



INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

CHAIRMAN
THE HONORABLE JAMES R. SCHLESINGER

PANEL MEMBERS
THE HONORABLE HAROLD BROWN
THE HONORABLE TILLIE K. FOWLER
GENERAL CHARLES A. HORNER (USAF-RET.)

EXECUTIVE DIRECTOR
DR. JAMES A. BLACKWELL, JR.

21 July 2004

MEMORANDUM FOR INDEPENDENT PANEL

FROM THE EXECUTIVE DIRECTOR

SUBJECT: Discussion Points for Your 22 July Meeting With Secretary Rumsfeld

1. Our fundamental message is that the incidents of detainee abuse of October 2003 broadcast by CBS News on April 28, 2004 were not isolated cases. VADM Church reports 121 completed investigations have determined 56 cases of abuse. He also reports there are 91 additional ongoing investigations into allegations of detainee abuse. Other investigations may yet reveal more incidents, although we believe the number will not grow substantially. While there is no evidence of a widespread pattern of abuse, and certainly we have found no evidence whatsoever of any policy of abuse, it is not prudent for your subordinates -- e.g., testimony to HPSCI by Dr. Cambone on 14 July -- to continue to characterize Abu Ghraib as the work of "a few bad apples."
2. You need a rapid reporting channel for getting bad news to you quickly without prejudice to any criminal or disciplinary actions already underway.
3. You were not well served by your OGC's minimizing the role of several elements of the Service legal community in the development of legal policies on detention and interrogation.
4. Several senior officers should be held responsible in some measure.
5. Your recent actions to expand the involvement of OSD in ICRC inspections and reporting are a positive step.
6. Several of the investigations you directed us to examine are yet due out:
 - a. The Army Inspector General Assessment is due in late July
 - b. The BG Jacoby review of Detainee Operations in Afghanistan is due in late July
 - c. The BG Formica Investigation into Detainee Abuse by CJISOTF is due mid-August
 - d. The Jones/Fay Report is now due in mid-August but we have had access to some of its data
 - e. The Church Review of DoD Interrogation Techniques is due in mid-August but we have had access to all of its work in progress

We intend to deliver our Final Report on 18 August, but we need early access to data and analysis in the above investigations and we presume there will be no major surprises.

7. The role of the CIA is a gap in our coverage of DOD detention operations. We have had some access but are not confident that it is sufficient.
8. Integration of the recommendations of the various reports will require further study and analysis of program and resource implications with a view to assessing the trade-offs and opportunity costs involved.

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21 July 2004

MEMORANDUM FOR ALL STAFF

FROM THE EXECUTIVE DIRECTOR

SUBJECT: Working and Final Documentation

All working and final documentation will be placed on the shared drive in the final report folder. This information can be placed, viewed and edited by independent panel members. Please date stamp your drafts if you are doing multiple edits on the same document. (eg: MP and MI training draft 22 Jul 1445) Please notify (b)(6) via e-mail when you place your drafts, edited copy and/or final documents in this folder. Do not e-mail her with an attachment.

You may download any document to review, but do not e-mail any document as an attachment or embedded piece within your e-mail to anyone, internal or external.

You may print a hard copy if you are more comfortable using hard copy, you may use a hard copy for corroboration with colleagues; however, if this copy is to be taken out of the work area, you must have the authorization of Dr. Blackwell or Ms. Munson.

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21 July 2004

MEMORANDUM FOR ALL STAFF
[Handwritten Signature]
FROM THE EXECUTIVE DIRECTOR

SUBJECT: Archiving Staff Records

The Independent Panel staff records will be archived following the publication of the official report and prior to mission completion, currently scheduled for 27 August, 2004. Each of you should begin planning and organizing now for a smooth handover of your files prior to your departure. The Executive Officer is responsible for providing you with appropriate guidance for preparing your files, collecting all staff files and handing them over to the Washington Headquarters Services, Directives and Records Division and will provide you with a close-out memorandum of receipt upon acceptance of your files. Below is a listing of the types of documents to be collected for archiving.

To the extent allowed by regulation you may make copies of unclassified documents for your personal use subsequent to the completion of the Panel's work and will be personally responsible for proper transport, storage and use of those documents.

Classified documentation may not be removed from Government custody. Non-record materials and personal papers, which are security classified, may never be removed from Government custody and are subject to the same restrictions that apply to all classified documents.

The guidance below is from the National Archives and Records Administration Instructional Guide Series (MANAGING THE RECORDS OF TEMPORARY COMMISSIONS) -

Ensuring Adequate and Proper Documentation (page 3):

- All work files maintained by the Independent Panel are Federal records.
- Panel members should keep personal papers that do not relate to the conduct of the Panel's activities separate from the Panel's records.
- Departing staff must not remove any Panel records.

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- Panel records created on personal computers or other office automation equipment normally should be printed in hardcopy form and placed in the official files.
- Panel records, to include email, created on office computers will be captured by the Directives and Records Division personnel upon the conclusion of the Panel.
- Any records (including electronic records) created by contractors in connection with carrying out the Panels functions should be acquired and retained by the Panel.
- Minutes of important staff meetings or meetings with outside individuals or groups must be kept and placed in the official files, along with meeting agendas and related documents.
- Memorandums for the record should be prepared for significant matters handled by telephone or on actions taken under special circumstances outside of the normal office review or approval processes.

Disposition of Administrative Records (page 5):

- General Administrative Files: records pertaining to the internal operation of the Panel, such as personnel, payroll, and fiscal records, regardless of physical format. Administrative files should be maintained separately from the Independent Panel's case files.

NOTE: Administrative records will be maintained per the disposition instructions found in OSD Administrative instruction 15, Administrative Procedures and Records Disposition Schedule.

Disposition of Program Records (page 6-7):

NOTE: The following is a list of the type of files/records that are required to be archived.

- Panel Meeting Files: records of meetings held in executive session and generally consisting of the agenda, minutes or recordings of meetings, and briefing materials for members.
- Public Hearings Files: edited and unedited transcripts and/or tape recordings of the hearings.
- General Correspondence Files: letters received and copies of letters sent concerning the work of the Panel.
- Publications Files: one copy of each published report, study, pamphlet, booklet, poster, or other publication produced by or for the Panel.
- Files of High Officials: correspondence and related records maintained by key Panel staff such as the chairman, executive director, legal counsel, or public relations officer.
- News Release Files: one copy of each release issued by the Panel.
- Speech files: one copy of each speech by Panel members relating to the mission of the Panel.
- Press Conference Files: transcripts of press conferences held by the Panel.
- Organization and Functions Files: records relating to the overall organization of the Panel and any changes to it. Included are organizational charts, functional statements, budget records, biographical information on Panel members, directives or memorandums to staff concerning their responsibilities, and related material.
- Project Files: records relating to a specific project from inception to completion. Included are correspondence with other Federal agencies, State and local governments, private companies, organizations, institutions, and private individuals; questionnaires; memorandums; unpublished staff and contractor studies and reports; and related records. Often these files are maintained by the staff members carrying out the project.
- Audiovisual Files: still pictures, motion pictures, sound recordings, video recordings, and related documentation produced by or for the Panel.
- Chronological Files: reading files maintained at the commissioner level or for the entire Panel, excluding files maintained by individual staff members or project offices.
- Electronic Files: records created or stored on a computer or word processor.

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July 29, 2004

The Honorable James R. Schlesinger
Chairman
Independent Panel to Review DOD
Detention Operations

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Dear Secretary Schlesinger:

It has been awhile since we talked about my joining your independent panel, but I wanted to express how disappointed I was by not being able to assist you and the rest of the panel. It would have offered a challenging opportunity on a subject which I have a deep interest. Unfortunately, I was not in a position to join you and your colleagues at the time. However, my situation has changed and I would certainly consider assisting in these efforts if the opportunity were to present itself again. I would appreciate you keeping me in mind if you know of any such opportunities in the future.

Again, I enjoyed meeting you, even though our discussion was brief, and hope our paths will cross again.

Sincerely,

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cc: Dr. James A. Blackwell, Jr.

*Jim,
Following up my E-mail, I'll
call you next week in the hopes
we can get together.*

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27 July 2004

MEMORANDUM FOR THE INDEPENDENT PANEL

FROM THE EXECUTIVE DIRECTOR

SUBJECT: Draft Executive Summary

Our latest draft of the Executive Summary follows. It incorporates your discussions together on July 22 as well as individual comments we have received from you since then. In addition, I am sending you GEN Horner's inputs on the high command issue that I just received today. We welcome your comments as soon as possible. We are proceeding to draft the Final Report and are on track as planned to have it to you by Friday, 6 August.

We want to get your comments on the draft Final Report by 12 August and we have scheduled you to review, revise and approve a final draft on Monday August 16 beginning at 11 am in the ESC in the Pentagon (Harold Brown will participate via VTC from Miramar).

Secretary Rumsfeld is now scheduled for TDY on 18 August so we have a tentative slot with him on Tuesday 17 August at 10 am for you to present to him the Final Report, again Dr Brown will participate via VTC from Miramar. Once we confirm that we will then schedule your congressional calls and press conference (in the Pentagon Press Room with Dr Brown via VTC from Miramar) for later that day (17 August).

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**INDEPENDENT PANEL TO REVIEW DoD DETENTION OPERATIONS
CONCLUDES FIRST PHASE OF INTERVIEWS WITH ACTIVE DUTY
PERSONNEL AND SENIOR PENTAGON OFFICIALS**

WASHINGTON – The Independent Panel to Review DoD Detention Operations announced today it has concluded its first phase of interviews with active duty personnel in Iraq and senior officials in the Pentagon that are directly and indirectly involved with the incidents at Abu Ghraib prison.

"We are quickly progressing with our investigation and review," Panel Chairman Dr. James Schlesinger said. "The American people should be confident that this panel will provide an unvarnished assessment of how these abuses happened and what needs to be changed in order for them to never happen again."

Dr. Schlesinger said the Panel members have begun their review of current and past investigations and started its own look into DoD detention operations. Today's interviews with more than a half dozen were conducted in person and by secure videoconference within the Pentagon. The Panel plans to submit its final report by the end of July and its work will include additional interviews, fact-finding, extensive research and review.

The Panel's day-to-day operations are conducted in a secure office in Crystal City, VA where the group is finalizing staff arrangements to help with its task. "We are quickly putting together a group of highly talented professionals to help us with this critical mission," former Defense Secretary Schlesinger added. "The caliber of people that we have reflect the gravity and objectivity needed for our work."

He noted, "Secretary Rumsfeld assured us he will provide the Panel what it needs to conduct a fair and thorough investigation in a timely manner."

Dr. Schlesinger estimated the full staff could be up to 20 and arrangements should be largely completed by the end of the week. He also noted that all staff members are required to have secret clearance to perform their work and will have varying expertise in military affairs, intelligence, and military legal matters.

The Panel's Executive Director, Dr. James Blackwell, was appointed just prior to the group's first meeting on Thursday, May 20. Blackwell is a military affairs expert and author. A West Point graduate, he authored *On Brave Old Army Team*, a book which was praised for its hard-hitting and in-depth look into the school's cheating scandal of 1951.

Members of the Panel are: Dr. James R. Schlesinger (Secretary of Defense for Presidents Nixon and Ford, Secretary of Energy for President Carter), Dr. Harold Brown (Secretary of Defense for President Carter), former U.S. Representative Tillie K. Fowler (senior member of the House Armed Services Committee and led last year's investigation into sexual misconduct at the U.S. Air Force Academy) and General Charles A. Horner, USAF, Ret. (architect of the air campaign in the 1991 Iraq War and former Commander North American Aerospace Defense Command and Space Command).

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DEPUTY SECRETARY OF DEFENSE

1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

JUN 23 2004



MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
DIRECTOR, FORCE TRANSFORMATION
DIRECTOR, WASHINGTON HEADQUARTERS SERVICES
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Support to the DoD Detainee Task Force (DTF)

The DTF was formed to assist the Department in the comprehensive review of allegations of detainee abuse at DoD facilities. One element of the DTF mission is collecting and providing documents and other materials needed for review and analysis, including the review to be conducted by the Independent Panel appointed by the Secretary to provide him advice regarding these allegations. Therefore, I ask that you ensure your organizations respond to these requests expeditiously.

Please search your files and collect all your DoD component directives, instructions, regulations, memoranda, requests for information and responses, letters, or other written materials applicable during this Administration that:

- a. Pertain to interrogation policy, procedures, or "rules of engagement" with respect to prisoners of war, detainees, or civilian internees of the Department or any of its components;
- b. Address the following:
 - 1) Personnel detention policy, procedures, and organization;
 - 2) Interrogation policy, procedures, and organization;
 - 3) Relationship between detention and interrogation as they relate to force structure;

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OSD 08916-04

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- 4) Training of regular and reserve personnel for these missions;
 - 5) Use of contractors (e.g., interrogators, linguists, and interpreters) in connection with interrogation activities or missions of the Department, including its components.
- c. Address DoD detention and interrogation as they relate to the Geneva Conventions and other applicable laws;
 - d. Address DoD detention and interrogation policy, procedures or organization in relation to matters raised by the International Committee of the Red Cross;
 - e. Show command relationships and operational practices that guided DoD detention and interrogation policies and procedures;

This request includes all completed reports from DoD components and all other DoD materials and information pertaining to the topics listed above. Pending investigative reports will be provided to designated representatives of the DTF force, but handled through a separate process to maintain their integrity.

The search for documents should include all references to prisoners of war, detainees or civilian internees of the DoD, pursuant to the Global War on Terrorism or Operation Iraqi Freedom, whether located in: Guantanamo Bay, Cuba; the Naval Consolidated Brig, Charleston, South Carolina; Abu Ghraib, Camp Bucca, or other locations in Iraq; or in Afghanistan.

Materials responsive to this request should be made available as soon as they are retrieved, even though all requested documents may not be available at the same time. Along with the responsive documents, we request (1) an index identifying each document by date and author and including the document's classification level, (2) the name, grade, duty location, and telephone number of the individual(s) who performed the search, and (3) an index of documents that are the subject of this request already disseminated outside the Department, including to whom, when, and why. Documents containing sensitive intelligence or compartmented information will be processed through and retained by the Defense Sensitive Support Program office for review by appropriately cleared members of the DTF. Components are to preserve all documents that are responsive to this search.

All requests for documents pertaining to these subjects will be referred to the DTF Database and Documentation Team immediately. In order to provide comprehensive responses to inquiries from Congress and to keep the senior leaders of the Department informed, the DTF will have the exclusive responsibility for the release of documents

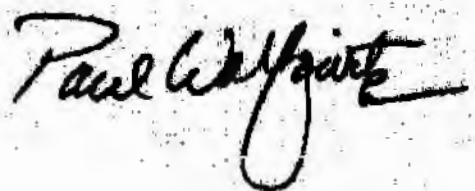
outside the Department that are the subject of this request. This memorandum does not otherwise alter existing working relationships or authorities of the DoD components.

Initial submission of hardcopy documents and CDs should be hand delivered or couriered to the DTF, Database and Documentation Team, Room 3A750, 1600 Defense, Pentagon, Washington, DC 20301-1000 by Wednesday, June 30, 2004.

Please contact the DTF Database and Documentation Team at (b)(6)

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(b)(6) with any questions.



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15 June 2004

MEMORANDUM FOR ALL STAFF OF THE INDEPENDENT PANEL TO REVIEW
DOD DETENTION OPERATIONS

Subj.: EXECUTIVE DIRECTOR'S GUIDANCE AND STAFF SUPPORT PLAN

Ref.: SecDef Memorandum 12 May 2004

Mission

The Mission of the Staff of the Independent Panel to Review DoD Detention Operations is to provide all necessary research, analysis, administrative and logistical support within its means to enable the Panel Members to carry out their charter from the Secretary of Defense.

The 12 May charter from the Secretary of Defense for the Independent Panel to Review DoD Detention Operations tasks the four Panel Members to provide their "...independent, professional advice on the issues that you consider most pertinent related to the various allegations, based on your review of completed and pending investigative reports and other materials and information." The Secretary expects to receive the Panel's advice orally and in writing, preferably within 45 days of commencing its work. The work formally began with the Panel's first meeting on May 20. The Panel Members interpret the Secretary's timeline preference to mean 45 business days to deliver an Interim Verbal Report to the Secretary of Defense. The 45th business day will thus be July 26; the Panel and Staff will continue to operate beyond that date to complete the chartered requirement to deliver classified and unclassified versions of the Final Report and provide them first to the Secretary of Defense, then to the Committees on Armed Services, the Secretaries of the Military Departments, the Chairman of the Joint Chiefs of Staff, the Commanders of the Combatant Commands, the Directors of the Defense Agencies and others deemed appropriate by the Secretary of Defense or the Panel Chairman.

The Panel Members are independent from the Department of Defense and from each other. The Panel and staff will receive resources and other support from Washington Headquarters Services in the form of office space, supplies, communications, contracts, information technology, transportation, travel, legal, administrative and security personnel and services. The Charter provides the Panel with implied authority to task the Department of Defense Components for additional support as necessary. The Secretary of Defense explicitly requests all DoD personnel to cooperate fully with the Panel's review and to make all relevant documents available on request. There is no requirement for the Panelists to reach full consensus on their findings, conclusions and recommendations. Therefore the staff must be highly responsive to the individual requests and needs of the Panelists.



Staff must also ensure that they bring to their work no conflict of interest or appearance of conflict of interest, nor commit or condone any violation of the responsibilities, obligations and restrictions incumbent upon them by the applicable standards of conduct and ethical guidelines established by the Department of Defense. Staff situations, acts or conditions that might result in the infringement of the Panel's independence should be brought to the attention of the Executive Director for prompt consideration and appropriate resolution.

The professionalism of the Panel's work is rooted in two fundamental sources. The Panel Members each have well-established records of distinguished service to the nation's defense; qualifications and their reputations will add weight of importance to their findings and recommendations. Thus Staff must maintain highest standards of excellence and responsiveness in preparation and presentation of work to the Panel.

Secondly, the Panel's professionalism exudes from their work ethic. All four are indefatigable public servants who demand the highest standards of performance of themselves and those who support them. This will require all staff work to pay utmost attention to detail and thoroughness despite the obvious requirement for rapid completion.

Desired End State

The Staff will have accomplished this mission when the following deliverables have been satisfactorily provided:

- Panel Members deliver their personal, verbal Interim Report to the Secretary of Defense by July 26,
- After the Panel delivers the Interim Report to the Secretary of Defense, the Staff obtains Panel Chairman's approval on the written Final Report and produces and distributes it by August 15,
- Panel Members are thoroughly enabled to provide on-the-record remarks in response to Congressional and media requests,
- Each staff member receives a written performance review from a supervisor designated by the Executive Director to be provided to the staff person's full-time evaluator, as appropriate.

These accomplishments will be judged superior in quality if the following conditions are met:

- The Secretary of Defense recognizes and accepts the findings and
- All four Panel Members individually and collectively express their personal commendations to individual staff members or to the Executive Director to be communicated to the Staff,

- The Staff completes its work and closes out its operations within the approved budget and satisfactorily accounts for property and other resources to the appropriate custodians by September 30.

Chairman's Intent

Panel Chairman James Schlesinger has summarized his intent for the Panel succinctly in asserting that it is the Panel's responsibility to get to the top of the problem. For the staff, that means we must assist the Panel in determining how far up the chain of command and how far across the chain of responsibility culpability can be established. We need to determine the essential features of the problem and interpret them to discern the extent to which deliberate or unintentional ambiguities, suggestions, intimation, or even a "wink of the eye" contributed to the problem. We are to review all work done, fill in the gaps and tell a seamless story. The basic problem is a moral issue for America, evidenced by the departure from standards of behavior expected of US soldiers; we ought not to be distracted by any impulse or temptation to cater to the interests of the media, foreign or international influences.

The Chairman has also articulated the intent to be "surgically" factual. By that he means that he wants the staff to focus on relevant facts and not be distracted by political, cultural or ideological disputes. For example, he has asserted that the White House and Department of Justice developed a policy towards applying international law and the Geneva Conventions to detainees by Department of Defense personnel that may be at odds with interpretations of others such as the International Committee of the Red Cross. The Panel is not to hold DoD people to a different standard of behavior than that given them by official policy. The issue of which standard to apply should be separate from the question of whether the policy itself was ill-advised. The Chairman also wants to develop an understanding of the psychology of going after actionable intelligence in the course of an upsurge in tactical fighting.

The Chairman wants the Panel's findings will be grouped into three categories -- the essential features of the problem, the gaps and defects in the various investigations and recommendations. This will form the broad outline of the reports to be developed for the Panel by the staff -- verbal and written, interim and final.

Specified Tasks

The Panel's charter specifically asks for views on the causes of the problems associated with detention operations and what should be done to fix them. The charter explicitly suggests that the Panel review potential contributing factors including:

- Force structure
- Training of regular and reserve personnel
- Use of contractors
- Organization

- Detention policy and procedures
- Interrogation policy and procedures
- The relationship between detention and interrogation
- Compliance with the Geneva Conventions
- Relationship with the International Committee of the Red Cross
- Command relationships, and
- Operational practices

Unavoidably, the Panel will develop information on issues of personal accountability. The Panel's assessments of such information are to be provided to the Secretary of Defense to be resolved through established military justice and administrative procedures.

The Panel is charged to review all written materials relevant to detention operations and associated issues. Several completed and ongoing investigations are specified in the Panel's Charter and several new efforts have begun, including the Army Intelligence review of interrogation procedures under MG Fay, The Navy Inspector General -- as executive agent for the Secretary of Defense -- worldwide review of interrogation practices, An AR-15-6 Army investigation into detainee abuse allegations by CJSOTF-AP led by BG Formica, and review of detainee operations and facilities in Afghanistan led by BG Jacoby and an Army Reserve Inspector General assessment. Several relevant criminal investigations are completed or underway. Contractor involvement in detainee operations is reportedly under investigation by GSA, DCAA, and the Department of the Interior Inspector General. Other investigations are likely to arise during the course of the Panel's work and staff is expected to assert itself to establish liaison with those investigative bodies on behalf of the Panel and to obtain access to the emerging and final outcomes of all such efforts.

The Panel is also explicitly directed to develop other issues it considers most pertinent and to review other materials and information. Staff will support this discovery process by nominating such issues and identifying sources for potential collection.

Implied Tasks

Establishing The Essential Features

Timeline

One of the most important tasks confronting the staff is to establish what happened, when and where, and who did it, as well as who knew what when. We will accomplish this by means of developing a detailed timeline using a commercial software product for data storage and presentation. While primary responsibility for building and maintaining the timeline will rest with a single designated person, all staff must become familiar with the software and thoroughly versed in its contents. There will undoubtedly be conflicts of fact among the various sources of data for the timeline and the database will retain all issues of fact and contention even as we and the Panel resolve such

conflicts to our own satisfaction. All entries in the timeline database must be fully sourced and documented.

Boundaries and Dimensions

The detailed data resident in the timeline database needs to be aggregated, integrated, synthesized and summarized in an appropriate manner so as to represent graphically and visually a comprehensive cognitive map or picture of the detention problem as a whole. This will involve deciding what facts and phenomena are to be included and which lie outside the scope of the Panel's inquiry. It will also involve determining appropriate subjective and quantitative metrics and measures that define and explicate the problem within those boundaries. Staff will develop options for Panel Members to consider in establishing these boundaries and dimensions of the problem.

