJTF-7 [SIPRNET] web page." At the other end of the distribution chain, a brigade S-2 (intelligence officer), a major, told us that a "guy has to look on the web each day" for guidance relevant to detention and interrogation. Unlike standard DoD messaging systems, this reliance on web-based dissemination requires units in the field - many of which may have limited access to SIPRNET - to "pull" guidance from higher headquarters. In addition, the CJTF-7 policy memos - unlike many OPODs and FRAGOs issued during the course of IRAQI FREEDOM - do not include a requirement for units to acknowledge receipt; therefore, the CJTF-7 staff had no way of knowing whether dissemination had been effective.

(U) In short, effective dissemination of CJTF-7 interrogation policies appeared to rely largely on timely posting of the memoranda to SIPRNET web sites; reliable SIPRNET connectivity of widely dispersed forces under often-hostile conditions in the field; and initiative on the part of units in the field to access SIPRNET to download interrogation guidance. Although this may have been backed up by distribution of hardcopy memoranda through normal command channels, our interviews revealed that the chain frequently broke down. For example, on June 27, an Army captain commanding a Tactical HUMINT Platoon stated that he was aware of the May 13, 2004 CJTF-7 policy, but had not received it from his superior officer; rather, he had found the memo on his own. The last policy he had received from his chain of command was the October 12, 2003, memo. In addition, as of September 18, 2004, we discovered that the October 2003 CJTF-7 policy was still posted next to the current, May 2004 policy on the MNC-I C-2X SIPRNET web site with no amplifying information, adding to the potential for confusion.

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