Assessing Underlying Causes

Issue Clusters

The detention problem can usefully be de-constructed into eight issue clusters: military police, military intelligence, the law and ethics of warfare, command and staff, force posture, policy and operations, the psychology of detention operations, and the role of special operating forces and other government agencies. Staff will be organized into teams aligned with the issue clusters. Each team will be responsible for developing specific research questions, reviewing all available documents for data and insights into the research questions, identifying gaps in available documentation, and developing a plan to address such gaps to include: recommending questions for the Panel to submit to interviewees, identifying potential additional interviewees for Panel consideration, conducting literature search, recommending to the Executive Director potential taskings. Each Team will produce a thesis presenting its findings on its research questions. This thesis will be a prose manuscript that will include citations referencing specific documents in support of evidence behind its reasoning and assertions. This thesis will be maintained by the team Chief in Draft and will be continuously updated and revised. The thesis document, or elements of it, will from time to time be presented to the staff for discussion and debate in accordance with a schedule to be published by the Executive Director.

Developing and Testing Hypotheses

The Staff's articulation of the essential features of the problem, its underlying causes and recommended courses of action will be developed in seminars to be held twice a week. The Deputy Executive Director will manage the agenda for each session and will schedule seminars in advance. At each seminar an Issue Cluster Team will be required to present its latest findings and present hypotheses as to underlying causes supported by available evidence and reasoning. Attending staff will debate these issues and the presenting Issue Cluster Team will record the proceedings for the Staff records and for its own use in revising its thesis.

Recommendations

Each Issue Cluster Team will develop candidate recommendations for consideration by the Panel. These will be presented and discussed among the staff at the twice-weekly staff seminars.

Approach

Staff Research

Each staff member is expected to read and be familiar with every document related to detainee operations. Issue Cluster Teams are expected to have mastered the materials related to their research questions. The Deputy Executive Director will maintain a summary matrix of facts and insights by issue cluster across all data sources to include reports, interviews, staff seminars and panel discussions. The Executive Officer will maintain an index of all documents in the possession of the staff, to include storage location for each document.

Panel Interviews and Discussions

The Panel will generally conduct interviews and discussions in private session with only the Executive Director present to take notes. Interviews will not be transcribed but may be video-taped.

Staff Support and Analysis

Staff should make themselves available to each Panel Member for direct interaction such as discussion, specific research taskings, drafting, etc., at the Panel Member's convenience.

Developing the Interim and Final Reports

The Interim and Final reports will be authored by the Panel Members. The Executive Director will be the single person responsible to maintain configuration control over Panel reports. Staff members submitting recommended edits, additions or deletions will submit them to the Executive Director for consideration by the Panel. The Staff Editor will be the single person responsible, under supervision by the Executive Director, for version control over final text.

Blackwell, James A. Jr, CIV, WSO-IPRDDO

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From: (b)(6)
Sent: Thursday, July 01, 2004 11:46 AM
To: Blackwell, James A. Jr, CIV, WSO-IPRDDO; (b)(6)
Cc: (b)(6)
Subject: Re: CaseMap

James,

Your welcome! Here are the codes for everyone:

Registration Name: James Blackwell
Registration ID: 7c59-4b33
CaseMap Product ID: CMP-91689-0465379
TimeMap Product ID: TMP-91689-0465379

Registration Name: (b)(6)
Registration ID: 772b-be48
CaseMap Product ID: CMP-91689-0465379
TimeMap Product ID: TMP-91689-0465379

Registration Name: (b)(6)
Registration ID: 9d25-6339
CaseMap Product ID: CMP-91689-0465379
TimeMap Product ID: TMP-91689-0465379

All done
Colleen

Whoever installs CaseMap will let need to let me know if they need activation keys. I would be happy to arrange some training for you, CaseMap is a little more involved than TimeMap. Please let me know if you are interested and we schedule something.

Touch base with you soon!

Best regards,

(b)(6)

www.casesoft.com

"Case Analysis Made Easy"

----- Original Message -----

From: Blackwell, James A. Jr, CIV, WSO-IPRDDO
To: (b)(6) Blackwell, James A. Jr, CIV, WSO-IPRDDO; (b)(6) CTR, WSO-IT
Cc: (b)(6)
Sent: Thursday, July 01, 2004 11:35 AM
Subject: RE: CaseMap

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Thanks. Users are myself, (b)(6)

(b)(6)

Jim Blackwell

-----Original Message-----

From: (b)(6)

Sent: Thursday, July 01, 2004 10:38 AM

To: (b)(6) (b)(6)

Cc: (b)(6)

Subject: CaseMap

Mr. Blackwell,

The order for 3 CaseMap licenses was placed this morning. If you know who the users will be please let me know and I will try to help get everyone set up today if possible. I am out of the office tomorrow and all of next week.

If you need assistance while I am out please contact (b)(6) or at (b)(6). She can help with registrations as well as answer any questions you might have.

I'm here all day, call me if you need me. If we don't get in touch, I hope that you have a happy fourth!

Best regards,

(b)(6)

"Case Analysis Made Easy"



INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

CHAIRMAN

THE HONORABLE JAMES R. SCHLESINGER

PANEL MEMBERS

THE HONORABLE HAROLD BROWN

THE HONORABLE TILLIE K. FOWLER

GENERAL CHARLES A. HORNER (USAF-RET.)

EXECUTIVE DIRECTOR

DR. JAMES A. BLACKWELL, JR.

MEMORANDUM FOR ALL INDEPENDENT PANEL PERSONNEL

**SUBJECT: SECURITY STANDARD OPERATING PROCEDURES (SOP) –
INDEPENDENT PANEL**

1. **Purpose:** This SOP provides general security procedures and guidance to ensure continuity of operations and adherence to policy. These guidelines are being implemented in order to protect this organization from unknowingly disseminating or removing information from this facility. All individuals are responsible for reading this SOP and taking the necessary action(s) to safeguard classified and controlled information, documents, property and any other material requiring protection in the interest of national security.
2. **Applicability:** This SOP applies to all personnel assigned/detailed to the Independent Panel.
3. The following guidelines must be implemented on a daily basis:
 - a. Cover the keypad when inputting the code for office entry.
 - b. Do not discuss or work on classified material in the front office.
 - c. Burn bags can be utilized under the following criteria. Classified burn bags must be stored in the safe and treated in the same manner as classified documents/property. Each burn bag in use must be labeled UNCLASSIFIED/SENSITIVE, NOT FOR CLASSIFIED USE, or SECRET. Burn bags can only be filled half-way and weigh no more than 10 pounds, whichever comes first. When full, bags will be labeled and sealed. Prior to sealing and disposal, bags must be labeled as follows: Independent Panel,

(b)(6)

(b)(6)

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**SUBJECT: SECURITY STANDARD OPERATING PROCEDURES (SOP) –
INDEPENDENT PANEL**

classification, office telephone number, and room number. Security Manager will be responsible for weekly transport and disposal.

- d. The copier located in the front office may not be used to copy classified material.
- e. Windows and blinds must remain closed to prevent compromise of information (classified and unclassified).
- f. When not in use, all classified materials, documents, and laptops must be secured in the safe or remain with cleared personnel. All personnel are required to sign out classified information (to include laptops) removed from the safes. Material that is TS must be stored in the secured room and the alarm activated if a cleared person is not occupying the area.
- g. Documents will not leave the facility unless approved and recorded by the Security Manager. All personnel should notify the Security Manager in advance, so that courier orders can be prepared prior to exiting. Personnel must have courier orders on them at all times when transporting documents.
- h. Internal document control procedures have been established. All new classified (of any form) information must be logged in through the Security Manager for accountability. All sensitive/classified documents must be accounted for at all times. See enclosure (1) for more detailed instructions.
- i. The Security Manager must first approve any material that requires mailing prior to your wrapping it. Security Manager will also examine documents prior to second wrapping.
- j. Classified material is NOT approved for use at places of residence.
- k. Any information requiring shipment to the West Coast will be sent to Miramar Air Station. Miramar has been instructed on couriating the documents and storage.
- l. Classified documents will not be stored in file cabinets.
- m. Do not process any classified information on your desktop computers or unclassified notebooks.
- n. Do not leave classified information on your computer screen or on your desk when leaving the area (restroom, lunch, speaking with someone in another office). Documents are to be maintained by cleared personnel ONLY at all times.

**SUBJECT: SECURITY STANDARD OPERATING PROCEDURES (SOP) –
INDEPENDENT PANEL**

o. The Secure Area Room is a small working space and must remain free of clutter as to not block the exits in the event of an emergency.

p. Do not discuss classified information on an unsecured telephone. If you must discuss classified information on the telephone, utilize the STE phone in the secure room. See enclosure (2) for more detailed instructions.

q. Computers must be logged off at the end of each day. Ensure all disks are removed prior to powering down. The WSO DOIM recommends restarting the computer, but leaving it on.

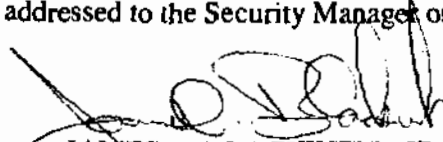
r. The SIPRNET key must be removed from the TACLANE KG-175 (located on top of safe #1 in the secure room) daily and stored in it's folder in safe #1, drawer B. See enclosure (3) for more detailed instructions.

s. The last person to depart the office for the day is responsible for completing the Activity Security Checklist (SF 701) posted on the main entrance door. *An interim security check will be conducted daily at 1700 by a member of the Administrative Staff.*

t. The highest level of discussion in open forum in this location (to include the Conference Room) is (S). If (TS) is needed, PFPA will require written procedures to implement necessary security precautions before, during, and after the (TS) meeting. Secure space is available in the Pentagon for such briefs, per Security Manager WHS.

3. The Security Manager is responsible for monitoring compliance with this policy for the Executive Director. It is imperative that all personnel remain vigilant in helping to keep this organization secure and safe.

4. Questions or concerns may be addressed to the Security Manager or the undersigned.


JAMES A. BLACKWELL, JR.
Executive Director

Enclosures:

1. Document Control Instructions
2. STE (Secure) Phone Instructions
3. SIPRNET Key Instructions



DEPUTY GENERAL COUNSEL
(PERSONNEL & HEALTH POLICY)

June 10, 2004

TO: Jim Blackwell
TO: Mr. Becker H

SUBJECT: Legal Counsel for Schlesinger Panel

Howard-

We understand that the Panel does not wish to give further consideration to Ms. Madden or COL (Ret.) Brownback for its lawyer positions. We also understand that the Panel has requested the names of active-duty Judge Advocates. I enclose bios for (b)(6)

(b)(6)
(b)(6) for your consideration and that of the Panel. The Deputy Judge Advocate General of the Air Force has expressed concern about the reasonable availability of the two Air Force officers and has agreed to provide two other nominees. We have not discussed the availability of the other officers with their respective Services.

(b)(6)

(b)(6)

Enclosures:
As stated

(b)(6)





BIOGRAPHY

UNITED STATES AIR FORCE

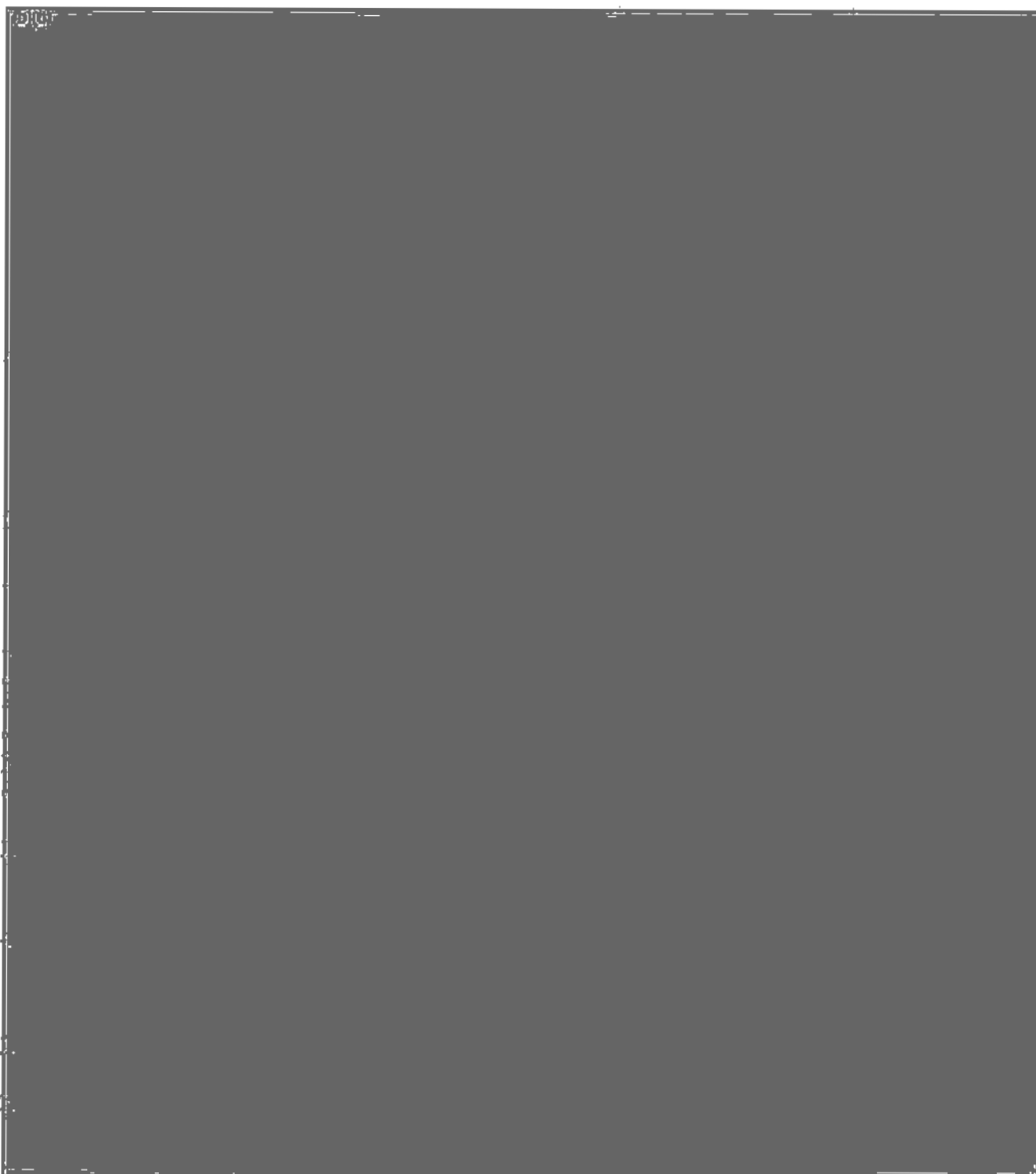
(b)(6)





BIOGRAPHY

UNITED STATES AIR FORCE




(b)(6)



**BIOGRAPHICAL DATA
OF**

(b)(6)

(b)(6)



(b)(6)



(b)(6)

I read with interest the notes of the 6/30 meeting sent via e-mail to (b)(6). I have yet to see any specific data in response to our request for documentation of unsupported allegations of abuses from their report "The Road to Abu Ghraib." I also eagerly await their (b)(6) (b)(6) HRF) promised reply to (b)(6) request for HRF's reports on those alleged cases of "prisoner renditions." We are not in the business of supplying documents to any organization inside or outside of DoD and I do not want our resources to get consumed in such efforts. In response to (b)(6) stated request for documentation on interrogation policy and procedure, refer him to the DoD release of 22 June, a thorough and authoritative compilation, available publicly at: <http://www.defenselink.mil/releases/2004/nr20040622-0930.html>.

I think the idea of physician complicity raised by PHR (b)(6) may have some merit. (b)(6) take a look at this as potentially one of the ethical dilemmas, and perhaps outline another issue paper. Jim, research the available data and see if there is anything we have that could shed light on allegations we have now heard from PHF and ICRC.

Dr. James Blackwell
Executive Director
Independent Panel to Review DoD Detention Operations

(b)(6)

Notes on meeting with staff of
"Independent Panel to Review DoD Detention Operations"

June 30, 2004, Open Society Institute

Participants: HRED/WG: (b)(6) Physicians for Human Rights; (b)(6)
(b)(6) Amnesty International; (b)(6) Human Rights First; (b)(6)
(b)(6) Human Rights Watch; (b)(6) JBI; (b)(6) Coordinator
(notetaker); DoD Independent Panel: (b)(6) Deputy Executive
Director; (b)(6) staff; (b)(6) staff.

This meeting had been scheduled with the Panel's Executive Director James Blackwell but Blackwell was unable to make it and sent his deputy, (b)(6) in his place. Our group thanked (b)(6) for coming and repeated our standing request for a meeting with the Panel members themselves, which (b)(6) said he would pass on.

Panel's Mission and Scope:

(b)(6) began the substantive portion of the meeting by describing his sense of the Panel's mission. He said the events at Abu Ghraib and elsewhere did not represent "who we are" as a military and it is important to find out what went wrong and begin the process of restoring the military's reputation. The Panel is looking at 11 different investigations worldwide --some complete, some ongoing-- and is determined not to focus only on Abu Ghraib, which (b)(6) described as merely the place where the "match lit the firestorm." The Panel has a staff of 10 to 15, but as staffer (b)(6) explained, they can task anyone within the Defense Department as needed. So far they have faced no obstacles to cooperation. A separate Defense Department Detentions Task Force is tasked by the Panel "on a daily basis" according to Peloquin. As it reviews and synthesizes the existing investigation reports, (b)(6) said that the Panel is looking for gaps that may have arisen between those discrete investigations. The Panel expects to produce a report sometime between the end of July and mid-August (it has a 45 day mandate).

(b)(6) asked whether the Panel had the authority to look at other agencies and whether it could, for example, task the CIA to cooperate. (b)(6) said that the Panel was getting some cooperation from other agencies (he did not mention the CIA) but noted that they had little leverage over those agencies, in contrast to DoD where personnel were directed to cooperate. (b)(6) mentioned DOJ's Office of Legal Counsel as one office that had provided some assistance.

(b)(6) pointed out that if the Panel is working toward repairing the U.S. image, it cannot simply focus on fixing the Defense Department and needs to look at a broad scope of agencies. Complaints about other government agencies have been coming in for many months. Without a broader investigation, Tom said, the whole issue cannot be adequately addressed. He encouraged the Panel to consider recommending an additional wider study or looking at enhancing the existing Panel and its mandate. (b)(6) responded by observing that Panel Chairman Schlesinger and Panel member (b)(6) have very

broad experience and have a "large picture" of how government agencies interact. They are therefore likely to be aware of the limitations of looking only at DoD. [REDACTED] urged the Panel to draw on the widest possible expertise in conducting its review. She noted several types of experts outside of DoD that can shed light on the relevant issues, including specifically the various UN rapporteurs who have investigated these questions.

Recommendations from Group:

[REDACTED] suggested that one outcome of the Panel's work should be the end of the practice of holding detainees in undisclosed locations. At some point, a complete list of where all prisoners are being held should be produced. [REDACTED] asked if it would also be possible to produce a list of all those prisoners who had been rendered to other countries. When a question was raised about the relevance of renditions to the Panel's mandate, [REDACTED] pointed out that the Panel was charged to look into all detention "policies and procedures" and a decision to render a prisoner to another country was certainly part of an overall detention policy. After [REDACTED] discussed some of the specific allegations of prisoner renditions, [REDACTED] asked if he could see HRF's reports on those cases. [REDACTED] agreed to send them to the Panel.

(b)(6)

[REDACTED] next raised concerns about reports that plans are underway at the Pentagon to revise existing interrogation guidelines. He cited a May 27 Washington Times article (which we handed to Panel staff) reporting that Lt. Gen. Mikolashek is in the final stages of writing a report declaring that current guidelines must be "updated." [REDACTED] said that it would be a mistake to make any such changes while the Panel's review is still pending. He maintained that the existing Army Field Manual's 34-52 interrogation guidelines are generally sound and should be reaffirmed. In any case, the Pentagon should wait for the Panel's report before making any changes.

[REDACTED] said he could assure the group that no changes would be made in any manuals before the Panel completes its work. He said that everything takes so long to revise within the Pentagon that it simply would not be possible to issue new guidelines in the near future.

[REDACTED] asked if we could be given any assurances that while the Panel's investigation proceeded prisoners were no longer being subjected to the rules of interrogation which are under dispute. While recognizing that the panel is still conducting its review and cannot yet reach final conclusions, it should at a minimum be pushing to put an end to the practices that are controversial. [REDACTED] pointed out that this would be in the Panel's interest, so that they could freeze the situation they are trying to investigate and not have to deal with continuing facts of new abuse unfolding. They should press for ICRC access to all prisoners no matter what their status. [REDACTED] added that there should no longer be any system of "tiers" of detainees with regard to their treatment; all detainees should have ICRC access.

[REDACTED] then surprised the panel by expressing his belief that given all the information that has come out publicly it should be clear exactly what interrogation procedures are being followed. He said that while it has become difficult to remember what information

has been made public through leaks and what has been declassified, to the best of his recollection the public record is now very clear and no one should be concerned that improper practices are continuing.

(b)(6) took issue with this view, saying that there have been a number of inconclusive and contradictory announcements from the Pentagon and others in the Administration that have left the record decidedly unclear. For instance, Gen. Miller early on announced that certain practices were to be discontinued in Iraq, but left open the situation in Afghanistan, not to mention the undisclosed locations. There are reports of Rumsfeld approving certain practices, then later disapproving them. The current status of those practices has not been effectively clarified.

DoD
Ambrose
Rumsfeld

There should be a clear, consistent announcement of current guidelines for all theaters and all prisoners without differentiation, (b)(6) said. If Army Field Manual 34-52, which is unclassified, represents the current standard, that should be publicly highlighted. The number of memos and directives which have come to light indicate that there may well be more memos out there, (b)(6) concluded. Also, CIA interrogation procedures had not been made public. After others in the groups supported (b)(6) points, (b)(6) acknowledged that apparently the current guidelines had not been made clear publicly.

Expanding Panel's Mandate:

(b)(6) asked for more information on the workings of the Panel, including any instructions it had beyond the memorandum from Rumsfeld which established it. (b)(6) said that the memo was the only document instructing the Panel, which reflected Rumsfeld's confidence that Schlesinger would know how to proceed. (b)(6) said that the Panel is talking to senior people in the Pentagon and reviewing reports from other investigations. In some cases there is sworn testimony to review, as in the Taguba reports. The Panel is trying to strike a balance between conducting new interviews and synthesizing existing reports. As the staff goes along, the reports tend to spark questions which may initiate interviews. They are not able to disclose who they have interviewed, (b)(6) said. (b)(6) stressed that the Panel would not look at any issues of personal accountability, the purview of other investigations, but only at systemic issues. He said that the Panel's mandate was essentially to answer a broad request from Rumsfeld: "Help me understand what happened."

Acknowledging that the issue might be too "in the weeds" for the Panel's mandate, (b)(6) said she wanted to highlight a problem that had been largely overlooked: Physician complicity. The issue has fallen through the cracks although there was clearly a serious problem with the conduct of medical personnel and their relation to the interrogation process. The ICRC withdrew physicians in certain cases when they believed their reports were being turned over to interrogators for misuse. (b)(6) described some of the information that PHR has compiled on the impact of certain type of interrogation techniques. (b)(6) said he would be interested in getting studies on the long-term impact of interrogation techniques. He said that most of the investigations going on in DoD now necessarily take a short-term, "snapshot" view of the impact of interrogation techniques and do not factor in the long-term impact. (b)(6) said that (b)(6) could provide

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some of this information but that an even better source would be some of the torture treatment centers.

[REDACTED] agreed that the Panel should look into the role of military physicians in the abuse of prisoners. It should be determined whether they were actively advising interrogators or failing to report things they should have reported. He said that some complaints should have surfaced from doctors in some of the 37 cases of detainee deaths. Especially in the 9 to 11 of those deaths considered suspicious, it seems that medical personnel should have come forward.

Need for Augmented Panel:

At this point the discussion returned to the need for a broad review of the interrogation and detention issue that goes beyond DoD alone. [REDACTED] said that the individual investigations being reviewed look at each situation from the roots to the treetops, but that none of the investigations looks across the forest as a whole. Even the Panel's review, which does not cover the CIA or other agencies or organizations involved in interrogations is not broad enough. She urged that one of the Panel's recommendations be a call for a broader review. [REDACTED] said that it is not merely the breadth of the investigation that is a problem, but the make-up of the Panel itself. Consideration should be given to augmenting the Panel with additional members who are more clearly independent of the Defense Department. He offered a suggestion (originally made by [REDACTED]) that the Panel take advantage of senior members of the existing Iraq WMD commission who are already cleared, such as Judge Wald and Judge Silberman. Once that commission completes its work, those members and others could be added to the existing Schlesinger Panel. The augmented Panel could either continue the work of the current panel within a longer time frame, or be reconstituted as a new and more clearly independent panel with a new mandate.

[REDACTED] said an augmented Panel with a broader mandate would be a natural follow-on to the current Panel. Just as the Schlesinger Panel is trying to synthesize and analyze a number of separate investigations within the Defense Department, a broader Panel could synthesize reports from all relevant agencies across the whole government. He said they will consider the group's recommendation.

Panel's Questions to Group:

[REDACTED] next returned to the question of different treatment of detainees according to status. He said that his understanding of what he had heard was that the human rights groups believed that all detainees everywhere had to be treated the same. [REDACTED] said that this was not a correct characterization of the groups' views. Clearly, under the Geneva conventions, detainees have different rights based on their status. What is essential is that they are all entitled to basic standards of humane treatment. [REDACTED] emphasized that this was not a view of human rights groups but was embodied in laws and treaties.

Moving on, [REDACTED] said he was pleased to hear that Army Field Manual 34-52 is considered to contain a good set of guidelines. [REDACTED] said that he thought 34-52 was a good standard and was especially strong in instructing interrogators on how to deal with

"gray area" techniques that might cross the line into torture. The final test to be applied is to consider whether the contemplated technique would be unlawful if perpetrated on an American. This is not only useful as a practical rule but also serves to remind U.S. personnel of the very reason limits on interrogation techniques exist. (b)(6) later informed (b)(6) that Amnesty International had not endorsed FM 34-52).

(b)(6) went on to explain why the clear prohibitions of FM 34-52 were so necessary. Some of the techniques considered or approved in the various directives which have come to light, such as 8-hour forced standing, are only useful to the interrogators if they push prisoners past a certain point. By their nature these techniques invite interrogators to continue to use them until they produce results. A slippery slope is unavoidable.

(b)(6) questioned the group on a previous comment that beatings of detainees had been routine. (b)(6) said that numerous Afghan detainees had reported beatings. (b)(6) agreed that the beatings had been well-documented in Afghanistan and that other reports of beatings had surfaced in Guantanamo and Iraq.

(b)(6) asked whether the groups believed that over time the situation for detainees in Guantanamo had improved. No one in the group would agree with this statement. Without access, (b)(6) said, the groups cannot reach any conclusions about what has happened there. (b)(6) said this highlighted the need for groups to have access everywhere. ICRC access to all prisoners is needed, but is not enough, since the ICRC is limited in what it can report. Objective observers from human rights groups or other organizations need to be granted access.

Summarizing Recommendations:

Wrapping up, (b)(6) and the participants summarized and clarified the human rights group's views and recommendations as follows:

- 1) The Panel's results will not be complete unless it takes a broader view of the issue, beyond DoD operations alone. The Panel should make one of its primary recommendations that it be augmented and given a broader mandate or be followed by a more independent, more far-reaching panel or commission.
- 2) The Panel members should meet with Human Rights Executive Directors Working Group, either in person or by video conference.
- 3) The Panel should work to ensure that no controversial interrogation practices are continuing while their review proceeds; they should ensure that no changes in official interrogation guidelines are made prior to completion of their report.
- 4) The Panel's review should examine the role of physicians in interrogation procedures and possible complicity in illegal abuse/torture.

- 5) The Panel should recommend access for ICRC to all prisoners, wherever held and should recommend access for other objective outside observers as part of their review of detention policy and procedures.
- 6) The Panel should work toward producing a list of all detainees being held in undisclosed locations and prisoners that have been rendered to other countries.
- 7) The Panel should recommend the end to any system of tiers among detainees which allow certain practices to be used against high value detainees or allows incommunicado detentions.

Conclusion:

[REDACTED] closed by saying that he has been impressed by the amount of debate going on within the Defense Department on these issues. He said that there is a "dynamic tension" between the military's mission to fight terrorism and its need to follow proper interrogation procedures. There is a recognition in the Pentagon of the need for changes but a concern that the military will be blamed for not doing their job if there are more terrorist attacks against the U.S.

He asked the group if they would agree that at least so far the Defense Department is doing a good job in investigating the detention/interrogation issue. [REDACTED] (who had arrived only near the end of the meeting) said that the reports she had seen so far were impressively thorough, but that no one in the group would say the Department had done a good job until all the results were in. [REDACTED] said there was still a lot of information we needed before we can reach any conclusions and she noted that, for example, the reports of investigations into deaths at Bagram had still not been released even though the incidents took place 18 months ago.

15 June 2004

MEMORANDUM FOR ALL STAFF OF THE INDEPENDENT PANEL TO REVIEW
DOD DETENTION OPERATIONS

Subj.: EXECUTIVE DIRECTOR'S GUIDANCE AND STAFF SUPPORT PLAN

Ref.: SecDef Memorandum 12 May 2004

Mission

The Mission of the Staff of the Independent Panel to Review DoD Detention Operations is to provide all necessary research, analysis, administrative and logistical support within its means to enable the Panel Members to carry out their charter from the Secretary of Defense.

The 12 May charter from the Secretary of Defense for the Independent Panel to Review DoD Detention Operations tasks the four Panel Members to provide their "...independent, professional advice on the issues that you consider most pertinent related to the various allegations, based on your review of completed and pending investigative reports and other materials and information." The Secretary expects to receive the Panel's advice orally and in writing, preferably within 45 days of commencing its work. The work formally began with the Panel's first meeting on May 20. The Panel Members interpret the Secretary's timeline preference to mean 45 business days to deliver an Interim Verbal Report to the Secretary of Defense. The 45th business day will thus be July 26; the Panel and Staff will continue to operate beyond that date to complete the chartered requirement to deliver classified and unclassified versions of the Final Report and provide them first to the Secretary of Defense, then to the Committees on Armed Services, the Secretaries of the Military Departments, the Chairman of the Joint Chiefs of Staff, the Commanders of the Combatant Commands, the Directors of the Defense Agencies and others deemed appropriate by the Secretary of Defense or the Panel Chairman.

The Panel Members are independent from the Department of Defense and from each other. The Panel and staff will receive resources and other support from Washington Headquarters Services in the form of office space, supplies, communications, contracts, information technology, transportation, travel, legal, administrative and security personnel and services. The Charter provides the Panel with implied authority to task the Department of Defense Components for additional support as necessary. The Secretary of Defense explicitly requests all DoD personnel to cooperate fully with the Panel's review and to make all relevant documents available on request. There is no requirement for the Panelists to reach full consensus on their findings, conclusions and recommendations. Therefore the staff must be highly responsive to the individual requests and needs of the Panelists.

Staff must also ensure that they bring to their work no conflict of interest or appearance of conflict of interest, nor commit or condone any violation of the responsibilities, obligations and restrictions incumbent upon them by the applicable standards of conduct and ethical guidelines established by the Department of Defense. Staff situations, acts or conditions that might result in the infringement of the Panel's independence should be brought to the attention of the Executive Director for prompt consideration and appropriate resolution.

The professionalism of the Panel's work is rooted in two fundamental sources. The Panel Members each have well-established records of distinguished service to the nation's defense; qualifications and their reputations will add weight of importance to their findings and recommendations. Thus Staff must maintain highest standards of excellence and responsiveness in preparation and presentation of work to the Panel.

Secondly, the Panel's professionalism exudes from their work ethic. All four are indefatigable public servants who demand the highest standards of performance of themselves and those who support them. This will require all staff work to pay utmost attention to detail and thoroughness despite the obvious requirement for rapid completion.

Desired End State

The Staff will have accomplished this mission when the following deliverables have been satisfactorily provided:

- Panel Members deliver their personal, verbal Interim Report to the Secretary of Defense by July 26,
- After the Panel delivers the Interim Report to the Secretary of Defense, the Staff obtains Panel Chairman's approval on the written Final Report and produces and distributes it by August 15,
- Panel Members are thoroughly enabled to provide on-the-record remarks in response to Congressional and media requests,
- Each staff member receives a written performance review from a supervisor designated by the Executive Director to be provided to the staff person's full-time evaluator, as appropriate.

These accomplishments will be judged superior in quality if the following conditions are met:

- The Secretary of Defense recognizes and accepts the findings and
- All four Panel Members individually and collectively express their personal commendations to individual staff members or to the Executive Director to be communicated to the Staff,

- Detention policy and procedures
- Interrogation policy and procedures
- The relationship between detention and interrogation
- Compliance with the Geneva Conventions
- Relationship with the International Committee of the Red Cross
- Command relationships, and
- Operational practices

Unavoidably, the Panel will develop information on issues of personal accountability. The Panel's assessments of such information are to be provided to the Secretary of Defense to be resolved through established military justice and administrative procedures.

The Panel is charged to review all written materials relevant to detention operations and associated issues. Several completed and ongoing investigations are specified in the Panel's Charter and several new efforts have begun, including the Army Intelligence review of interrogation procedures under MG Fay, The Navy Inspector General -- as executive agent for the Secretary of Defense -- worldwide review of interrogation practices, An AR-15-6 Army investigation into detainee abuse allegations by CJSOTF-AP led by BG Formica, and review of detainee operations and facilities in Afghanistan led by BG Jacoby and an Army Reserve Inspector General assessment. Several relevant criminal investigations are completed or underway. Contractor involvement in detainee operations is reportedly under investigation by GSA, DCAA, and the Department of the Interior Inspector General. Other investigations are likely to arise during the course of the Panel's work and staff is expected to assert itself to establish liaison with those investigative bodies on behalf of the Panel and to obtain access to the emerging and final outcomes of all such efforts.

The Panel is also explicitly directed to develop other issues it considers most pertinent and to review other materials and information. Staff will support this discovery process by nominating such issues and identifying sources for potential collection.

Implied Tasks

Establishing The Essential Features

Timeline

One of the most important tasks confronting the staff is to establish what happened, when and where, and who did it, as well as who knew what when. We will accomplish this by means of developing a detailed timeline using a commercial software product for data storage and presentation. While primary responsibility for building and maintaining the timeline will rest with a single designated person, all staff must become familiar with the software and thoroughly versed in its contents. There will undoubtedly be conflicts of fact among the various sources of data for the timeline and the database will retain all issues of fact and contention even as we and the Panel resolve such

conflicts to our own satisfaction. All entries in the timeline database must be fully sourced and documented.

Boundaries and Dimensions

The detailed data resident in the timeline database needs to be aggregated, integrated, synthesized and summarized in an appropriate manner so as to represent graphically and visually a comprehensive cognitive map or picture of the detention problem as a whole. This will involve deciding what facts and phenomena are to be included and which lie outside the scope of the Panel's inquiry. It will also involve determining appropriate subjective and quantitative metrics and measures that define and explicate the problem within those boundaries. Staff will develop options for Panel Members to consider in establishing these boundaries and dimensions of the problem.

Assessing Underlying Causes

Issue Clusters

The detention problem can usefully be de-constructed into eight issue clusters: military police, military intelligence, the law and ethics of warfare, command and staff, force posture, policy and operations, the psychology of detention operations, and the role of special operating forces and other government agencies. Staff will be organized into teams aligned with the issue clusters. Each team will be responsible for developing specific research questions, reviewing all available documents for data and insights into the research questions, identifying gaps in available documentation, and developing a plan to address such gaps to include: recommending questions for the Panel to submit to interviewees, identifying potential additional interviewees for Panel consideration, conducting literature search, recommending to the Executive Director potential taskings. Each Team will produce a thesis presenting its findings on its research questions. This thesis will be a prose manuscript that will include citations referencing specific documents in support of evidence behind its reasoning and assertions. This thesis will be maintained by the team Chief in Draft and will be continuously updated and revised. The thesis document, or elements of it, will from time to time be presented to the staff for discussion and debate in accordance with a schedule to be published by the Executive Director.

Developing and Testing Hypotheses

The Staff's articulation of the essential features of the problem, its underlying causes and recommended courses of action will be developed in seminars to be held twice a week. The Deputy Executive Director will manage the agenda for each session and will schedule seminars in advance. At each seminar an Issue Cluster Team will be required to present its latest findings and present hypotheses as to underlying causes supported by available evidence and reasoning. Attending staff will debate these issues and the presenting Issue Cluster Team will record the proceedings for the Staff records and for its own use in revising its thesis.

Recommendations

Each Issue Cluster Team will develop candidate recommendations for consideration by the Panel. These will be presented and discussed among the staff at the twice-weekly staff seminars.

Approach

Staff Research

Each staff member is expected to read and be familiar with every document related to detainee operations. Issue Cluster Teams are expected to have mastered the materials related to their research questions. The Deputy Executive Director will maintain a summary matrix of facts and insights by issue cluster across all data sources to include reports, interviews, staff seminars and panel discussions. The Executive Officer will maintain an index of all documents in the possession of the staff, to include storage location for each document.

Panel Interviews and Discussions

The Panel will generally conduct interviews and discussions in private session with only the Executive Director present to take notes. Interviews will not be transcribed but may be video-taped.

Staff Support and Analysis

Staff should make themselves available to each Panel Member for direct interaction such as discussion, specific research taskings, drafting, etc., at the Panel Member's convenience.

Developing the Interim and Final Reports

The Interim and Final reports will be authored by the Panel Members. The Executive Director will be the single person responsible to maintain configuration control over Panel reports. Staff members submitting recommended edits, additions or deletions will submit them to the Executive Director for consideration by the Panel. The Staff Editor will be the single person responsible, under supervision by the Executive Director, for version control over final text.



US Department of Defense

Talking Points – Guantanamo Interrogation Process - June 22, 2004

The Department of Defense today released approximately a hundred pages of declassified documents related to how interrogation procedures for detainees at Guantanamo were developed. Following are talking points.

(The declassified documents will be available on www.defenselink.mil.)

Release of the Documents

Release of the documents demonstrates:

- The Department's concern to balance law with the need to obtain intelligence on the Global War on Terror.
- The actions of the Defense Department are bound by law and guided by American values.
- The transparency with which the Department is conducting inquiries into abuse allegations.

The Interrogation Procedures

The interrogation procedures:

- Are developed and reviewed with strict legal and policy reviews so that the detainees, our institutions and our troops who carry out the operations are all protected.
- Are reviewed and modified when deemed necessary and appropriate.

The President's Decision

The President's February decision set the guidelines for detainee operations at Guantanamo.

- The processes and procedures that followed:
 - Reflect America's values.
 - Call for all detainees in U.S. custody to be treated humanely.
 - Call for all detainees in U.S. custody to be treated, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Convention.

Timeline

Following is a brief timeline that led to the development of the documents and the interrogation procedures in effect today at Guantanamo.

Jan. 11, 2002

- The first detainees arrive at Joint Task Force-Guantanamo (JTF-Guantanamo).
- From January to December 2002 interrogations are guided by doctrine contained in Field Manual 34-52.
 - The manual sets forth basic interrogation principles for the U.S. Armed Forces in a conventional military conflict.
 - The interrogation procedures include 17 techniques such as direct questioning and providing incentives.

Summer 2002

- The U.S is in a high-threat environment. Intelligence continues to indicate planning by al-Qaeda for attacks in the U.S. and elsewhere.
- Among the detainees at Guantanamo are individuals with close connections to al-Qaeda leadership and people who demonstrated they had been trained by al-Qaeda to resist interrogation methods set out in Field Manual 34-52.

Oct. 11, 2002

- The commander of JTF-Guantanamo requests the use of additional techniques for an individual who is believed to have close al-Qaeda connections.
- The commander requests approval for 20 other interrogation techniques.

Oct. 25, 2002

- The commander of U.S. Southern Command forwards the JTF-Guantanamo commander's request to the Chairman of the Joint Chiefs of Staff for approval.

Nov. 27, 2002

- The General Counsel, in consultation with the Chairman of the Joint Chiefs of Staff, recommends the Secretary of Defense approve 17 of the 20 techniques request by Southern Command.

Dec. 2, 2002

- The Secretary of Defense approves 17 of the 20 techniques requested by the General Counsel and the Chairman of the Joint Chiefs of Staff.
- The techniques approved are on a three-tiered system. They require approval from different levels of the chain of command before they can be used. Many of the techniques approved are never used.
- The techniques are in effect from Dec. 2, 2002, until Jan. 15, 2003. They include such things as yelling and the removal of comfort items.

Jan. 15, 2003

- The Secretary of Defense rescinds the Dec. 2, 2002, guidance when he learns some advisors outside the process are concerned about this decision.
- The Secretary directs the Defense Department's general counsel to establish a working group of representatives from offices in DoD to address the legal, policy and operational issues related to interrogating detainees held by the U.S. Armed Forces in the Global War on Terror.
- The Justice Department advises the working group in its deliberations.
- The working group reports 35 techniques as appropriate for consideration. It rejects several as inappropriate or lacking sufficient information to permit review.

(Note, for more information about the working group, read the transcript from a DoD background briefing on May 20, 2004, posted on DefenseLINK under the [transcripts](#) section.)

April 16, 2003

- After this deliberative and determinative legal and policy review from the working group, the Secretary of Defense approves the use of 24 techniques for use at Guantanamo.
- Seventeen of the techniques approved come from Field Manual 34-52.
- Four of the techniques require Secretary notification before use.

Detainee Treatment

- It has always been the policy and practice of the Defense Department and the U.S. government doctrine to treat detainees humanely, and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Convention.
- No procedures approved for use ordered, authorized, permitted or tolerated torture.
- Individuals who have abused the trust and confidence in them will be held accountable.
- There are a number of inquiries that are ongoing to look at specific allegations of abuse. Those investigations will run their course.



DEPARTMENT OF THE NAVY
 NAVAL INSPECTOR GENERAL
 1014 N STREET SE SUITE 100
 WASHINGTON NAVY YARD DC 20374-6000

IN REPLY REFER TO:

5041
 Ser 00/0767
 27 May 04

MEMORANDUM FOR DEPARTMENT OF DEFENSE GENERAL COUNSEL
 DEPARTMENT OF DEFENSE INSPECTOR GENERAL
 UNDER SECRETARY OF DEFENSE FOR POLICY
 UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE
 COMMANDER, U.S. SOUTHERN COMMAND
 COMMANDER, U.S. SPECIAL OPERATIONS COMMAND
 COMMANDER, U.S. CENTRAL COMMAND
 VICE DIRECTOR, JOINT CHIEFS OF STAFF
 DIRECTOR, ARMY STAFF
 ARMY INSPECTOR GENERAL
 DIRECTOR, NAVAL CRIMINAL INVESTIGATIVE SERVICE

Subj: SUPPORT TO REVIEW OF DOD DETENTION OPERATIONS AND
 DETAINEE INTERROGATION TECHNIQUES

Ref: (a) SECDEF memo of 25 May 2004

1. Per reference (a), the Secretary of the Defense has directed me to lead a joint team to identify and report on all DOD interrogation techniques, considered, authorized, prohibited, and employed during OEF, OIF, Joint Special Operations in CENTCOM AOR, operations of the Iraq Survey Group and those at Guantanamo Bay, from its inception. Additionally, I have been assigned the overarching responsibility to monitor all reviews and investigations, completed and ongoing, relating to the Department's involvement in detention operations, and to report any gaps among these reviews and investigations.

2. To accomplish these tasks the Secretary has authorized me to request personnel from any DOD component. I ask each of you to identify and detail to my team a knowledgeable, O-5 or O-6 (or civilian equivalent) to assist me in the planning phase of this assignment. I require these personnel, for a period not expected to exceed two weeks, commencing 1 June. Meetings are expected to run 0900 - 1300 daily.

3. In addition to this planning staff, I anticipate sending assessment teams to Iraq, Afghanistan, and Naval Station Guantanamo Bay, Cuba, commencing the week of 7 June. I require your assistance in identifying qualified, deployment-ready personnel to staff these teams with appropriate expertise.

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Subj: SUPPORT TO REVIEW OF DOD DETENTION OPERATIONS AND
DETAINEE INTERROGATION TECHNIQUES

Duration of these assessment visits is not expected to exceed three weeks. My oversight role in relation to ongoing investigations, and my liaison responsibility with the DoD Commission may also give rise to further augmentation requirements. Unless otherwise requested, I will promulgate specific requirements by separate correspondence directly to your Executive Assistants as soon as they are finalized.

4. Please provide the names of personnel for the planning staff to (b)(6) by close of business 27 May.



A. T. CHURCH III
Naval Inspector General



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000



MAY 25 2004

MEMORANDUM THRU SECRETARY OF THE NAVY
FOR THE NAVAL INSPECTOR GENERAL

SUBJECT: Detention Operations and Detainee Interrogation Techniques

You are directed immediately to lead a joint team for the purposes of identifying and reporting on all DoD interrogation techniques, including those considered, authorized, prohibited and employed, identified with, or related to, the following Operations:

Guantanamo Bay from the inception of detainee operations;
Operation Enduring Freedom;
Operation Iraqi Freedom;
Joint Special Operations in the USCENTCOM Area of Responsibility;
Iraq Survey Group.

Your review should examine whether, and if so, to what extent, interrogation techniques prescribed for use in one command or operation were adopted for use in another command or operation. This effort will help me to assess whether there is effective review and oversight of the interrogation techniques employed by our forces.

Although non-DoD entities are responsible for inquiring into their own interrogation techniques, you should inquire into any DoD support to or participation in the interrogation activities of those entities.

Specifically, you will ensure that all areas of concern to the Department of Defense regarding detention operations are being addressed adequately and expeditiously. You will report to me any gaps or seams among those reviews and investigations.

You will act as my principal representative to the Independent Panel to Review DoD Detention Operations.

You and your team will have access to all documents, records, personnel and their statements, and all other information you deem relevant. All DoD personnel shall cooperate fully with you and your representatives. The Director of Administration and Management shall provide you necessary personnel, office space, travel support, and other resources as necessary. In addition, you may request DoD Components to detail personnel by name to support you.



OSD 07773-04

(17)

As necessary for carrying out the duties of this memorandum, you may seek and obtain assistance from the Inspector General of the Department of Defense, whose statutory duties include cooperation with the inspection and investigative units of the military departments with a view toward avoiding duplication.

You will report *interim findings* directly to me by July 2, 2004, with final findings and a written report to follow as soon thereafter as possible.

You will perform the duties set forth above in addition to continuing to serve as the Naval Inspector General.

A handwritten signature in black ink, appearing to be "R. M. ...". The signature is written in a cursive style with a long horizontal stroke at the end.

cc: SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARY OF DEFENSE FOR POLICY
UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
COMMANDER, U.S. CENTRAL COMMAND
COMMANDER, U.S. SOUTHERN COMMAND
COMMANDER, U.S. SPECIAL OPERATIONS COMMAND
COMMANDER, U.S. JOINT FORCES COMMAND
CHIEF OF NAVAL OPERATIONS
DIRECTOR OF ADMINISTRATION AND MANAGEMENT

MEMORANDUM FOR SECRETARIES OF THE MILITARY

DEPARTMENTS

CHAIRMAN OF THE JOINT CHIEFS OF STAFF

UNDER SECRETARIES OF DEFENSE

ASSISTANT SECRETARIES OF DEFENSE

GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE

DIRECTOR, OPERATIONAL TEST AND
EVALUATION

INSPECTOR GENERAL, DEPARTMENT OF DEFENSE

ASSISTANTS TO THE SECRETARY OF DEFENSE

DIRECTOR, ADMINISTRATION AND MANAGEMENT

DIRECTOR, PROGRAM ANALYSIS AND EVALUATION

DIRECTOR, NET ASSESSMENT

DIRECTOR, FORCE TRANSFORMATION

DIRECTOR, WASHINGTON HEADQUARTERS
SERVICE

DIRECTORS OF THE DEFENSE AGENCIES

DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Support to the DoD Detainee Task Force (DTF)

The DTF was formed to assist the Department in the comprehensive review of allegations of detainee abuse at DoD facilities. One element of the DTF mission is collecting and providing documents and other materials needed for review and analysis, including the review to be conducted by the Independent Panel appointed by the Secretary to provide him advice regarding these allegations. It is important we provide this Panel with the relevant documents expeditiously. Therefore, I ask that you ensure your organizations respond to these requests as expeditiously as possible.

Please search your files and collect all DoD component directives, instructions, regulations, memoranda, "snowflakes," letters, or other written materials that:

DRAFT



17 May 04

(12)

DRAFT

- a) Were either addressed by or signed by, or were issued at the specific direction of, SECDEF or DEPSECDEF pertaining to interrogation policy, procedures, or "rules of engagement" with respect to prisoners, detainees, or civilian internees of the Department or any of its components;
- b) Were either addressed by or signed by, or were issued at the specific direction of, SECDEF or DEPSECDEF pertaining to DoD detention policy, procedures, or "rules of engagement" with respect to prisoners, detainees, or civilian internees;
- c) Address the following:
 - 1) Personnel detention policy, procedures, and organization;
 - 2) Interrogation policy, procedures, and organization;
 - 3) Relationship between detention and interrogation as they relate to force structure;
 - 4) Training of regular and reserve personnel;
 - 5) Use of contractors (e.g., interrogators, linguists, and interpreters) in connection with interrogation activities or missions of the Department, including its components.
- d) Address DoD detention and interrogation as they relate to the Geneva Conventions and other applicable laws;
- e) Address DoD detentions and interrogations in relation to matters of interest to the International Committee of the Red Cross;
- f) Show command relationships and operational practices that guided DoD detention and interrogation policies and procedures.

This request includes all completed and pending investigative reports from DoD components and all other DoD materials and information pertaining to the topics listed above.

The search for documents should include all references to civilian internees, prisoners, or detainees of the Department of Defense, pursuant to the Global War on Terrorism, whether located in: Guantanamo Bay, Cuba; the Naval Consolidated Brig, Charleston, South Carolina; Abu Ghraib, Camp Bucca, or other locations in Iraq; or in Afghanistan.

Materials responsive to this request should be made available as soon as they are retrieved, even though all requested documents may not be available at the same time, through means of a "rolling" production. Along with the responsive documents, we request (1) an index identifying each document by date and author

DRAFT

and including the document's classification level, (2) the name, grade, duty location, and telephone number of the individual(s) who performed the search, and (3) an index of documents that are the subject of this request already disseminated outside the Department, including to whom, when, and why.

Do not release outside the Department of Defense any documents that are the subject of this request. I request that the DTF Database and Documentation Team be immediately notified of any pending or new requests from outside the Department for the release of any documents that are the subject of this request. This requirement is necessary to ensure that the senior leaders of the Department are informed prior to the release of key documents.

Initial submission of hardcopy documents and CDs should be hand delivered or couriered to the Detainee Task Force, Database and Documentation Team, Room 3A750, 1000 Defense, Pentagon, Washington, DC 20301-1000 by Wednesday, June 9, 2004.

Please contact the DTF Database and Documentation

(b)(6)

(b)(6)

(b)(6)

with any questions.



OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

MAY 28 2004

ADMINISTRATION AND
MANAGEMENT

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS

SUBJECT: Personnel Requirements for the Independent Panel to Review DoD Detention Operations

In his memorandum of May 12, 2004, subject as above, the Secretary of Defense established an *Independent Panel to Review DoD Detention Operations* to conduct an investigation regarding allegations of abuse related to DoD Detention Facilities and other matters related to detention operations. The Panel's advice and recommendations are to be presented to the Secretary by the end of July.

To accomplish its mission the Panel has requested that five service members be detailed to work at its Arlington office (Crystal Plaza 5, 2211 South Clark Street, Suite 884, Arlington, Virginia) for a period of 60-90 days, as follows:

- Department of the Army – two members of the Judge Advocate General Corps; specifically, Colonel Musetta Tia Johnson and Colonel Diane Beaver.
- Department of the Navy – two enlisted members: one noncommissioned officer (E-5 to E-7) with experience in managing classified document control, and one senior noncommissioned officer (E-7 to E-8) with experience in administrative management.
- Department of the Air Force – one senior noncommissioned officer (E-7 to E-8) with experience in administrative management.

Due to time constraints the Panel has requested that the detailees report for duty on June 2, 2004. Each individual must have a TOP SECRET clearance. Previous OSD or Joint Staff experience in not required.

Request that the names of the nominees be provided as soon as possible, but not later than June 2, 2004, to (b)(6)

(b)(6)

(b)(6)

Deputy Director

Attachment
As stated



19

Deliverables:

- Comprehensive report on interrogation techniques considered, authorized, prohibited, and employed by DOD components since the inception of GWOT
- Report will address migration of techniques from one area of operation to another and identify any area of departmental concern regarding interrogation that has not been satisfactorily examined by an appropriate DOD organization

Add task#3 DoD spt or partic.in non-DoD ops



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

14 MAY 2004

MEMORANDUM FOR SECRETARIES OF THE MILITARY
DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL, DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
DIRECTOR, FORCE TRANSFORMATION
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Support for Detainee Task Force

A Detainee Task Force (DTF) has been formed to assist DoD components in addressing interests and concern on allegations of abuse at DoD Detention Facilities and other matters related to detention operations. In order to accomplish our tasks in a timely fashion, the DTF will require the support of all Service Secretaries and OSD components.

I am requesting, on behalf of the Secretary of Defense, your cooperation in meeting requests for personnel, documentation and other support.

Please provide a principal point of contact to [REDACTED] by COB 14 May 2004. They will contact you with specific requests immediately and to request support, at a minimum, in the following areas pertaining to detainee and interrogation operations:

- Legal foundations
- Policy
- Doctrine
- Training
- Command responsibility

Paul Wolfowitz



OSD 07113-04

(20)

(b)(6)





INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

NEWS RELEASE

FOR IMMEDIATE RELEASE: JULY 22, 2004
CONTACT: TOM ALEXANDER 202-457-1817

INDEPENDENT PANEL ON DOD DETENTION OPERATIONS ANNOUNCES FINAL REPORT TO BE ISSUED AUGUST 18

WASHINGTON – The Independent Panel to Review DoD Detention Operations met today with Secretary of Defense Donald Rumsfeld to advise him its final report will be issued August 18, 2004. The Panel cited the importance of reviewing the completed investigations by Army Inspector General LTG P.T. Mikolashek, Navy Inspector General VADM Albert Church, General Paul Kern, Brigadier General Jacoby and Brigadier General Formica for its need to go beyond its original target date of the end of July.

Panel Chairman, former Secretary of Defense Dr. James Schlesinger said, "To fulfill the requirements of our charter, we must have full access and time to review these investigations when they are completed. We are committed to conducting a thorough and reasoned investigation and review and that is why this additional time is critical to our mission. Congress and the American people are counting on us for an unvarnished assessment. That is exactly what this panel is committed to provide."

Dr. Schlesinger noted the Fay/Jones investigation for Gen. Kern is expected to be completed by the end of July and the Church investigation the first week of August.

The Panel began its work May 20, 2004 and has quickly progressed with its investigation and review. Its work includes interviews and fact-finding, as well as extensive research and review of ongoing and completed investigations. It has already conducted over twenty interviews with active duty personnel in Iraq and senior officials in the Pentagon that are directly and indirectly involved with the incidents at Abu Ghraib prison and other detention operations around the world.

Members of the Panel are: Dr. James R. Schlesinger (Secretary of Defense for Presidents Nixon and Ford, Secretary of Energy for President Carter), Dr. Harold Brown (Secretary of Defense for President Carter), former U.S. Representative Tillie K. Fowler (senior member of the House Armed Services Committee and led last year's investigation into sexual misconduct at the U.S. Air Force Academy) and General Charles A. Horner, USAF, Ret. (led the air campaign in the 1991 Iraq War and former Commander North American Aerospace Defense Command and Space Command).

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INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

NEWS RELEASE

FOR IMMEDIATE RELEASE: MAY 21, 2004

CONTACT: TOM ALEXANDER: 202-457-1817

WASHINGTON -- The 4 members of the Independent Panel to Review DoD Detention Operations met for the first time on Thursday, May 20 to begin their review and assessment.

U.S. Secretary of Defense Donald Rumsfeld appointed the Panel on May 12 to review current and completed inquiries of DoD detention operations. Panel Members include: Dr. James R. Schlesinger (Secretary of Defense for Presidents Nixon and Ford, Secretary of Energy for President Carter), Dr. Harold Brown (Secretary of Defense for President Carter), former U.S. representative Tillie K. Fowler (senior member of the House Armed Services Committee and led last year's investigation into sexual misconduct at the U.S. Air Force Academy) and General Charles A Horner, USAF, Ret. (architect of the air campaign in the 1991 Iraq War and former Commander North American Aerospace Defense Command and Space Command).

Panel Chairman Dr. James Schlesinger said, "Secretary Rumsfeld has entrusted us with this important work, and we are dedicated to conducting a fair and transparent review of current and past investigations. It is our solemn responsibility to look carefully into all that was involved in the series of events that led to behavior so inconsistent with American values. We will make recommendations designed to help repair the policies and procedures that allowed this to happen."

Former Secretary of Defense Dr Harold Brown added, "We need to determine how and why this terrible behavior took place and to assure that changes are made to prevent such things from happening again."

Former Representative Tillie K. Fowler elaborated, "We all agree there are no easy answers to solving this problem, but we will not shy away from any issues we may uncover as we thoroughly examine this matter. This Panel is dedicated to conduct its work independently from the Administration, Congress or any other outside source. Our fact-finding will have no limits."

"We owe it to the young men and women proudly serving in our Armed Forces around the world to help restore the trust that has been tarnished by these acts," Fowler added.

General Horner emphasized the commitment of the members to the probity of the Panel's work, "Our job is to ensure the integrity of the investigations in this matter, resolve any gaps between the various efforts and recommend measures that will preclude similar offenses in the future."

The Panel's Executive Director is Dr. James Blackwell. A copy of the Panel's Charter is attached. The Panel will present its report to Secretary Rumsfeld and to the Senate and House Armed Services Committees by the end of ~~June~~

23 JULY



INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

CHAIRMAN

THE HONORABLE JAMES R. SCHLESINGER

PANEL MEMBERS

THE HONORABLE HAROLD BROWN

THE HONORABLE TELLIE K. FOWLER

GENERAL CHARLES A. HORNER (USAF-RET.)

EXECUTIVE DIRECTOR

DR. JAMES A. BLACKWELL, JR.

4 August 2004

MEMORANDUM FOR THE CHAIRMAN

FROM THE EXECUTIVE DIRECTOR

SUBJECT: Inquiry into Disclosures to Newsweek

I have completed an inquiry into certain disclosures that appeared in the August 9, 2004 edition of Newsweek magazine in an article titled "A Battle Over Blame," by (b)(6) on pages 36-37. Two issues in particular drew my attention and prompted me to conduct this inquiry.

First the authors state that they have obtained a classified document known as the Miller report and they imply that certain quoted statements from MG Miller came from that report. We received a copy of the classified Miller report from the Detainee Task Force in early June and I personally made four copies which I provided to the Panel at the 14 June 2004 meeting. I tasked the Staff Security Non-Commissioned Officer to inventory the copies of this document and he verified that all are accounted for. I have attached his statement to that effect to this memo.

Second, there are two statements made by the authors attributing points of view made by Panel Members during the Panel's deliberations that may have been disclosed by those present at those meetings or by others not present at the meetings but who may have heard reports of those views by persons who were present at those meetings. I have personally asked each staff member (b)(6)

(b)(6) if they made these disclosures to the authors and each told me that they did not. I did not make such disclosures myself.

(b)(6)



INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

CHAIRMAN

THE HONORABLE JAMES R. SCHLESINGER

PANEL MEMBERS

THE HONORABLE HAROLD BROWN
THE HONORABLE TILLIE K. FOWLER
GENERAL CHARLES A. HORNER (USAF-RET.)

EXECUTIVE DIRECTOR

DR. JAMES A. BLACKWELL, JR.

MEMORANDUM FOR ALL INDEPENDENT PANEL PERSONNEL

**SUBJECT: SECURITY STANDARD OPERATING PROCEDURES (SOP) –
INDEPENDENT PANEL**

1. **Purpose:** This SOP provides general security procedures and guidance to ensure continuity of operations and adherence to policy. These guidelines are being implemented in order to protect this organization from unknowingly disseminating or removing information from this facility. All individuals are responsible for reading this SOP and taking the necessary action(s) to safeguard classified and controlled information, documents, property and any other material requiring protection in the interest of national security.
2. **Applicability:** This SOP applies to all personnel assigned/detailed to the Independent Panel.
3. The following guidelines must be implemented on a daily basis:
 - a. Cover the keypad when inputting the code for office entry.
 - b. Do not discuss or work on classified material in the front office.
 - c. Burn bags can be utilized under the following criteria. Classified burn bags must be stored in the safe and treated in the same manner as classified documents/property. Each burn bag in use must be labeled UNCLASSIFIED/SENSITIVE, NOT FOR CLASSIFIED USE, or SECRET. Burn bags can only be filled half-way and weigh no more than 10 pounds, whichever comes first. When full, bags will be labeled and sealed. Prior to sealing and disposal, bags must be labeled as follows: Independent Panel,

(b)(6)



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**SUBJECT: SECURITY STANDARD OPERATING PROCEDURES (SOP) –
INDEPENDENT PANEL**

classification, office telephone number, and room number. Security Manager will be responsible for weekly transport and disposal.

- d. The copier located in the front office may not be used to copy classified material.
- e. Windows and blinds must remain closed to prevent compromise of information (classified and unclassified).
- f. When not in use, all classified materials, documents, and laptops must be secured in the safe or remain with cleared personnel. All personnel are required to sign out classified information (to include laptops) removed from the safes. Material that is TS must be stored in the secured room and the alarm activated if a cleared person is not occupying the area.
- g. Documents will not leave the facility unless approved and recorded by the Security Manager. All personnel should notify the Security Manager in advance, so that courier orders can be prepared prior to exiting. Personnel must have courier orders on them at all times when transporting documents.
- h. Internal document control procedures have been established. All new classified (of any form) information must be logged in through the Security Manager for accountability. All sensitive/classified documents must be accounted for at all times. See enclosure (1) for more detailed instructions.
- i. The Security Manager must first approve any material that requires mailing prior to your wrapping it. Security Manager will also examine documents prior to second wrapping.
- j. Classified material is NOT approved for use at places of residence.
- k. Any information requiring shipment to the West Coast will be sent to Miramar Air Station. Miramar has been instructed on couriating the documents and storage.
- l. Classified documents will not be stored in file cabinets.
- m. Do not process any classified information on your desktop computers or unclassified notebooks.
- n. Do not leave classified information on your computer screen or on your desk when leaving the area (restroom, lunch, speaking with someone in another office). Documents are to be maintained by cleared personnel ONLY at all times.

SUBJECT: SECURITY STANDARD OPERATING PROCEDURES (SOP) –
INDEPENDENT PANEL

o. The Secure Area Room is a small working space and must remain free of clutter as to not block the exits in the event of an emergency.

p. Do not discuss classified information on an unsecured telephone. If you must discuss classified information on the telephone, utilize the STE phone in the secure room. See enclosure (2) for more detailed instructions.

q. Computers must be logged off at the end of each day. Ensure all disks are removed prior to powering down. The WSO DOIM recommends restarting the computer, but leaving it on.

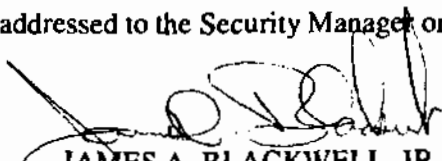
r. The SIPRNET key must be removed from the TACLANE KG-175 (located on top of safe #1 in the secure room) daily and stored in it's folder in safe #1, drawer B. See enclosure (3) for more detailed instructions.

s. The last person to depart the office for the day is responsible for completing the Activity Security Checklist (SF 701) posted on the main entrance door. *An interim security check will be conducted daily at 1700 by a member of the Administrative Staff.*

t. The highest level of discussion in open forum in this location (to include the Conference Room) is (S). If (TS) is needed, PFFPA will require written procedures to implement necessary security precautions before, during, and after the (TS) meeting. Secure space is available in the Pentagon for such briefs, per Security Manager WHS.

3. The Security Manager is responsible for monitoring compliance with this policy for the Executive Director. It is imperative that all personnel remain vigilant in helping to keep this organization secure and safe.

4. Questions or concerns may be addressed to the Security Manager or the undersigned.



JAMES A. BLACKWELL, JR.
Executive Director

Enclosures:

1. Document Control Instructions
2. STE (Secure) Phone Instructions
3. SIPRNET Key Instructions

DOCUMENT CONTROL INSTRUCTIONS

1. A document control log has been established to ensure 100% accountability of all sensitive/classified documents; listed below is an outline of the document control instructions:

a. All sensitive/classified documents have been logged and issued a control number, the Master Document Control Log is attached.

b. We have six safes located throughout the office, the combinations for each safe can be found in Safe #1, Drawer "B"; the safe locations are as follows:

- (1) Safe #1 is located in the secure room.
- (2) Safe #2 is located in Dr. Blackwell's office.
- (3) Safe #3 is located in COL Schumacher's office.
- (4) Safe #4 is located in Dr. Brown's office.
- (5) Safe #5 is located in Ms. Munson's office.
- (6) Safe #6 is located in the back hallway in the vicinity of LTC Peloquin's office.

c. As indicated in the last column of the log, all sensitive/classified documents are currently permanently stored in Safe #3. The six Cambone books (indicated as Blue on the log) will be stored in Safe #3, Drawer "B"; all other sensitive/classified material is currently stored in Drawer "C" as indicated on the master log.

d. A sign out sheet has been created for all six Cambone book as well as the other documents/material/media on the log. The sign out sheet for each book is located in the left inside pocket. If you desire to sign out a book, print/sign/ the log and place it in the location the book was removed from. Once you return the book annotate the return time, place the sign out sheet in the inside left pocket of that particular book. Sign out logs have been created for documents such as the Walker Report and electronic media and the same procedures apply for signing in/out.

DOCUMENT CONTROL LOG

Doc Ctrl No	Class	Date Recv'd	Subj/Descrip (Unclass)	Orig Agency/ Author	Date of Doc	Doc Location/ Remarks
0604-0001	S/NF	17-Jun-04	Summary-Miller Team Report (U)	JTF-GTMO	5-May-04	Safe 3, Drawer B. Yellow-1
0604-0002	S/NF	17-Jun-04	Assessment of DoD Counterterrorism (U)	JTF-GTMO	NO DATE	Safe 3, Drawer B. Yellow-1
0604-0003	S	17-Jun-04	AR 15-6 Investigation of 800th MP Bde- EXSUM (U)	UNKNOWN	NO DATE	Safe 3, Drawer B. Yellow-1
0604-0004	S/NF	17-Jun-04	Talking Points for SECDEF: Summary of Key Findings.... (U)	Mr. Mobbs	10-May-04	Safe 3, Drawer B. Yellow-1
0604-0005	S	17-Jun-04	Brief to LTG Sanchez	UNKNOWN	12-Mar-04	Safe 3, Drawer B. Yellow-1
0604-0006	S/NF	17-Jun-04	Walker Report - Working Group Report on Detainee Interrogations in the Global War on Terrorism.... (U)	UNKNOWN	4-Apr-03	Safe 3, Drawer B. Yellow-1
0604-0007	S/NF	17-Jun-04	Church Report - Brief to the SECDEF on Treatment of Enemy Combatants Detained at Guantanamo Bay.... (U)	Vice Admiral Church	11-May-04	Safe 3, Drawer B. Yellow-1
0604-0008	S/NF	17-Jun-04	INT Counter Res. Policy	CJTF-7	12-Oct-03	Safe 3, Drawer B. Yellow-1
0604-0009	S/NF	17-Jun-04	Detainee Disposition	OSAD	UNK	Safe 3, Drawer B. Yellow-1
0604-0010	S/NF	17-Jun-04	OEF Holding Facilities	UNK	UNK	Safe 3, Drawer B. Yellow-1
0604-0011	S/NF	17-Jun-04	Custer Rpt	MG Hawkins	19-Jul-03	Safe 3, Drawer B. Yellow-1
0604-0012	S/NF	17-Jun-04	Walker Report - Working Group Report on Detainee Interrogations in the Global War on Terrorism... (U)	UNK	4-Apr-04	Safe 3, Drawer B. Yellow-2
0604-0013	S	17-Jun-04	OP Order OP Justice	NCA	27-Sep-01	Safe 3, Drawer B. Blue-3
0604-0014	S	17-Jun-04	Detainee Con Ops	USCINCENT	17-Oct-01	Safe 3, Drawer B. Blue-3
0604-0015	S	17-Jun-04	Status Taliban/AI Qaidia	SECDEF	19-Jan-02	Safe 3, Drawer B. Blue-3

DOCUMENT CONTROL LOG

0604-0016	S/NF	17-Jun-04	Counter Res Strategies	DOD	11-Oct-02	Safe 3, Drawer B, Blue-3
0604-0017	S/NF	17-Jun-04	Counter Res Tech	Gen Counsel	27-Oct-02	Safe 3, Drawer B, Blue-3
0604-0018	S/NF	17-Jun-04	Counter Res Tech	SECDEF	15-Jan-03	Safe 3, Drawer B, Blue-3
0604-0019	S/NF	17-Jun-04	CAT II COUNT Res.	JTF GTMO	21-Jun-03	Safe 3, Drawer B, Blue-3
0604-0020	S	17-Jun-04	Interrogation Plan	JTF GTMO	N/A	Safe 3, Drawer B, Blue-3
0604-0021	S/NF	17-Jun-04	Info on Interrogation tech	South Com	21-Mar-03	Safe 3, Drawer B, Blue-3
0604-0022	S/NF	17-Jun-04	Counter Res Tech	South Com	25-Oct-03	Safe 3, Drawer B, Blue-4
0604-0023	S/NF	17-Jun-04	Counter Res Tech	Gen Counsel	27-Nov-02	Safe 3, Drawer B, Blue-4
0604-0024	S/NF	17-Jun-04	Counter Res Tech	SECDEF	15-Jan-03	Safe 3, Drawer B, Blue-4
0604-0025	S	17-Jun-04	Working Grp /Legal	Gen Counsel	17-Jan-03	Safe 3, Drawer B, Blue-4
0604-0026	S/NF	17-Jun-04	Comment of Draft RPT	Dept AF	6-Feb-03	Safe 3, Drawer B, Blue-4
0604-0027	S/NF	17-Jun-04	Working Grp Rec	DON	6-Feb-03	Safe 3, Drawer B, Blue-4
0604-0028	S/NF	17-Jun-04	Working Grp Rec...	USMC	27-Feb-03	Safe 3, Drawer B, Blue-4
0604-0029	S	17-Jun-04	Working Grp Rec.	DOA	3-Mar-03	Safe 3, Drawer B, Blue-4
0604-0030	S/NF	17-Jun-04	INT Tech War on Terr.	Chairman JCOS	5-Apr-03	Safe 3, Drawer B, Blue-4
0604-0031	S/NF	17-Jun-04	Counter Res Tech	SECDEF	N/A	Safe 3, Drawer B, Blue-4
0604-0032	S/NF	17-Jun-04	SECDEF Guidance INT	South Com	2-Jun-03	Safe 3, Drawer B, Blue-4
0604-0033	S	17-Jun-04	Letter	South Com	2-Jun-03	Safe 3, Drawer B, Blue-4
0604-0034	S	17-Jun-04	Draft Dev. INT Guidance	N/A	31-May-04	Safe 3, Drawer B, Blue-4

As of: 251125 Jun 04

DOCUMENT CONTROL LOG

0604-0035	Conf	17-Jun-04	Human Treatment	White House	7-Feb-03	Safe 3, Drawer B, Blue-5
0604-0036	S	17-Jun-04	Status Taliban/Al Qaidia	SECDEF	19-Jan-02	Safe 3, Drawer B, Blue-5
0604-0037	Unclass	17-Jun-04	Geneva Conv Memo	White House	25-Jan-02	Safe 3, Drawer B, Blue-5
0604-0038	S	17-Jun-04	Screening Guidelines	UNK	22-Aug-02	Safe 3, Drawer B, Blue-5
0604-0039	S	17-Jun-04	Detainee Assessments	Gen Counsel	11-Dec-02	Safe 3, Drawer B, Blue-5
0604-0040	S	17-Jun-04	Detainee Screen Afghan	Unk	8-Aug-03	Safe 3, Drawer B, Blue-5
0604-0041	S/NF	17-Jun-04	INT. Counter Res Policy	CJTF-7	12-Oct-03	Safe 3, Drawer B, Blue-5
0604-0042	S	17-Jun-04	Frago 455 Class EPW	HQ CJTF-7	20-Jul-03	Safe 3, Drawer B, Blue-5
0604-0042	S/NF	17-Jun-04	Iraq Doc Respond Request	CPA	3-Dec-03	Safe 3, Drawer B, Blue-6
0604-0042	Conf	17-Jun-04	CPA/JIATF Disc w/ICRC	CPA	29-Apr-04	Safe 3, Drawer B, Blue-6
0604-0043	Conf	17-Jun-04	USG Req ICRC Visit ASHRAF	CPA	15-May-04	Safe 3, Drawer B, Blue-6
0604-0044	Conf	17-Jun-04	CPA/JIATF Disc w/ICRC	CPA	29-Apr-04	Safe 3, Drawer B, Blue-6
0604-0045	SBU	17-Jun-04	Abu Ghraib Draw Down...	CPA	18-May-04	Safe 3, Drawer B, Blue-6
0604-0046	SBU	17-Jun-04	Abu Ghraib Draw Down...	CPA	18-May-04	Safe 3, Drawer B, Blue-6
0604-0047	SBU	17-Jun-04	Legal Review FM 34-52...	CPT Retallick	18-Mar-92	Safe 3, Drawer B, Blue-6
0604-0048	Conf	17-Jun-04	Humane Treatment Al Qaeda & Taliban Detainee	White House	7-Feb-02	Safe 3, Drawer B, Blue-6
0604-0049	S/NF	17-Jun-04	Request for Appr of Counter-Resistance Strategies	JTF 170	11-Oct-02	Safe 3, Drawer B, Blue-6
0604-0050	S/NF	17-Jun-04	Counter-Resistance Techniques	Gen Counsel	27-Nov-02	Safe 3, Drawer B, Blue-6
0604-0051	S	17-Jun-04	Counter-Resistance Techniques	SECDEF	15-Jan-03	Safe 3, Drawer B, Blue-6

DOCUMENT CONTROL LOG

0604-0052	S/NE	17-Jun-04	Counter-Resistance Techniques in the War on Terrorism	SECDEF	16-Apr-03	Safe 3, Drawer B. Blue-6
0604-0053	S/NE	17-Jun-04	CJTF-7 Interrogation and Counter Resistance Policy	CJTF-7	14-Sep-03	Safe 3, Drawer B. Blue-6
0604-0054	S/MCFI	17-Jun-04	Implementing Guidance Related to Release of Enemy Prisoners	CJCS	30-Apr-03	Safe 3, Drawer B. Blue-1
0604-0055	S	17-Jun-04	Policy Guidance #15	CJCS	12-May-03	Safe 3, Drawer B. Blue-1
0604-0056	S/MCFI	17-Jun-04	FRAGO 415	CJTF-7	15-Jul-03	Safe 3, Drawer B. Blue-1
0604-0057	S	17-Jun-04	Policy on Release/Parole/Transfer for Black Listed Iraqis	DSECDEF	25-Aug-03	Safe 3, Drawer B. Blue-1
0604-0058	S	17-Jun-04	Designation of CJTF180 Rewards Authorization and Disbursement	USCENTCOM	18-Feb-04	Safe 3, Drawer B. Blue-1
0604-0059	S/USA/ AUS/CAN/ GBR	17-Jun-04	SOP for Nomination for Release/Parole/Transfer of Detainees	ISG	13-Oct-03	Safe 3, Drawer B. Blue-1
0604-0060	S	17-Jun-04	Judicial Summary	OSD	16-Mar-04	Safe 3, Drawer B. Blue-1
0604-0061	S	17-Jun-04	Location for Long Term Detention of Al Qaida and Taliban...	Gen Counsel	26-Dec-01	Safe 3, Drawer B. Blue-1
0604-0062	S	17-Jun-04	Discussion Paper on long term detention	UNKNOWN	NO DATE	Safe 3, Drawer B. Blue-1
0604-0063	S	17-Jun-04	USCINCSO GTMO EPW Detainee Assessment	Cdr Hesterman	19-Dec-01	Safe 3, Drawer B. Blue-1
0604-0064	S	17-Jun-04	Elements of A Strategy for the Western Hemisphere	DASD	20-Dec-01	Safe 3, Drawer B. Blue-1
0604-0065	S/BI	17-Jun-04	Detention Facilities in the Continental US	Gen Counsel	27-Dec-01	Safe 3, Drawer B. Blue-1
0604-0066	S	17-Jun-04	Implementing Guidance on Detainee Screening and Processing For Transfer...	GTMO	10-Dec-02	Safe 3, Drawer B. Blue-1
0604-0067	S	17-Jun-04	SECDEF Approved Exec Order	CJCS	3-Jan-02	Safe 3, Drawer B. Blue-1
0604-0068	S	17-Jun-04	Current Information on Detainees-Brief	OASD	8-Jan-02	Safe 3, Drawer B. Blue-1
0604-0069	S/Conf	17-Jun-04	USCINCSO Rules of Engagement for Operation Enduring Freedom...	OASD	9-Jan-02	Safe 3, Drawer B. Blue-1

DOCUMENT CONTROL LOG

0604-0070	S	17-Jun-04	Delegation of Authority Under Executive Order 11850	White House	1-Feb-02	Safe 3, Drawer B. Blue-1
0604-0071	S	17-Jun-04	Disposition of Al Qaida linked Algerian Prisoners in Bosnia	OASD	16-Jan-02	Safe 3, Drawer B. Blue-1
0604-0072	S	17-Jun-04	Deportation of Terror Suspects in Bosnian Custody	USECDEF PA	16-Jan-02	Safe 3, Drawer B. Blue-1
0604-0073	S	17-Jun-04	Modification to EXEC Ord for Detainees at Guantanamo Bay	USECDEF Policy	18-Jan-02	Safe 3, Drawer B. Blue-1
0604-0074	S	17-Jun-04	Operation Enduring Freedom MOD 002 to Execution Order to hold designated detainees....	CJCS	18-Jan-02	Safe 3, Drawer B. Blue-1
0604-0075	S	17-Jun-04	SECDEF Exec Ord-Approving USCINCSO's Concept in Commander's Estimate for Naval Base....	CJCS	3-Jan-02	Safe 3, Drawer B. Blue-1
0604-0076	SBU	17-Jun-04	War Crimes and Related Investigations within the USCENTOM AO	SECDEF	19-Jan-02	Safe 3, Drawer B. Blue-1
0604-0077	SBU	17-Jun-04	Coordination of War Crimes and Related Investigations	SECARMY	29-Jan-02	Safe 3, Drawer B. Blue-1
0604-0078	S	17-Jun-04	Resumption of Detainee Flights	CJCS	30-Jan-02	Safe 3, Drawer B. Blue-1
0604-0079	SBU	17-Jun-04	Guantanamo Bay Interim Detention Facility	ASECDEF	30-Jan-01	Safe 3, Drawer B. Blue-1
0604-0080	Conf	17-Jun-04	Detainee Facility Requirement at Guantanamo	ASECDEF	28-Jan-01	Safe 3, Drawer B. Blue-1
0604-0081	S	17-Jun-04	OEF EXORD-SECDEF Directs Establishment of JTF for Interrogations	CJCS	8-Feb-02	Safe 3, Drawer B. Blue-1
0604-0082	S	17-Jun-04	EXORD-SECDEF Approval of USCINCSO Concept of Operations....	CJCS	NO DATE	Safe 3, Drawer B. Blue-1
0604-0083	S	17-Jun-04	EXORD-SECDEF Approval of USCINCSO Concept in Cdr's Estimate for Naval Base GTMO.....	CJCS	3-Jan-02	Safe 3, Drawer B. Blue-1
0604-0084	S	17-Jun-04	MOD-USCINCSO's Request for Additional Forces.....	CJCS	11-Jan-02	Safe 3, Drawer B. Blue-1
0604-0085	S	17-Jun-04	SECDEF's Approval of USCINCSO's concept for the establishment of joint interrogation....	CJCS	21-Jan-02	Safe 3, Drawer B. Blue-1
0604-0086	S	17-Jun-04	USCINCSO CONOPS For JTF Interrogation	CJCS	8-Jan-02	Safe 3, Drawer B. Blue-1

DOCUMENT CONTROL LOG

0604-0087	Conf	17-Jun-04	ROE Serial 1 For OEF	CJCS	10-Jan-02	Safe 3, Drawer B, Blue-1
0604-0088	S	17-Jun-04	Foreign Government Access to Detainees at Guantanamo	USECDEF	5-Feb-02	Safe 3, Drawer B, Blue-1
0604-0089	Conf	17-Jun-04	Humane Treatment Al Qaeda & Taliban Detainees	White House	7-Feb-02	Safe 3, Drawer B, Blue-1
0604-0090	S	17-Jun-04	Current Detainee Screening Process and Article 5 Tribunals	Gen Counsel	15-Feb-02	Safe 3, Drawer B, Blue-1
0604-0091	S	17-Jun-04	Database for Detainee Information	ASECDEF	15-Feb-02	Safe 3, Drawer B, Blue-1
0604-0092	S	17-Jun-04	Separation of Detainees	ASECDEF	15-Feb-02	Safe 3, Drawer B, Blue-1
0604-0093	S	17-Jun-04	EXORD-SECDEF Approval of USCINCSO Concept of Operations....	CJCS	16-Feb-02	Safe 3, Drawer B, Blue-1
0604-0094	SBU	17-Jun-04	Fact-Finding and Informational Visits to Guantanamo Bay Naval Station by US Government Officials	SECDEF	23-Feb-02	Safe 3, Drawer B, Blue-1
0604-0095	S	17-Jun-04	Briefing to DOD Office of the General Counsel on JTF 170 EXORD	SCJ2-JIC	28-Feb-02	Safe 3, Drawer B, Blue-1
0604-0096	S	17-Jun-04	Detainee Transfer Policy	OASECDEF	2-Apr-02	Safe 3, Drawer B, Blue-1
0604-0097	S	17-Jun-04	Policy Statement and Guidelines for Transfer of Detainees under US DOD Control to Foreign Gov Ctrl	USECDEF	4-Apr-02	Safe 3, Drawer B, Blue-1
0604-0098	S	17-Jun-04	Policy and Guidelines for Transfers of Detainees to Foreign Government Control	CJCS	17-Apr-02	Safe 3, Drawer B, Blue-1
0604-0099	S	17-Jun-04	EXORD to Establish JTF-GTMO	OASECDEF	7-Feb-02	Safe 3, Drawer B, Blue-1
0604-0100	S	17-Jun-04	EXORD to Reorganize JTF-160 and JTF-170	CJCS	20-Aug-02	Safe 3, Drawer B, Blue-1
0604-0101	S	17-Jun-04	Implementing Guidance for Release of Transfer of Detainees under US DOD Ctrl to Foreign Gov Ctrl	DASD	10-Dec-02	Safe 3, Drawer B, Blue-1
0604-0102	S	17-Jun-04	Bilateral Agreement on Transfer of Saudi Detainees	Embassy Riyadh	4-May-03	Safe 3, Drawer B, Blue-1
0604-0103	S/NF	17-Jun-04	Global Screening Criteria for Detainees	ASECDEF	20-Feb-04	Safe 3, Drawer B, Blue-1

DOCUMENT CONTROL LOG

0604-0104	S/NF	17-Jun-04	Expedited Detainee Release	DSECDEF	21-Feb-04	Safe 3, Drawer B, Blue-1
0604-0105	SBU	17-Jun-04	Administrative Review Procedures for Enemy Combatants in the Control of the DOD at Guantanamo Bay Naval Base	Gen Counsel	8-May-04	Safe 3, Drawer B, Blue-1
0604-0106	S	22-Jun-04	HVD Interrogations	DIA	28-May-04	Vault Safe, 1st drawer
0604-0107	S/NF	17-Jun-04	Request for Appr of Counter-Resistance Strategies	JTF 170	11-Oct-02	Safe 3, Drawer B, Blue-2
0604-0108	S/NF	17-Jun-04	Legal Brief on Proposed Counter-Resistance Strategies	JTF 170	11-Oct-02	Safe 3, Drawer B, Blue-2
0604-0109	S/NF	17-Jun-04	Assessment by the Jordan Gen Intel Dir of Interrogation Techniques	JTF 170	19-Oct-02	Safe 3, Drawer B, Blue-2
0604-0110	S/NF	17-Jun-04	Counter Resistance Techniques	USSOUTHCOM	25-Oct-02	Safe 3, Drawer B, Blue-2
0604-0111	S/NF	17-Jun-04	Gen Counsel action memo to SECDEF on Counter-Resistance Techniques	Gen Counsel	2-Dec-02	Safe 3, Drawer B, Blue-2
0604-0112	S/NF	17-Jun-04	DASD/SOPS action memo to ASD/SOLIC on JSAP for Interrogation Info	DASECDEF	12-Nov-03	Safe 3, Drawer B, Blue-2
0604-0113	S/NF	17-Jun-04	Letter of Promulgation Regarding SECDEF Guidance on Interrogation Techniques	USSOUTHCOM	2-Jun-03	Safe 3, Drawer B, Blue-2
0604-0114	S/NF	17-Jun-04	Commander USSOUTHCOM Ltr to SECDEF on Implementation of Interrogation Techniques	USSOUTHCOM	2-Jun-03	Safe 3, Drawer B, Blue-2
0604-0115	S/NF	17-Jun-04	CJCS action memo to SECDEF on Interrogation Techniques in the War on Terrorism	CJCS	15-May-03	Safe 3, Drawer B, Blue-2
0604-0116	S/NF	17-Jun-04	Interrogation Techniques Doctrine	SECDEF	17-Jun-03	Safe 3, Drawer B, Blue-2
0604-0117	S/NF	17-Jun-04	Memo on Annex E, USCENTCOM OPLAN	Mr. Jacobson	1-Apr-03	Safe 3, Drawer B, Blue-2
0604-0118	S/NF	17-Jun-04	Memo on DepSec Questions on Transfer Process	DASECDEF	1-Apr-03	Safe 3, Drawer B, Blue-2

DOCUMENT CONTROL LOG

0604-0119	S/NF	17-Jun-04	Draft Memo to Cdr, USSOUTHCOM on Additional Counter Resistance Techniques in the War on Terrorism	SECDEF	2-Apr-03	Safe 3, Drawer B, Blue-2
0604-0120	S/NF	17-Jun-04	CJCS action memo to SECDEF on Interrogation Techniques in the War on Terrorism	CJCS	5-Apr-03	Safe 3, Drawer B, Blue-2
0604-0121	S/NF	17-Jun-04	PDASD/SOLIC Memo to SECDEF on Interrogation Methods for GTMO	PDASD/SOLIC	10-Apr-03	Safe 3, Drawer B, Blue-2
0604-0122	S/NF	17-Jun-04	SECDEF Memo to Cdr, USSOUTHCOM on Counter Resistance Techniques in the War on Terrorism	SECDEF	15-Apr-03	Safe 3, Drawer B, Blue-2
0604-0123	S/NF	17-Jun-04	Draft Working Group Report on Detainee interrogations in the Global War on Terrorism	UNKNOWN	6-Mar-03	Safe 3, Drawer B, Blue-2
0604-0124	S/NF	17-Jun-04	General Counsel of the Navy memo to ASD/SOLIC on Proposed Interrogation Strategy	Gen Counsel	26-Feb-03	Safe 3, Drawer B, Blue-2
0604-0125	S/NF	17-Jun-04	DIA Policy for Interrogation Operations	DIA	4-Apr-04	Safe 3, Drawer B, Blue-2
0604-0126	S/NF	17-Jun-04	Use of Special Interrogation Technique for Detainee Abdullah al Sharbi	ASECDEF	7-Apr-04	Safe 3, Drawer B, Blue-2
0604-0127	S/NF	17-Jun-04	Joint Staff Info Paper on Contact Intel and Interrogator Personnel	CJCS	4-May-04	Safe 3, Drawer B, Blue-2
0604-0128	S/NF	17-Jun-04	Target Profiles of Terrorist for US Tactical Debriefing	PDASD/SOLIC	27-Mar-02	Safe 3, Drawer B, Blue-2
0604-0129	S/NF	17-Jun-04	Draft Whether to publicly disclose the names of Iraqi EPWs	DASECDEF	26-Mar-03	Safe 3, Drawer B, Blue-2
0604-0130	S/NF	17-Jun-04	Briefing on Interrogation Operations in Iraq	UNKNOWN	25-Mar-03	Safe 3, Drawer B, Blue-2
0604-0131	S/NF	17-Jun-04	Post Conflict Iraq and Interrogations	PDASD/SOLIC	17-Mar-03	Safe 3, Drawer B, Blue-2
0604-0132	S/NF	17-Jun-04	Post Conflict Iraq and Interrogations	CJCS	7-Mar-03	Safe 3, Drawer B, Blue-2
0604-0133	S/NF	23-Jun-04	G2 Oral Comments Before the Senate Armed Forces Committee	Army G2	11-May-04	Safe 3, Drawer C
00604-0134	S	23-Jun-04	AR 15-6 Investigation Concerning the Conditions and Procedures in the JIDC	Army SJA	28-Feb-04	Safe 3, Drawer C

DOCUMENT CONTROL LOG

0604-0135	S/Relto/ AUS/ANN/ GBR	24-Jun-04	HVD Interrogations	DIA	28-May-04	Safe 3, Drawer C
0604-0136	S/NE	24-Jun-04	Request for Information	CJTF-7	25-May-04	Safe 3, Drawer C
0604-0137	S/	24-Jun-04	800th MP Bde 15-6 Inves (CD)	UNKNOWN	UNKNOWN	Safe 3, Drawer C
0604-0138	S/	24-Jun-04	ICRC Rpts (CD)	UNKNOWN	UNKNOWN	Safe 3, Drawer C
0604-0139	S/	24-Jun-04	JIDC Procedure 15 (2 CDs)	UNKNOWN	UNKNOWN	Safe 3, Drawer C
0604-0140	S/	24-Jun-04	Taguba Report (2 CDs)	UNKNOWN	UNKNOWN	Safe 3, Drawer C
0604-0141	S/	24-Jun-04	Fay Grp (2 CDs)	UNKNOWN	UNKNOWN	Safe 3, Drawer C

STE (SECURE PHONE) INSTRUCTIONS

1. The STE (secure phone) is located in the secure room on the desk on the left as you enter the room. The STE card (Fortezza card) is classified secret and is stored in Safe #1, Drawer "B" in the folder labeled STE card.
2. Do the following to go "SECURE" on the STE phone:
 - a. Insert the STE card (Fortezza card) into the slot located in the front of the phone (arrow side up).
 - b. Once you insert the STE card, the display will read SECURE VOICE and SECURE DATA. Push the blue button under SECURE DATA, wait a few seconds and the display will read SECURE, this is the indicator to begin SECURE discussions.
3. NOTE: STE phones are only compatible with each other. If the party you are speaking with has a STU III you will not be able to go SECURE. **ADDITIONALLY, OUR SECURE PHONE IS ONLY CLEARED UP TO THE ~~SECRET~~ LEVEL.**

SIPRNET KEY INSTRUCTIONS

1. The SIPRNET KEY is stored in Safe #1, Drawer "B", in the folder labeled SIPRNET KEY. The TACLANE KG-175 (which allows SIPRNET access) is located on top of Safe #1; to access (b)(6) do the following:

- a. Insert the key.
 - b. Turn the key clockwise and push the switch to "ON."
2. To deactivate the SIPRNET, do the following:
- a. Push the switch to "OFF."
 - b. Turn the key counter-clockwise and remove it, and store it in the safe.
3. NOTE: ***THE SIPRNET MUST BE DEACTIVATED DAILY DUE TO THE FACT THAT OUR SECURE ROOM IS CLEARED FOR CLOSED STORAGE ONLY.***

Blackwell, James A. Jr, CTR, WSO-IPRDDO

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO

Sent: Thursday, May 27, 2004 4:47 PM

To: (b)(6)

Cc:

Subject: Panel Request for VTC

(b)(6)

The Independent Panel to Review DoD Detention Operations requests CENTCOM support for a secure VTC to be held at their next meeting, 14 June 2004, beginning at 0800 EDST.

The Panel specifically requests the opportunity to interview MG Miller and (b)(6). We will separately request an interview via VTC of MG Wodjakowski from EUCOM that same day.

At this end, the VTC will be hosted by AF/ILA POC: (b)(6)

(b)(6)

I will send separately via SIPRNet the specific issue areas of interest to the Panel.

Dr. James Blackwell
Executive Director
Independent Panel to Review DoD Detention Operations

(b)(6)

5/27/2004

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Blackwell, James A. Jr, CTR, WSO-IPRDDO

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO

Sent: Friday, May 28, 2004 2:24 PM

To: (b)(6)

Cc:

Subject: Independent Panel Requests for Army Staff

(b)(6)

Thanks for the coordination call on behalf of Director Army Staff this morning. The following are the Panel's requests for support from the Army as of this time:

1. Documents to be read by Mr Schlesinger and Mr Brown at the Panel's facility in Suite 884, Crystal Plaza 5 on 4 June, other panel members thereafter (Panel has classified document control and storage up to TS, Panel can provide courier to pick up TS within the NCR and will have SIPRnet node for up to SECRET, Panel documents are exempt from FACA and FOIA)
 - a. Classified Annexes to congressional testimony of GEN Abizaid, LTG Sanchez and MG Miller
 - b. Full text of "Ryder" report
 - c. Full text of "Miller" report
 - d. Previous AR 15-6 reports related to prisoner abuse referenced in "Taguba" report summary
 - e. Applicable Criminal Investigation reports

2. Interviews via VTC or in person at the next full Panel meeting, June 14, 2004 8:00 am – noon EDST in the Pentagon. (VTC connection info and room number to be provided separately, interviews are exempt from FACA, Panel is prepared to send specific questions by 7 June):
 - a. 8:00 am MG Miller (separate request sent to CENTCOM)
 - b. 9:00 am MG Wodjakowski
 - c. 10:00 am MG Ryder
 - d. 11:00 am MG Dayton

Dr. James Blackwell
Executive Director
Independent Panel to Review DoD Detention Operations

(b)(6)

IAW the Panel's Charter, the following documents are required:

- Criminal Investigations into individual allegations
- Full text of the Army Provost Marshall General Assessment of detention and corrections operations in Iraq (Ryder Report)
- Full text of the Joint Task Force Guantanamo assistance visit to Iraq to assess intelligence operations (Miller Report)
- Army Inspector General assessment of doctrine and training for detention operations
- Commander, JTF-7 review of activities of military intelligence personnel at Abu Ghraib
- Army Reserve Command Inspector General assessment of training of reserve units regarding military intelligence and military police

In addition, UP para 5 on the charter, the panel has thus far determined that they require access to the following documents:

- Jacobi Assessment of Afghanistan/GTMO
- Formica Investigation (JSOTF)
- OSD General Counsel Investigation into contractor involvement
- JFCOM, Army and USMC Lessons Learned on Detention and Interrogation Operations
- Classified Annexes to congressional testimony of GEN Abizaid, LTG Sanchez, and MG Miller
- The Fay Inquiry

Request you make these documents available as soon as possible to the Executive Director. Next meetings of the Panel are scheduled for 4 June and 14 June.

Dr. James Blackwell
Executive Director
Independent Panel to Review DoD Detention Operations

(b)(6)

-----Original Message-----

From: RSS dd - DTF Taskers
Sent: Wednesday, June 02, 2004 5:15 PM
To: Blackwell, James A. Jr, CTR, WSO-IPRDDO
Subject: fyi

Just contact data...

(b)(6)

*Detainee Task Force (DTF)
Database & Documentation*

(b)(6)

Blackwell, James A. Jr, CTR, WSO-IPRDDO

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO
Sent: Monday, May 31, 2004 8:55 AM
To: (b)(6) Blackwell, James A. Jr, CTR, WSO-IPRDDO
Cc: (b)(6)
Subject: RE: Panel Request for VTC

Roger. SIPR node did not get up on this end. Should be up on Tues 6/1. Please acknowledge that CENTCOM will support this request so I can pass it on to the Panel when I meet with them.

Jim Blackwell

-----Original Message-----

From: (b)(6)
Sent: Sunday, May 30, 2004 11:37 AM
To: Blackwell, James A. Jr, CTR, WSO-IPRDDO
Cc: (b)(6)
Subject: RE: Panel Request for VTC

Jim:

Never received your SIPRNET e-mail. I will be out of the office until Thursday next week. My Deputy Barry Hammill will provide whatever assistance you need.

Fred

-----Original Message-----

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO (b)(6)
Sent: Thursday, May 27, 2004 4:47 PM
To: (b)(6)
Cc: (b)(6) JCS J3; (b)(6)
Subject: Panel Request for VTC

(b)(6)

The Independent Panel to Review DoD Detention Operations requests CENTCOM support for a secure VTC to be held at their next meeting, 14 June 2004, beginning at 0800 EDST.

The Panel specifically requests the opportunity to interview MG Miller and (b)(6) We will separately request an interview via VTC of MG Wodjakowski from EUCOM that same day.

At this end, the VTC will be hosted by AF/ILA POC: (b)(6)
(b)(6)

I will send separately via SIPRNet the specific issue areas of interest to the Panel.

Dr. James Blackwell
Executive Director
Independent Panel to Review DoD Detention Operations

(b)(6)

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Blackwell, James A. Jr, CTR, WSO-IPRDDO

From: (b)(6)
Sent: Tuesday, June 01, 2004 12:54 PM
To: 'Blackwell, James A. Jr, CTR, WSO-IPRDDO'
Cc: (b)(6)
Subject: RE: Panel Request for VTC

I have alerted MG Miller of your desire to have him on a SVTC. Please pass issues and questions for him to my SIPR address:

(b)(6)

I am trying to locate MG Wodjakowski and (b)(6) I assume both are in Baghdad. Did you want the three people at the same VTC as a panel or separately? How long will the VTC last?

I will try to get points of contact for these people so (b)(6) can get VTC site location and availability to establish the communications links.

(b)(6)

-----Original Message-----

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO (b)(6)
Sent: Tuesday, June 01, 2004 8:29 AM
To: (b)(6)
Subject: RE: Panel Request for VTC

Thanks. Standing by.

Jim Blackwell

-----Original Message-----

From: (b)(6)
Sent: Monday, May 31, 2004 11:59 AM
To: 'Blackwell, James A. Jr, CTR, WSO-IPRDDO': (b)(6)
Cc: (b)(6)
Subject: RE: Panel Request for VTC

I have your request and will work with our VTC people on Tuesday and contact MNF-I regarding MG Miller. I will advise.

(b)(6)

-----Original Message-----

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO
(b)(6)
Sent: Monday, May 31, 2004 8:55 AM
To: (b)(6) Blackwell, James A. Jr, CTR, WSO-IPRDDO
Cc: (b)(6)
Subject: RE: Panel Request for VTC

Roger. SIPR node did not get up on this end. Should be up on Tues 6/1. Please acknowledge that CENTCOM will support this request so I can pass it on to the Panel when I meet with them.

Jim Blackwell



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Sent: Sunday, May 30, 2004 11:37 AM
To: Blackwell, James A. Jr, CTR, WSO-IPRDDO
Cc: (b)(6)
Subject: RE: Panel Request for VTC

Jim:

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(b)(6)

-----Original Message-----

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO
(b)(6)
Sent: Thursday, May 27, 2004 4:47 PM
To: (b)(6)
Cc: (b)(6)
Subject: Panel Request for VTC

(b)(6)

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(b)(6)

I will send separately via SIPRNet the specific issue areas of interest to the Panel.

Dr. James Blackwell
Executive Director
Independent Panel to Review DoD Detention Operations
(b)(6)

Blackwell, James A. Jr, CTR, WSO-IPRDDO

From: (b)(6)
Sent: Wednesday, June 02, 2004 6:09 PM
To: 'Blackwell, James A. Jr, CTR, WSO-IPRDDO'
Subject: RE: Independent Panel Requests for Army Staff

Dr. Blackwell,

We're going to try and meet as many of these requests as we can, but I need to try and make sure the linkage with OSD is maintained. The Army wants to make sure that all requests go through OSD for their awareness as well as for appropriate dispersal. For example, ASD-LA is probably the right agency to get the classified annexes the panel seeks. They may be more successful as well, since I'm told by our legislative liaison that it will take in excess of two weeks to get them.

I've forwarded this email to (b)(6) in the Admin-Management division of OSD already -- he's the guy who sent us the specific taskings on people (b)(6) last week.

Not trying to push back -- in fact we appreciate as much heads' up as we can get -- but I need to protect the system a bit too.

VR,

(b)(6)

-----Original Message-----

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO (b)(6)
Sent: Monday, May 31, 2004 8:52 AM
To: (b)(6)
Subject: FW: Independent Panel Requests for Army Staff

-----Original Message-----

From: Blackwell, James A. Jr, CTR, WSO-IPRDDO
Sent: Friday, May 28, 2004 2:24 PM
To: (b)(6)
Cc: (b)(6)
WHS/AS&PSO
Subject: Independent Panel Requests for Army Staff

(b)(6)

Thanks for the coordination call on behalf of Director Army Staff this morning. The following are the Panel's requests for support from the Army as of this time:

1. Documents to be read by Mr Schlesinger and Mr Brown at the Panel's facility in Suite 884, Crystal Plaza 5 on 4 June, other panel members thereafter (Panel has classified document control and storage up to TS, Panel can provide courier to pick up TS within the NCR and will have SIPRnet

6/2/2004

(3)

note for up to SECRET, Panel documents are exempt from FACA and FOIA)

- a. Classified Annexes to congressional testimony of GEN Abizaid, LTG Sanchez and MG Miller
 - b. Full text of "Ryder" report
 - c. Full text of "Miller" report
 - d. Previous AR 15-6 reports related to prisoner abuse referenced in "Taguba" report summary
 - e. Applicable Criminal Investigation reports
2. Interviews via VTC or in person at the next full Panel meeting, June 14, 2004 8:00 am - noon EDST in the Pentagon. (VTC connection info and room number to be provided separately, interviews are exempt from FACA, Panel is prepared to send specific questions by 7 June):
- a. 8:00 am MG Miller (separate request sent to CENTCOM)
 - b. 9:00 am MG Wodjakowski
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 - d. 11:00 am MG Dayton

Dr. James Blackwell
Executive Director
Independent Panel to Review DoD Detention Operations

(b)(6)





INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

CHAIRMAN

THE HONORABLE JAMES R. SCHLESINGER

PANEL MEMBERS

THE HONORABLE HAROLD BROWN
THE HONORABLE TILLIE K. FOWLER
GENERAL CHARLES A. HORNER (USAF-RET.)

EXECUTIVE DIRECTOR

DR. JAMES A. BLACKWELL, JR.

7 June 2004

MEMORANDUM FOR DIRECTOR ARMY STAFF
 CHIEF OF STAFF US CENTRAL COMMAND
 VICE DIRECTOR JOINT STAFF

SUBJECT: Interviews With Independent Panel to Review DoD Detention Operations

Ref.: SECDEF Memo 12 May 2004

The Independent Panel to Review DoD Detention Operations intends to conduct interviews with several key personnel on issues it considers most pertinent to its charter. The Panel has scheduled its next meeting for 14 June 2004 to be held in Pentagon Room 4E271. Interviewees may participate in person or by secure video-teleconference. Accordingly, request confirmation of the availability of individuals for the draft agenda as follows (all times listed are EDST):

8:00am - 9:00am	MG Miller	via VTC from CENTCOM in Iraq
9:00am - 10:00am	MG Dayton	via VTC from CENTCOM in Iraq
10:00am - 11:00am	MG Wodjakowski	via VTC from V Corps in Europe
11:00am - 12:00pm	(b)(6)	via VTC from V Corps in Europe
1:00pm - 2:00pm	LTG Alexander	in person
2:00pm - 3:00pm	MG Ryder	in person

VTC site identification information should be sent directly to the pentagon site POC: (b)(6)

(b)(6) (comm..) (b)(6)

Specific subject matter issues and questions for each interview will be provided separately.

James A. Blackwell, Jr.
Dr. James Blackwell
Executive Director

(b)(6)

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INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

NEWS RELEASE

FOR IMMEDIATE RELEASE: MAY 21, 2004

CONTACT: TOM ALEXANDER: 202-457-1817

WASHINGTON -- The 4 members of the Independent Panel to Review DoD Detention Operations met for the first time on Thursday, May 20 to begin their review and assessment.

U.S. Secretary of Defense Donald Rumsfeld appointed the Panel on May 12 to review current and completed inquiries of DoD detention operations. Panel Members include: Dr. James R. Schlesinger (Secretary of Defense for Presidents Nixon and Ford, Secretary of Energy for President Carter), Dr. Harold Brown (Secretary of Defense for President Carter), former U.S. representative Tillie K. Fowler (senior member of the House Armed Services Committee and led last year's investigation into sexual misconduct at the U.S. Air Force Academy) and General Charles A Horner, USAF, Ret. (architect of the air campaign in the 1991 Iraq War and former Commander North American Aerospace Defense Command and Space Command).

Panel Chairman Dr. James Schlesinger said, "Secretary Rumsfeld has entrusted us with this important work, and we are dedicated to conducting a fair and transparent review of current and past investigations. It is our solemn responsibility to look carefully into all that was involved in the series of events that led to behavior so inconsistent with American values. We will make recommendations designed to help repair the policies and procedures that allowed this to happen."

Former Secretary of Defense Dr Harold Brown added, "We need to determine how and why this terrible behavior took place and to assure that changes are made to prevent such things from happening again."

Former Representative Tillie K. Fowler elaborated, "We all agree there are no easy answers to solving this problem, but we will not shy away from any issues we may uncover as we thoroughly examine this matter. This Panel is dedicated to conduct its work independently from the Administration, Congress or any other outside source. Our fact-finding will have no limits."

"We owe it to the young men and women proudly serving in our Armed Forces around the world to help restore the trust that has been tarnished by these acts," Fowler added.

General Horner emphasized the commitment of the members to the probity of the Panel's work, "Our job is to ensure the integrity of the investigations in this matter, resolve any gaps between the various efforts and recommend measures that will preclude similar offenses in the future."

The Panel's Executive Director is Dr. James Blackwell. A copy of the Panel's Charter is attached. The Panel will present its report to Secretary Rumsfeld and to the Senate and House Armed Services Committees by the end of June,

INDEPENDENT PANEL TO REVIEW DoD DETENTION OPERATIONS CONCLUDES FIRST PHASE OF INTERVIEWS WITH ACTIVE DUTY PERSONNEL AND SENIOR PENTAGON OFFICIALS

WASHINGTON – The Independent Panel to Review DoD Detention Operations announced today it has concluded its first phase of interviews with active duty personnel in Iraq and senior officials in the Pentagon that are directly and indirectly involved with the incidents at Abu Ghraib prison.

"We are quickly progressing with our investigation and review," Panel Chairman Dr. James Schlesinger said. "The American people should be confident that this panel will provide an unvarnished assessment of how these abuses happened and what needs to be changed in order for them to never happen again."

Dr. Schlesinger said the Panel members have begun their review of current and past investigations and started its own look into DoD detention operations. Today's interviews with more than a half dozen were conducted in person and by secure videoconference within the Pentagon. The Panel plans to submit its final report by the end of July and its work will include additional interviews, fact-finding, extensive research and review.

The Panel's day-to-day operations are conducted in a secure office in Crystal City, VA where the group is finalizing staff arrangements to help with its task. "We are quickly putting together a group of highly talented professionals to help us with this critical mission," former Defense Secretary Schlesinger added. "The caliber of people that we have reflect the gravity and objectivity needed for our work."

He noted, "Secretary Rumsfeld assured us he will provide the Panel what it needs to conduct a fair and thorough investigation in a timely manner."

Dr. Schlesinger estimated the full staff could be up to 20 and arrangements should be largely completed by the end of the week. He also noted that all staff members are required to have secret clearance to perform their work and will have varying expertise in military affairs, intelligence, and military legal matters.

The Panel's Executive Director, Dr. James Blackwell, was appointed just prior to the group's first meeting on Thursday, May 20. Blackwell is a military affairs expert and author. A West Point graduate, he authored *On Brave Old Army Team*, a book which was praised for its hard-hitting and in-depth look into the school's cheating scandal of 1951.

Members of the Panel are: Dr. James R. Schlesinger (Secretary of Defense for Presidents Nixon and Ford, Secretary of Energy for President Carter), Dr. Harold Brown (Secretary of Defense for President Carter), former U.S. Representative Tillie K. Fowler (senior member of the House Armed Services Committee and led last year's investigation into sexual misconduct at the U.S. Air Force Academy) and General Charles A. Horner, USAF, Ret. (architect of the air campaign in the 1991 Iraq War and former Commander North American Aerospace Defense Command and Space Command).

(b)(6)

From: (b)(6)
Sent: Wednesday, May 26, 2004 2:45 PM
To: (b)(6)
Subject: RE: VIDEO TELECONFERENCING REQUEST FORM1

Your VTC reservation number is 2004/06/14-0071. The space is reserved. Also, since we are the host, you have until 72 hours before the date of the VTC to send all the necessary information. Contact me if you need any more help.

(b)(6)

-----Original Message-----

From: (b)(6)
Sent: Wednesday, May 26, 2004 1:32 PM
To: (b)(6)
Cc: Blackwell, James A. Jr, CTR, WSO-IPRDDO
Subject: VIDEO TELECONFERENCING REQUEST FORM1

Attachment I

VIDEO TELECONFERENCING (VTC) SCHEDULE REQUEST FORM
HQ USAF/IL ROOM: 4E271

(b)(6)

DATE OF REQUEST: 26 MAY 2004 CONFIRMATION #: _____

REQUESTOR: James Blackwell OFFICE SYM: _____ (ILA USE ONLY)

PHONE: (b)(6)

VTC SUBJECT: Independent Panel

CHAIRPERSON: James R. Schlesinger PHONE: James Blackwell (b)(6)

SITE ID	DISTANT SITE POC/NAME/GRADE	OFC SYM/BASE	PHONE # (DSN)
	Hqtrs. CSTF7	WHS	

REQUESTED VTC DATE: 14 June 2004 (PRIMARY)
_____ (ALTERNATE)

REQUESTED START TIME: 0800 Am. REQUESTED END TIME: 1600 pm.

AUDIO ADD-ON:

NAME/GRADE	PHONE	SITE(OPTIONAL)

CLASSIFIED UNCLASSIFIED

REMARKS:

NOTE: Please read attached AF/IL Operating Instruction 33-101 before submitting request.

Attachment 1

VIDEO TELECONFERENCING (VTC) SCHEDULE REQUEST FORM
HQ USAF/IL ROOM: 4E271

(b)(6)

DATE OF REQUEST: 26 MAY 2004 CONFIRMATION #: _____

(ILA USE ONLY)

REQUESTOR: Dr. James A. Blackwell, Jr. OFFICE SYM: _____

PHONE: (b)(6) ext. 144 FAX: (b)(6)

VTC SUBJECT: INDEPENDENT PANEL

CHAIRPERSON: Honorable James R. Schlesinger PHONE: (b)(6) (JAB)ackwell

SITE ID	DISTANT SITE POC/NAME/GRADE	OFC SYM/BASE	PHONE # (DSN)
HQ USAF/IL ROOM: 4E271	HQTRS CJTF7	WHS	

REQUESTED VTC DATE: 14 JUNE 2004 (PRIMARY)

NONE (ALTERNATE)

REQUESTED START TIME: 0800 AM REQUESTED END TIME: 1600 PM

AUDIO ADD-ON:

NAME/GRADE	PHONE	SITE(OPTIONAL)

CLASSIFIED UNCLASSIFIED

REMARKS: ADDITIONAL INFORMATION WILL BE FORWARDED ASAP

NOTE: Please read attached AF/IL Operating Instruction 33-101 before submitting request.

Blackwell, James A. Jr, CTR, WSO-IPRDDO

From: (b)(6) CTR, WSO-IPRDDO
Sent: Wednesday, May 26, 2004 2:50 PM
To: (b)(6)
Cc: Blackwell, James A. Jr, CTR, WSO-IPRDDO
Subject: RE: VIDEO TELECONFERENCING REQUEST FORM1

Thank you (b)(6) I'm still working on the site ID! Dr. Blackwell is trying to get the other information. Have a great evening!

(b)(6)

-----Original Message-----

From: (b)(6)
Sent: Wednesday, May 26, 2004 2:45 PM
To: (b)(6) CTR, WSO-IPRDDO
Subject: RE: VIDEO TELECONFERENCING REQUEST FORM1

Your VTC reservation number is 2004/06/14-0071. The space is reserved. Also, since we are the host, you have until 72 hours before the date of the VTC to send all the necessary information. Contact me if you need any more help.

(b)(6)

-----Original Message-----

From: (b)(6)
Sent: Wednesday, May 26, 2004 1:32 PM
To: (b)(6)
Cc: Blackwell, James A. Jr, CTR, WSO-IPRDDO
Subject: VIDEO TELECONFERENCING REQUEST FORM1

	A	B	C	D	E	F
1	DATE	EVENT TYPE(S)	PRIMARY UNIT	KEY ACTOR(S)	LOCATION	EVENT DESCRIPTION
2	5/1/2003	CA		PRESIDENT BUSH	IRAQ	The President declares major ground combat is over in Iraq.
3	5/12/2003	DA	320 MP BN		CAMP BUCCA	Detainees kicked and beaten.
4	5/23/2003	CA		PAUL BREMER	IRAQ	Paul Bremer disbands the Iraqi security services. The decision is criticized by U.S. military officials and Iraqis for debilitating the central institution charged with ensuring stability.
5	6/9/2003	R, DS	115 MP BN		CAMP CROPPER	Riot and shootings of 5 detainees.
6	6/12/2003	E, DS, DD	115 MP BN		CAMP CROPPER	Several detainees escape, 1 recaptured, 1 shot and killed.
7	6/13/2003	E, DS, DD	320 MP BN		CAMP VIGILANT	A detainee escapes, is recaptured; 1 detainee killed, and 7 shot.
8	6/30/2003	CA	800 MP BDE	BG KARPINSKI		BG Karpinski assumes command of the 800th MP Bde.
9	7/1/2003	OAA		AMNESTY INTRNATL		Criticizes U.S. military for subjecting Iraqi prisoners to "cruel, inhumane, or degrading conditions."
10	7/1/2003	CA	CJTF-7	LTG SANCHEZ	SUNNI TRIANGLE	U.S. forces begin major operations in the Sunni Triangle. Massive detentions begin.
11	7/3/2003	ATK				50+ insurgents ambush a U.S. military patrol near Balad, wounding 17 Soldiers. It's the first large-scale attack of the resistance, and surprises U.S. commanders for what it shows about the size and skill of the insurgents.
12	7/3/2003	OTHER			IRAQ	Arab television broadcasts a tape from Saddam Hussein calling on Iraqis to resist the occupation.
13	7/22/2003	OTHER		UDAY and QUSAY HUSSEIN	MOSUL	Hussein's sons, Uday and Qusay, are killed in Mosul by U.S. troops.
14	8/4/2003	CA	CJTF-7		ABU GHRAIB	ABU GHRAIB prison re-opened by coalition forces.
15	8/5/2003	CA	CJTF-7	LTG SANCHEZ	IRAQ	LTG Sanchez decides to shift from large-scale attacks that have been alienating much of the Iraqi population to more precise, small-unit raids that rely heavily on intelligence.
16	8/7/2003	ATK			BAGHDAD	Car bomb at Jordanian Embassy kills 11 people, the first large-scale strike against U.S. allies.
17	8/19/2003	ATK			BAGHDAD	Suicide attack on U.N. offices in Baghdad kills 22 people, including Sergio Viera de Mello, U.N. envoy. The U.N. pulls out most of its people.

	A	B	C	D	E	F
18	8/31/2003	AV	CJTF-7	MG MILLER	IRAQ	MG Miller begins work with a survey team on intelligence, interrogation, and detention operations in Iraq.
19	9/6/2003	AV	CJTF-7	MG MILLER		MG Miller completes his assessment and renders a report. Recommends that MP detention operations support intelligence interrogation operations.
20	9/18/2003	OAA		Nouin Badran	BAGHDAD	Iraq's newly appointed Interior Minister, Nouin Badran, begins assembling a paramilitary force from former security force members. Members of the Governing Council support the idea.
21	10/1/2003	CA			CAMP CROPPER	CAMP CROPPER closed.
22	10/10/2003	ATK			BAGHDAD	Spanish diplomat killed outside his home. 3 U.S. Soldiers killed in ambushes. Baghdad car bomb kills 8 Iraqis.
23	10/12/2003	CA	CJTF-7	LTG SANCHEZ		New "Interrogation and Counter-Resistance Policy" issued by LTG Sanchez in the wake of the Miller report.
24	10/13/2003	AV	CJTF-7	MG RYDER	IRAQ	MG Ryder, Army Provost Marshal, begins assessment of detention and corrections operations in Iraq.
25	10/15/2003	CA	372 MP Co		ABU GHRAIB	The 372 MP Co takes over control of Tiers 1A and 1B in Abu Ghraib.
26	10/18/2003	CA	800 MP BDE	BG KARPINSKI, (b)(6)		BG Karpinski sends (b)(6) to Kuwait for a rest.
27	10/31/2003	CA	800 MP BDE	BG KARPINSKI, (b)(6)		(b)(6) returns from Kuwait.
28	11/4/2003	CA		PAUL BREMER	IRAQ	In face of rising attacks on U.S. forces, Bremer shifts his opposition against Iraqi-led domestic security units.
29	11/5/2003	E	372 MP Co		ABU GHRAIB	At least 2 detainees escape from Tier 3A at Abu Ghraib.
30	11/6/2003	AV	CJTF-7	MG RYDER		MG Ryder, Army Provost Marshal, completes assessment of detention and corrections operations in Iraq. Recommends that MP detention operations be kept separate from intelligence interrogation operations.
31	11/8/2003	E	320 MP BN		CAMP GANCI	Several detainees escape from Camp Ganci.
32	11/19/2003	CA	CJTF-7	LTG SANCHEZ, (b)(6)	ABU GHRAIB	(b)(6) designated as the overall commander of Abu Ghraib, making MI responsible for MP units conducting detention operations.

	A	B	C	D	E	F
33	11/21/2003	R, DS, DD	320 MP BN		CAMP GANCI	Riots and shootings of 12 detainees (3 dead) at Camp Ganci. 9 MPs from 320 MP Bn wounded.
34	11/21/2003	DA	205 MI BDE	(b)(6)	ABU GHRAIB	(b)(6) 205th MI Bde, forces a detainee to strip and to stay in his cell naked.
35	11/21/2003	CA			IRAQ	U.S. military begins using 2,000 lb bombs and PGMs for the first time since May 03. It was an attempt to intimidate the insurgents, and shift back to large-scale tactics. U.S. officers indicated this was due to better intelligence about locations of meetings, arms caches, etc.
36	12/13/2003			SADDAM HUSSEIN	IRAQ	Saddam Hussein captured.
37	12/17/2003	DS	320 MP BN		CAMP GANCI	Detainee shot after assaulting an MP at Camp Ganci.
38	1/13/2004	CA	372 MP Co	(b)(6)	ABU GHRAIB	(b)(6) reports alleged abuse at Abu Ghraib by turning in a CD -Rom showing pictures of abuse he copied from (b)(6) computer.
39	1/17/2004	CA	CJTF-7	BG KARPINSKI, (b)(6) (b)(6)	ABU GHRAIB	(b)(6) suspended as commander, 320 MP Bn; (b)(6) suspended as commander. 373 MP Co; BG Karpinski receives Memorandum of Admonishment
40	1/19/2004	CA	CJTF-7	LTG SANCHEZ	IRAQ	LTG Sanchez asks his superiors for an investigation of the 800th MP Bde from 1 Nov 03 to the present.
41	1/31/2004	CA	CENTCOM	MG TAGUBA	IRAQ	MG Taguba appointed to conduct a 15-6 investigation of the 800th MP Bde.
42	3/3/2004	CA	CENTCOM	MG TAGUBA	IRAQ	MG Taguba completes his investigation and forwards his report to LTG McKiernan, commander of ground forces in Iraq.
43	3/20/2004	CA	CENTCOM		IRAQ	Charges filed against 6 Soldiers.
44	4/28/2004	CA		RUMSFELD		Secretary Rumsfeld briefs Congress on the Taguba report. "60 Minutes II" shows pictures of prisoner abuse at Abu Ghraib.
45	5/7/2004	CA	CENTCOM		IRAQ	A 7th Soldier is charged.
46	5/7/2004	CA		RUMSFELD, SCHOOMAKER, SANCHEZ, MILLER		The SecDef and senior military leaders testify before the Congressional Committee.
47		CA		BG KARPINSKI		BG Karpinski alleges MI officers ask for control of Tiers 1A and 1B for interrogation of HV detainees.



Office of the Independent Panel

To: Dr. Harold Brown
Office: _____
Phone: _____
Fax: (b)(6) _____

From: Jim Blackwell
Office: Independent Panel
Phone: (b)(6)
Fax: (b)(6)

Date: 9/13/04 Time: 1745

Pages including this cover page: 3

Comments: _____

ICRC Summary

JB

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MEMORANDUM FOR RECORD

TO: DR. JIM BLACKWELL
FROM: (b)(6)
SUBJECT: ICRC MEETING SUMMARY
DATE: MONDAY, JULY 12, 2004

SUMMARY

- Independent Panel staff (Dr. James Blackwell, Executive Director, and (b)(6) Research Assistant) met with the ICRC Regional Delegation for U.S. and Canada, Monday, July 12 at ICRC offices, Suite 545, 2100 Pennsylvania Avenue NW, Washington DC. ICRC representatives included (b)(6). We had sent an advance letter asking the following two broad questions:
 - First, how does the ICRC assess its relationship with US forces around the globe in terms of detainee operations both in terms of ICRC expectations and in comparison with detention operations of other states and non-state detaining powers or organizations? Are there specific areas of concern by the ICRC for systemic abuses or lack of responsiveness to issues raised by the ICRC?
 - Second, do members of the ICRC share the view of some that the nature of combat has changed such that the character of detainee operations must also change to accommodate such phenomena as non-state combatants and global terrorism? Can international humanitarian law be strengthened to adapt to new forms of conflict?
- The ICRC has four main points:
 1. The ICRC believes that the integration of interrogation and detention has become psychological torture. It believes that it is specifically the scope and duration of U.S. detention operations for the purpose of interrogation that has put U.S. operations under scrutiny. ICRC finds that the biggest change leading to this is the use of detention operations *for intelligence*.
 2. The ICRC considers the United States to be in violation of international law. According to the ICRC, the U.S. was incorrect in categorizing detainees in order to create exemptions. Furthermore, the ICRC suggests that the Geneva Conventions, while not precise enough on this issue, nevertheless, *does not allow for exemptions which create indefinite detentions*. The ICRC maintains that there is a clear discrimination by the U.S. regarding detention conditions depending on the detainee. These differences are varied to gain intelligence, but this cannot continue to be the case. The ICRC stressed that while there are diverging views regarding international humanitarian law, everyone, including U.S. citizens, want and deserve the right of independent protection.

3. The ICRC sees itself as properly taking on the role of arbiter for detainees in the absence of a lawyer. Dr. Blackwell pointed out that the U.S. Supreme Court has recently had something to say about that specifically with regard to the standing before federal court jurisdictions of detainees at Guantanamo.
 4. The ICRC asserted that the U.S. is the reference point for all detention operations. The United States created the standard, and has fallen from its moral pedestal. When asked about how U.S. detention operations compare generally, the ICRC would not judge. When asked specifically how U.S. detention operations compare to those of Russia in Chechnya, Mr. Cassard said he was head of delegation in Moscow and would not discuss ICRC experiences in Chechnya.
- The ICRC has three main concerns:
 1. The ICRC's biggest problem with the United States has been establishing access to and status of all detainees in U.S. custody. Along these lines, the ICRC specifically requested access to two detainees at GTMO and eight in Afghanistan.
 2. The ICRC fears it may be losing its effectiveness as a valued observer due to the increasingly strained relationship with the U.S.
 3. The ICRC also fears that it has, at times, been co-opted into the process for which it faults the U.S. (detention operations + interrogations = psychological torture). For example, they alleged that ICRC medical records have been used to plan interrogations.
 - A message from ICRC headquarters:
 1. The ICRC headquarters strongly recommends that the Panel do a detailed review of all ICRC reports for GTMO, Afghanistan, and Iraq.
 2. The ICRC has volunteered to provide delegates from Iraq and Afghanistan to meet with the Panel to answer more comprehensive questions regarding specific findings and recommendations found in its reports.
 - Conclusion: Overall, the ICRC seemed quite eager to meet with the Panel, and the United States, to discuss issues surrounding U.S. detention operations. This being said, it was made relatively clear by the ICRC legal adviser that there would be no room for dialogue between the ICRC and the United States regarding international humanitarian law, unless the U.S. first complies with their demands to end the practice of interrogating detainees over the duration and scope they see in the current US practice. According to the legal adviser, there is no common ground at this time and the ICRC is not interested even in considering the idea of ICRC visits to detainees held by non-state actors. However, despite this seemingly inflexible ICRC position, the ICRC appeared to be interested in maintaining a dialogue with the U.S. on detention issues.

MODE - MEMORY TRANSMISSION

START-JUL-13 13:08

END-JUL-13 13:10

FILE NO.-162

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	9917036937278	006/006	00:00:49

-INDEPENDENT PANEL OSD WHS-

-9917036022712 - 9917036022712-



Office of the Independent Panel

To: Don Dell'Orto

Office: _____

Phone: _____

Fax: (b)(6) _____

From: Jim Blackwell

Office: Independent Panel

Phone: (b)(6) _____

Fax: (b)(6) _____

Date: 7/13/04 Time: _____

Pages including this cover page: 7

Comments: Paper trail on our talks w/ICAC.

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Office of the Independent Panel

To: Don Dell'Orto

Office: _____

Phone: _____

Fax: (b)(6) _____

From: Jim Blackwell

Office: Independent Panel

Phone: (b)(6)

Fax: (b)(6)

Date: 7/13/04 Time: _____

Pages including this cover page: 7

Comments: Paper trail on our talks w/ICRC.

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(b)(5) , (b)(6)



INDEPENDENT PANEL TO REVIEW DOD DETENTION OPERATIONS

CHAIRMAN

THE HONORABLE JAMES R. SCHLESINGER

PANEL MEMBERS

THE HONORABLE HAROLD BROWN

THE HONORABLE TILLIE K. FOWLER

GENERAL CHARLES A. HORNER (USAF-RET.)

EXECUTIVE DIRECTOR

DR. JAMES A. BLACKWELL, JR.

7 July 2004

Mr. Geoff Loane
Head of ICRC Regional Delegation in Washington
Suite 545
2100 Pennsylvania Ave., NW
Washington DC 20037-3202

Dear Mr. Loane:

Thank you for your time today in discussing how the Independent Panel might benefit from discussion with representatives of the International Committee of the Red Cross. As I pointed out, the Panel's charter from the Secretary of Defense is to provide the Secretary with independent, professional advice on pertinent issues related to the various allegations on Department of Defense detainee operations. The Panel has asked me to explore with the ICRC the potential for an exchange of views in that regard. Given the rather ambitious schedule confronting the Panel, I cannot commit at this time to a meeting with Panel Members themselves, but I do look forward to exploring a range of possible staff interactions with you at our meeting on July 12.

The Panel can gain access to copies of ICRC detainee reports from DoD and will keep the contents of those reports, as well as the substance of meetings that might occur with representatives of the ICRC, in confidence. Any public release of information provided by the ICRC would be subject to prior approval by the ICRC. The Panel would expect the ICRC to reciprocate.

The Panel is specifically interested in two areas of inquiry.

(b)(6)

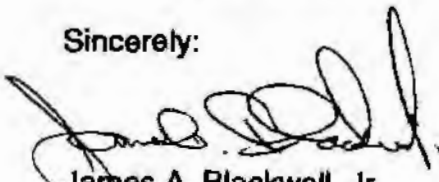
40

First, how does the ICRC assess its relationship with US forces around the globe in terms of detainee operations both in terms of ICRC expectations and in comparison with detention operations of other states and non-state detaining powers or organizations? Are there specific areas of concern by the ICRC for systemic abuses or lack of responsiveness to issues raised by the ICRC?

Second, do members of the ICRC share the view of some that the nature of combat has changed such that the character of detainee operations must also change to accommodate such phenomena as non-state combatants and global terrorism? Can international humanitarian law be strengthened to adapt to new forms of conflict?

I look forward to our meeting on Monday.

Sincerely:



James A. Blackwell, Jr.
Executive Director

(b)(6)



Office of the Independent Panel

To: James Schlesinger
Office: _____
Phone: (b)(6) _____
Fax: _____

From: Jim Blackwell
Office: Independent Panel
Phone: (b)(6) _____
Fax: _____

Date: 7/9/04 Time: 1655

Pages including this cover page: _____

Comments: For our meeting Mon. 7/12/04, 1pm
with ICRC Wash. Delegation

2100 Pennsylvania Ave., Suite 545

Jim Blackwell

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MODE = MEMORY TRANSMISSION START=JUL-09 16:57 END=JUL-09 16:58
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-INDEPENDENT PANEL OSD WHS-



Office of the Independent Panel

To: James Schlesinger

Office: _____

Phone: (b)(6) _____

Fax: (b)(6) _____

From: Jim Blackwell

Office: Independent Panel

Phone: (b)(6) _____

Fax: (b)(6) _____

Date: 7/9/09 Time: 1655

Pages including this cover page: _____

Comments: For our meeting Mon. 7/12/09, 1pm
with ICRC Wash. Delegation

2100 Pennsylvania Ave., Suite 545

Jim Blackwell

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3. NY Times and Washington Post editorials
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Office of the Independent Panel

To: James Schlesinger
Office: _____
Phone: (b)(6) _____
Fax: _____

From: Jim Blackwell
Office: Independent Panel
Phone: (b)(6) _____
Fax: (b)(6) _____

Date: 7/13/04 Time: 1100

Pages including this cover page: 3

Comments: _____

Summary of our meeting with ICRC.
Geoff Loane said in passing that "his country" has been
accused of terrorist acts. As we departed I asked him where
he is from. His reply was "Tipperary." ICRC has a press release
today slamming US for being undisclosed detainees and detention sites.

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MODE = MEMORY TRANSMISSION

START=JUL-13 11:06

END=JUL-13 11:07

FILE NO. =159

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001	OK		9917036836809	003/003	00:00:31

-INDEPENDENT PANEL OSD WHS-

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Office of the Independent Panel

To: James Schlesinger

Office: _____

Phone: (b)(6)

Fax: _____

From: Jim Blackwell

Office: Independent Panel

Phone: (b)(6)

Fax: (b)(6)

Date: 7/13/04 Time: 1100

Pages including this cover page: 3

Comments: _____

Summary of our meeting with ICRC.
Geff Loane said in passing that "his country" has been
accused of terrorist acts. As we departed I asked him where
he is from. His reply was "Tipperary." ICRC has a press release
today slaming US for having undisclosed detainees and detention sites.

~~WARNING: DO NOT TRANSMIT CLASSIFIED INFORMATION OVER UNSECURED TELECOMMUNICATIONS SYSTEMS. OFFICIAL DOD TELECOMMUNICATIONS SYSTEMS ARE SUBJECT TO MONITORING. USE OF DOD TELECOMMUNICATIONS SYSTEMS CONSTITUTES CONSENT TO MONITORING.~~

C7-E-2441

104-079 (1)

IRAQ- DETAINEES - JUNE 2, 2004

NEWS

MESSAGES

- The actions of the soldiers in the photographs are totally unacceptable. They betrayed their comrades, who serve honorably every day, and they have damaged the cause for which brave men and women are fighting and dying.
- The offenders will be dealt with, and action will be taken to prevent such situations from happening again.
- The vast majority of the men and women in uniform serve our country with honor, and they uphold the values of the United States.
- The Defense Department takes allegations of prisoner abuse at Abu Ghraib very seriously and will continue to take whatever steps are necessary to hold accountable those who may have violated the code of military conduct.
- DoD is investigating how these incidents happened and why, and will correct training systems and procedures to prevent such situations in the future.

BACKGROUND

Courts Martial

- Court-Martial charges have been preferred against three (3) soldiers, and have been referred against (3) other soldiers. One soldier has not yet had Court-Martial charges preferred.
- * Preferral simply means a person subject to the Uniform Code of Military Justice signs a charge sheet and swears an oath that he or she investigated the case and believes the allegations are true.
- * In these cases, the soldiers' company commander preferred charges after reviewing the CID investigation and coordinating with a Judge Advocate.

43

104-079

Referral is the determination of the General Court-Martial Convening Authority to "refer" or direct the case to a court-martial

- * Lt. Gen. Thomas F. Metz, the commanding general of III Corps, referred charges against:
 - o Sergeant Javal S. Davis to a General Court-Martial
 - o Staff Sgt. Ivan Frederick II to a general court-martial
 - o Spc. Jeremy Sivits to a special court-martial empowered to adjudge a Bad Conduct Discharge

- * Frederick is charged with conspiracy to maltreat subordinates (detainees); dereliction of duty for willfully failing to protect detainees from abuse, cruelty and maltreatment; maltreatment of detainees; assaulting detainees, and committing indecent acts. A date and place have not yet been set for the court-martial. It is anticipated that Frederick will be arraigned on May 20.

- * Davis is charged with conspiracy to maltreat subordinates (detainees); dereliction of duty for willfully failing to protect detainees from abuse, cruelty and maltreatment; maltreatment of detainees; assaulting detainees, and providing a false official statement to a criminal investigator, and assaulting detainees. A date and place have not yet been set for the court-martial. It is anticipated that Davis will be arraigned on May 20.

- * Sivits is charged with conspiracy to maltreat subordinates (detainees); dereliction of duty for negligently failing to protect detainees from abuse, cruelty and maltreatment; and maltreatment of detainees.

- The court-martial, U.S. v. Specialist Jeremy Sivits, took place on May 19. Sivits was found guilty on all charges and received the maximum punishment allowed by a court-martial empowered to adjudge a bad-conduct discharge.

- * A court-martial empowered to adjudge a bad-conduct discharge can impose the following:
 - o Maximum of one year confinement;
 - o Reduction to the grade of E-1, private, the lowest level;
 - o Forfeiture of two-thirds pay and allowances for 12 months;

- A fine may also be adjudged.
- The court can also adjudge a bad-conduct discharge.

- * In general courts-martial, the maximum penalties that a judge can impose are limited only by adding the maximum term of confinement for each of the charges.

- * It would be inappropriate to comment on the specifics of any particular case.
- * Military commanders have a moral responsibility and an obligation to preserve good order and discipline their units and to address misconduct.

- * A court-martial is one of the tools that the military chain of command has to preserve good order and discipline and address misconduct.

Investigations

- The Department of Defense has been actively investigating allegations of prisoner abuse at Abu Ghraib:
 - A concerned soldier brought this to the attention of the chain of command (1/13/04)
 - A criminal investigation was then initiated within 24 hours. (1/14/04)
 - A press release and background briefing followed within 72 hours. (1/16/04)
 - Seven soldiers now face or may soon face criminal charges.
 - Charges include dereliction of duty, conspiracy to maltreat subordinates, maltreatment of subordinates, indecent acts, and battery.
 - Additionally, two noncommissioned officers were charged with aggravated assault.

- An additional six soldiers in the chain of command were given letters of reprimand, two of them were relieved from their duties
- A seventh soldier received a letter of admonition.
- Five additional investigations were also ordered (see chronology below).

Chronology

- * 11 AUG 03 CJTF-7 REQUESTS ASSESSMENT TEAM; MG RYDER APPOINTED.
- * 31 AUG 03 MG MILLER BEGINS ASSESSMENT.
- * 09 SEP 03 MG MILLER COMPLETES ASSESSMENT.
- * 06 NOV 03 MG RYDER SUBMITS HIS REPORT.
- * OCT/DEC 03 ALLEGED DETAINEE ABUSE OCCURRED.
- 13 JAN 04 ABU GHRAIB ABUSE REPORTED.
- * 14 JAN 04 CID INITIATES CRIMINAL INVESTIGATION.
- * 16 JAN 04 CENTCOM ISSUES PRESS RELEASE.
- * 18 JAN 04 320TH MP BN LEADERSHIP SUSPENDED.
- * 19 JAN 04 CJTF-7 REQUESTS CENTCOM APPOINT IO.
- * 31 JAN 04 MG TAGUBA APPOINTED.
- * 10 FEB 04 LTG MIKOLASHEK BEGINS DAIG ASSESSMENT.
- * 12 MAR 04 MG TAGUBA BRIEFS CJTF-7.
- * USARC IG ASSESSMENT DIRECTED.
- 20 MAR 04 CHARGES PREFERRED AGAINST SIX ACCUSED.

- * BG KIMMITT PRESS CONFERENCE.
- * 06 APR 04 CG, CFLCC APPROVES MG TAGUBA INVESTIGATION.
- * 15 APR 04 MG FAY MI INVESTIGATION INITIATED.
- * 28 APR 04 BG KIMMITT UPDATES PUBLIC ON STATUS OF INVESTIGATION
- * 60 MINUTES II AIRS PIECE ON ABU GHRAIB
- * 01 MAY 04 CJTF-7 APPROVES MG TAGUBA RECOMMENDATIONS.
 - o The investigations will get to the bottom of this and we will make sure that any problems identified will be fixed, and fixed promptly.
 - o We take such reports very seriously and investigate all allegations of mistreatment vigorously.
 - o We are committed to treating all persons under our control with dignity and respect.
 - o Coalition personnel are expected to act appropriately, humanely, and in a manner consistent with the Geneva Convention.
- The military is a values-based organization committed to the respect of the international laws of armed conflict.
 - o These egregious acts, though aberrations, are reprehensible and those responsible will be held to account.
 - o As heinous as they are, they are certainly not representative of our servicemembers.
- The great majority of our servicemembers are disciplined professionals who represent themselves, the United States, and the Coalition honorably.
 - o The acts of a few should not overshadow the goodness of so many of our soldiers.

- Our troops are doing a great job, upholding the highest standards of the service, and doing everything that they can to help the Iraqi people.

Red Cross Report

- * Reports from the ICRC on detainee operations are usually provided to the US government through the commanders of the individual detention facilities. In some cases, senior DoD officials and other Administration agencies (NSC and State Department) are also given reports. These reports are designed to identify issues to detention facility commanders for their action.
- * The beneficiaries of these reports are the detainees themselves who can benefit from the intervention of the ICRC in its role as an "impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance."
- * DoD meets informally with the ICRC, usually at ICRC request, to discuss issues of mutual concern, including detainee issues.
- * However, the mission of the ICRC as an honest broker between detainees and governmental agencies and protector of prisoners can be jeopardized if the confidential nature of their reports is made public. As is noted on their website, "While the ICRC maintains a constant dialogue with States, it insists at all times on its independence. Only if it is free to act independently of any government or other authority can the ICRC serve the interests of victims of conflict, which lie at the heart of its humanitarian mission." The ICRC also insists on the privilege against testimony in court regarding visits.
- * The February 2004 International Committee of the Red Cross (ICRC) report was provided to CPA and U.S. military authorities in Baghdad in February.
- * The ICRC indicated that Coalition Forces were taking the report seriously.
- * ICRC communications with governments worldwide are based on the principle of confidentiality, a point that was reiterated May 7 by ICRC HQs in Geneva.

Background: The ICRC usually begins a prison visit by coordinating with the local commander or official in charge of the facility and reports orally and in writing on principal findings after the visit. ICRC then addresses a written formal report of the visit or series of visits, along with recommendations, based on a pragmatic determination, to the appropriate level in a government ministry/department. Over the past 24 months, ICRC has sent reports to the NSC, DOD, relevant military commands and the State Department on the handling of detainees in Guantanamo and Afghanistan.

- * "The International Committee of the Red Cross would conduct visits, sometimes unannounced visits, every six to eight weeks. So the International Committee of the Red Cross has been a repeated visitor to Abu Ghraib. In terms of the media, as you know the media is allowed to come into Abu Ghraib. Many of you may have been on the media visit to Abu Ghraib today. So again, we are opening up Abu Ghraib to the media." (BG Kimmitt, 5/10)
- * We've also invited the International Committee of the Red Cross to come and conduct visits throughout all our detention facilities. And they have done that in the past, and have agreed to continue this as another very important part of the oversight by very professional non-governmental organizations that will help us ensure that we are doing our very best in improving our detention operations. (MG Miller, 5/8)

Detainees

- * Currently detained: 11,500
- * Previously released: 32,000
- * Total captured: 43,500
- * There are approximately **8,080** security and criminal detainees in Coalition custody in Iraq:
 - o A **security internee** is a person who is detained because he/she poses a security threat to Coalition Forces. Under the law of armed conflict, including the Geneva Conventions, Coalition Forces have the authority to intern civilians for imperative reasons of security. Examples of security internees are individuals who have committed

terrorist attacks against Coalition Forces. Security internees can also be criminal detainees.

- A **criminal detainee** is a person who is apprehended by Coalition Forces for committing a crime in violation of the Iraqi criminal code (not directed at Coalition Forces). These are common criminals who normally would be detained in local Iraqi jails and prisons but currently are not because, in some parts of the country, the Iraqi prison system has neither the physical space nor the trained personnel to operate these facilities without our assistance. These facilities are now being run by Iraqi personnel with CPA civilian supervision.

Detainee / Interrogation Procedures

- * Interrogations are important tools in intelligence gathering. They save lives, both coalition and the lives of innocent Iraqis as well.
- * Interrogations provide crucial information that assists the coalition in its objectives, leading us to terrorists and their resources, etc.
 - There are various types of detainees. Most fit into two categories, security detainees and criminal detainees. Only security detainees are subjected to interrogations.
- * Disciplinary actions for misbehaving detainees are different from interrogation tactics. (Most prisons in the United States use very similar tactics for discipline).
- * Although policy regarding interrogation techniques is regularly reviewed and revised to fit a dynamic situation, at no time have the techniques varied or diverted from the basic protections of the Geneva Conventions. **THERE IS NO DOUBT** that the actions depicted in the recently released photos were not authorized.
- * An interrogation plan is made for each individual detainee. It is based on what information is needed from the detainee. 90% of the time we just ask the questions and take any answers.

- * Some detainees are skilled at evading and resisting interrogation, so a certain approach or combination of approaches may be used to obtain that information. That plan must be submitted through a review process. Certain techniques require senior leadership approval before use.

Interrogation Policy Development Timeline

- * Aug-Sep 03 MG Miller visits Abu Ghraib. Purpose: recommendations for improvement, (not directive): Geneva Conventions apply to Iraq.
- * Sep 14 03, LTG Sanchez, CJTF-7 policy issued:
 - o Outlined specific interrogation techniques, some similar to those briefed by MG Miller and used at GTMO
 - o Modified to fit theater of war
 - o Geneva Conventions fully applicable.
 - o Certain techniques required written approval from CJTF-7 with supporting rationale and legal review.
- Oct 12 03 - LTG Sanchez modified earlier policy applied to security internees:
 - o Policy does not apply to civilians detained for common crimes or enemy prisoners of war.
 - o Restated existing military intelligence doctrine.
 - o Added a number of safeguards not specifically outlined in military doctrine.
- May 13 04 policy removed a number of techniques:
 - o Sleep management
 - o Stress positions
 - o Change of scenery
 - o Diet manipulation
 - o Sensory deprivation
- Approval process for interrogation techniques:
 - o Detailed interrogation plan submitted.

- Legal review to determine plan met standards required by relevant U.S. and international law.
 - Review by legal experts, interrogation experts and command staff.
 - Limits, techniques and safeguards reflect respect for rule of law and are in accordance with the Geneva Conventions
- Maintain the basic protections of the Geneva Conventions
 - Respect for persons, family rights religions convictions, manners and customs.
 - Women protected against rape, prostitution and indecent assault.
 - Detainees cannot be used for human shields.
 - Entitled to assistance from NGO like International Red Cross.
 - Protected from physical or moral coercion.
 - Protected against murder, torture, corporal punishment, mutilation or experimentation.
 - In the case of criminals, allowed appeals and cases subject to periodic review.
 - Any variance from these protections would be considered an illegal act, punishable by the Uniform Code of Military Justice.

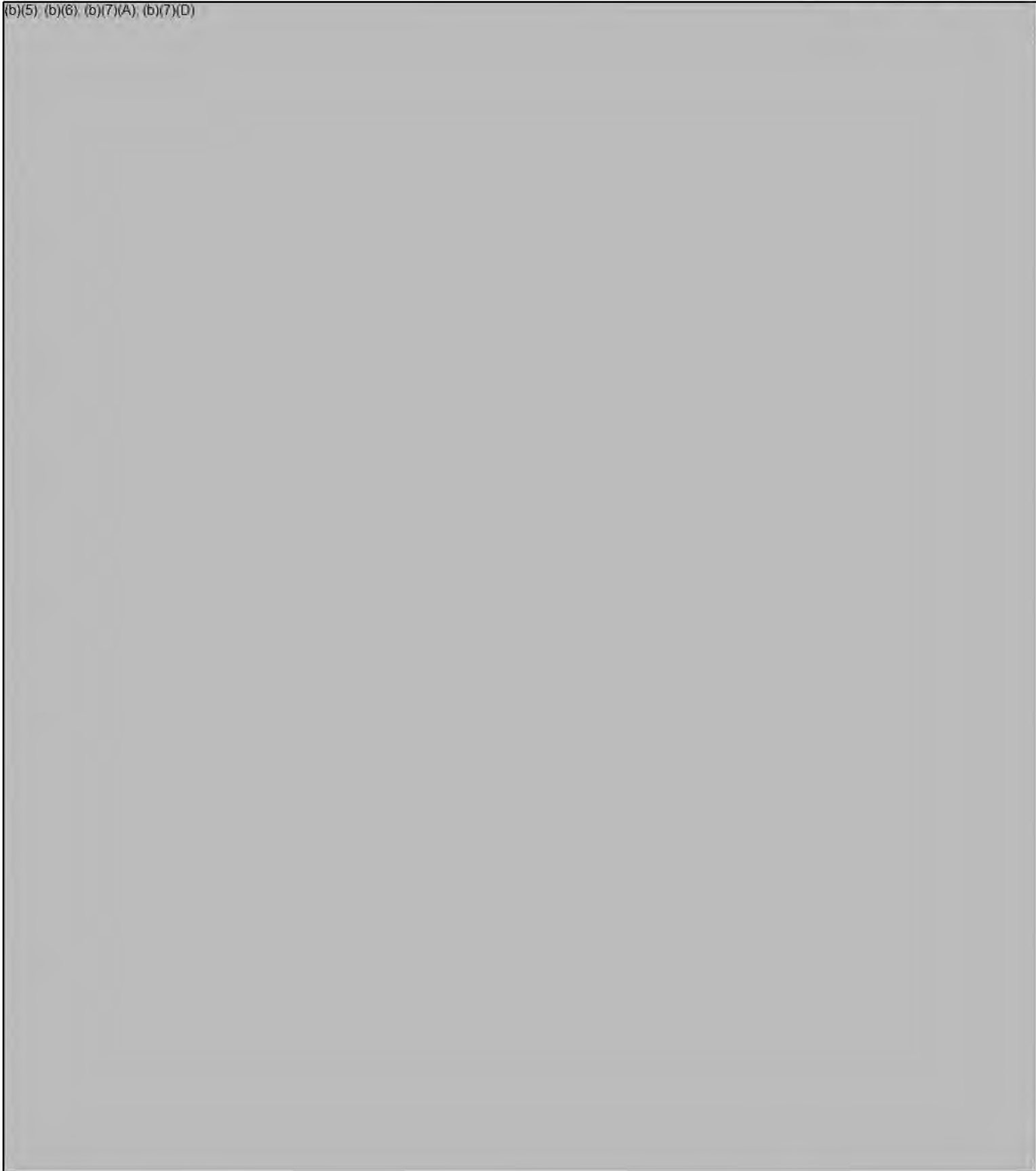
New Yorker Article on Abu Ghraib

- STATEMENT FROM PENTAGON SPOKESPERSON MR. LAWRENCE DI RITA:
 - "Assertions apparently being made in the latest New Yorker article on Abu Ghraib and the abuse of Iraqi detainees are outlandish, conspiratorial, and filled with error and anonymous conjecture.
 - "The abuse evidenced in the videos and photos, and any similar abuse that may come to light in any of the ongoing half dozen investigations into this matter, has no basis in any sanctioned program, training manual, instruction, or order in the Department of Defense.
 - "No responsible official of the Department of Defense approved any program that could conceivably have been intended to result in such abuses as witnessed in the recent photos and videos.

07-F-2441
191-0191

4 Jun 04, 1500 hrs

(b)(5) (b)(6) (b)(7)(A) (b)(7)(D)



- "To correct one of the many errors in fact, Undersecretary Cambone has no responsibility, nor has he had any responsibility in the past, for detainee or interrogation programs in Afghanistan, Iraq, or anywhere else in the world.
- This story seems to reflect the fevered insights of those with little, if any, connection to the activities in the Department of Defense."

Confinement Facilities

- Our divisions and brigades are doing an excellent job and our theater facilities are getting better everyday and improving (MG Miller, 5/8)
- There are three main confinement facilities in Iraq:
 - Baghdad Confinement Facility (formerly Abu Ghraib)
 - Camp Cropper at BIAP (where some high value detainees are held)
 - Bucca in Basrah.
- * In addition to the three main theater-level facilities, there are 11 additional facilities at brigade and division level.
- * In Will Abu Ghraib be closed, or transferred to the Iraqis on June 30th?
 - "As for jurisdiction over Abu Ghraib, that is a matter that clearly would have to be worked out in the weeks ahead, once we have an interim government formed and all those technical matters with regard to operational control of facilities is addressed." (Dan Senor, 5/10)
 - Currently, we will continue to operate the Abu Ghraib facility... We will continue to conduct the interrogation mission at the Abu Ghraib facility. If there are decisions about moving us from that facility then we will in fact move... But currently, we have no guidance that would change the procedures that we are using today. (MG Miller, 5/8)

Interrogation Procedures

- * Everything that goes on in Abu Ghraib today is in accordance with our procedures and policies, and is in compliance with the covenant of the Geneva Convention.

- * [A]ll the processes that we use in interrogation -- are within the boundaries and are sanctioned under the Fourth Geneva Convention. Our interrogation techniques are from the authorized U.S. Army manuals -- if you want to know, FM 34-52, that allows us to help focus our interrogation teams... (MG Miller, 5/8)
- * [M]ilitary police are never involved in active interrogation...[T]here was no recommendation ever by this team -- by the team that I had here in August and September -- that recommended that the MPs become actively involved in interrogation in the interrogation booth. (MG Miller, 5/8)

Compensation

- * General Sanchez, the Commander of Multinational Forces - Iraq and CJTF-7, our task force, has given me the responsibility to investigate and to develop a compensation system. And we are working at that right now...(MG Miller, 5/8)
- * I am seeking a way to provide appropriate compensation to those detainees who suffered grievous and brutal abuse and cruelty at the hands of a few members of the U.S. military. It is the right thing to do. I'm told we have the ability to do so. And so we will - one way or another. (Secretary Rumsfeld, 5/7)
- The mechanism of compensation for these allegations of abuse is under the Foreign Claims Act (FCA). Article 3 of the Geneva Convention is not the authority under which compensation is paid.
- * The Federal court judgment against the former Government of Iraq for claims submitted by American POWs in the Gulf War is a separate issue than the compensation of Iraqi detainees stemming from alleged abuse in Operation Iraqi Freedom. There is no judgment against the United States ordering compensation for Iraqi detainees. The proper forum for compensation is under the FCA.
- * A vigorous claims system to adjudicate claims under the FCA has been in place for almost one year in Iraq. The U.S. Army assumed single service claims responsibility in Iraq in June 2003, and has already paid over \$2.5 million in compensable claims.

- * There are 47 Foreign Claims Commissions (FCCs) established in Iraq that investigate, adjudicate and settle meritorious claims. Currently, there is an FCC located at Abu Ghraib prison. At this time, two claims have been submitted under the Military Claims Act for allegations of prisoner abuse, one at Abu Ghraib and one at Camp Bucca. These individuals allege U.S. residency. To date, no claims have been submitted under the FCA.
- * The majority of claims compensated under the FCA in Iraq are for accidents where the U.S. is negligent. Examples include a traffic accident with a U.S. vehicle or destruction of crops or livestock by the U.S. Also, an Iraqi can be compensated for damage resulting from a U.S. military training accident, for example, a convoy of tanks damages property on the way to a training range in Iraq, regardless of negligence.
- * Army Regulation 27-20, Claims, establishes the procedures to adjudicate claims under the FCA. To be compensated under the FCA, damages must be a result of a training accident or the result of "negligent or wrongful acts" by a service member. However, the FCA does not authorize compensation to those claimants who are deemed unfriendly to the United States.

HUMAN RIGHTS / DETAINEES / UN INQUIRIES

If Asked: Has the UN requested information from the U.S., CPA on the human rights situation in Iraq? Have they requested access to Iraq?

- * The UN Office of the High Commissioner for Human Rights (OHCHR) has announced that they will present a report on the human rights situation in Iraq to the Commission on Human Rights on May 31. In preparing his report, the Acting High Commissioner had indicated his readiness to visit Iraq for consultations with CPA and Iraqi leaders.
- * Acting High Commissioner for Human Rights Bertrand Ramcharan asked CPA Administrator Bremer to provide information that might be helpful in preparing the report (letter dated May 6).
- * We worked hard to accommodate a visit by the Commission's Special Rapporteur for Iraq earlier this year (February). Due to UN security restrictions, he was unable to travel to Iraq but CPA officials did meet with him outside the country.

- * We are unaware of any other requests by UN human rights mechanisms of the Commission to have access to Iraq over the past year.

Background: From Reuters (5/6): "The United Nations said it had written to U.S. officials, including Secretary of State Colin Powell and the Iraqi governor, Paul Bremer, seeking information on human rights in Iraq over the past year. The Office of the U.N. High Commissioner for Human Rights, which has promised a report by end-May, said its investigators were ready to visit Baghdad to meet coalition and Iraqi leaders."

Glossary of Military Units

Guantanamo

Commander

United States Southern Command	USSOUTHCOM	One of nine Unified Combatant Commands with operational control of U.S. military forces. Area of responsibility includes Guantanamo Bay, Cuba.	GEN James Hill
Joint Task Force 160	JTF-160	Initially responsible for detention operations at Guantanamo, merged in JTF-G 11/4/02.	
Joint Task Force 170	JTF-170	Initially responsible for interrogation operations at Guantanamo, merged in JTF-G 11/4/02.	
Joint Task Force Guantanamo	JTF-G	Joint task force for all operations at Guantanamo, formed 11/4/02.	

Afghanistan

United States Central Command	USCENTCOM	One of nine Unified Commands with operational control of U.S. military forces. Area of responsibility includes Afghanistan and Iraq.	GEN John Abizaid
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Coalition Forces Land Component Command	CFLCC	Senior headquarters element for multi-national land forces in both Iraq and Afghanistan.	LTG David McKiernan
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Combined Joint Task Force 180	CJTF-180	Forward deployed headquarters for Afghanistan.	
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Iraq

United States Central Command	USCENTCOM	One of nine Unified Commands with operational control of U.S. military forces. Area of responsibility includes Afghanistan and Iraq.	GEN John Abizaid
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Coalition Forces Land Component Command	CFLCC	Senior headquarters element for multi-national land forces in both Iraq and Afghanistan.	LTG David McKiernan
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Combined Joint Task Force 7	CJTF-7	Forward deployed headquarters for Operation Iraqi Freedom. Replaced in May 04 by Multi National Force - Iraq and Multi National Corps - Iraq	LTG Ricardo Sanchez
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800th Military Police Brigade	800th MP BDE	US Army reserve Military Police Brigade, responsible for all internment facilities in Iraq, and assistance to CPA Minister of Justice.	BG Janis Karpinski
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Joint Interrogation and Detention Center	JDIC	Element of CJTF-7 for interrogation mission at Abu Ghuraib.	(b)(6)
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320th Military Police Battalion	320th MP BN	Element of 800th Bde; assigned to Abu Ghuraib.	(b)(6)
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372nd Military Police Company	372nd MP CO	Element of 320th Bn; assigned to Abu Ghuraib October 2003.	(b)(6)
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72nd Military Police Company	72nd MP CO	Nevada National Guard MP Company, assigned to Abu Ghuraib prior to 372nd MP Co.	
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205th Military Intelligence Brigade	205th MI BDE	Military Intelligence Brigade responsible for multiple Army intelligence missions throughout Iraq.	(b)(6)
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** Commander at time of events described in report*

Glossary

Request for Forces

RFF Commanders request for additional forces to support the mission.

aid
Standing Operating Procedure

SOP A set of instructions covering those features of operations which lend themselves to a definite or standardized procedures without loss of effectiveness. The procedure is applicable unless ordered otherwise.

ges
Tactical Control

TACON Command authority to control and task forces for maneuvers within an area of operations.

Tactical Human Intelligence Team

THT Forward deployed intelligence units.

Time Phased Force Deployment List

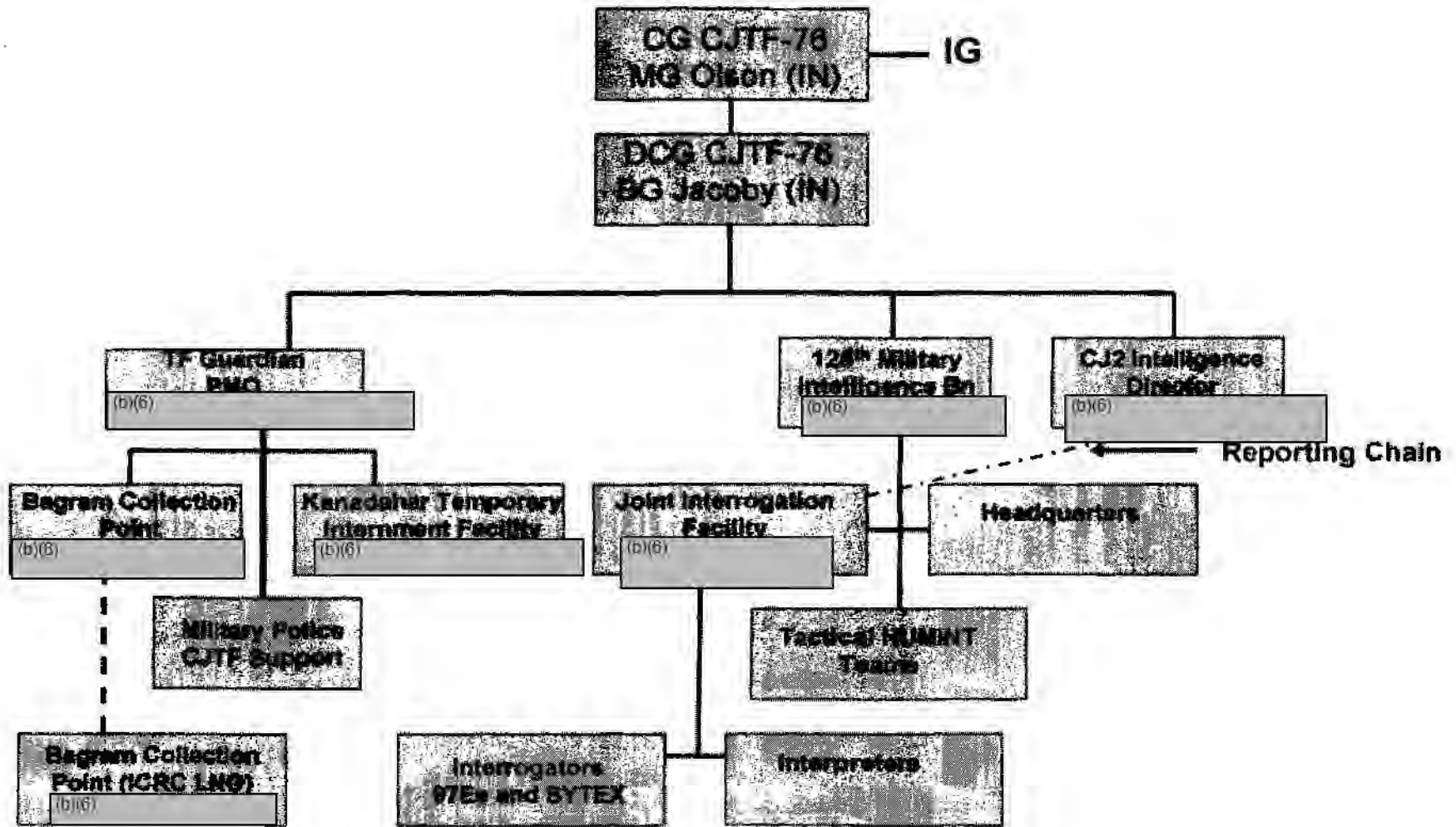
TPFDL Identifies the units needed to support an operational plan and specifies their order and method of deployment.

Interrogation Policies in Guantanamo, Afghanistan and Iraq

Number of Authorized Techniques				Number of Authorized Techniques				Number of Authorized Techniques			
Policy	Date	Notes		Policy	Date	Notes		Policy	Date	Notes	
17	FM 34-52 (1992)	Jan 02 - 01 Dec 02		17	FM 34-52 (1992)	27 Oct 01 - 24 Jan 03		17	FM 34-52 (1992)		
33	Secretary of Defense Approved Tiered System	02 Dec 02 15 Jan 03	1	33	CJTF 180 Response to Director, Joint Staff	24-Jan-03	1, 3, 6	29	CJTF-7 Signed Policy	14-Sep-03	1
20	FM 34-52 (1992) <i>with 3 out 3 techniques</i>	16 Jan 03 - 15 Apr 03		32	CJTF 180 Detainee SOP	27-Mar-04	1	19	CJTF-7 Signed Policy	12-Oct-03	4
24	Secretary of Defense Memo	16 Apr 03 - Present	1,2	19	CJTF-A Rev 2 Guidance	Jun-04	4	19	CJTF-7 Signed Policy	13-May-04	4

- 1 Some techniques specifically delineated in this memo are inherent to techniques contained in FM 34-52, e.g. Yelling as a component of Fear Up
- 2 Five Approved Techniques require SOUTHCOM approval and SECDEF notification.
- 3 Figure includes techniques that were not in current use but requested for future use.
- 4 Figure includes one technique which requires CG approval.
- 5 Memorandum cited for Afghanistan and Iraq are classified.
- 6 Figure includes the 17 techniques of FM-34-52, although they are not specified in the Memo.

Detainee Operations





[Home](#) >> [Intelligence](#) >> [World](#) >> [Iraq](#) >> [Facilities](#) >>

Abu Ghurayb Prison

The Abu Ghurayb (pronounced ah-boo GRAYB), [Abu Ghraib] prison is located approximately 20 miles west of Baghdad is where Saddam Kamal (who was head of the Special Security Organization) oversaw the torture and execution of thousands of political prisoners. The prison was under the control of the Directorate of General Security (DGS) also known as the Amn al-Amm.

As many as 4000 prisoners were executed at Abu Ghraib Prison in 1984. At least 122 male prisoners were executed at Abu Ghraib prison in February/ March 2000. A further 23 political prisoners were executed there in October 2001.

The facility occupies 280 acres with over 4 kilometers of security perimeter and 24 guard towers. The prison is composed of five distinct compound each surrounded by guard towers and high walls. Built by British contractors in the 1960s, Abu Ghraib is a virtual city within a city. The political section of Abu Ghraib was divided into "open" and "closed" wings. The closed wing housed only Shi'ites. The open wing held all other varieties of real or suspected activists. The "closed" wing was so named because its inmates -- at least until 1989 -- were permitted no visitors or outside contact. Cells measured approximately four meters by four meters and held an average of 40 persons.

As of 2001 Abu Ghraib prison, west of Baghdad, may have held as many as 15,000 persons, many of who were subject to torture. Hundreds of Fayli (Shi'a) Kurds and other citizens of Iranian origin, who had disappeared in the early 1980's during the Iran-Iraq war, reportedly were being held incommunicado at the Abu Ghurayb prison. Such persons have been detained without charge for close to 2 decades in extremely harsh conditions. Many of the detainees

US Military Occupation Facilities

- [Abu Ghurayb Prison](#)
- [Satellite Imagery](#)
- [Prisoner Abuses](#)
- [Prisoner Abuses Images](#)
- [Abuses Chronology](#)
- [References](#)

Units

- [800th Military Police Brigade](#)
- [320th Military Police Battalion](#)
-

Q. What's your IQ?

- 90
- 110
- 120
- 130+

[Click Here](#)

Tickle

45

were used as subjects in the country's outlawed experimental chemical and biological weapons programs.

As of early 2002 the Iraqi government reported to the US that sum of 12.2 million Iraqi dinars had been earmarked for the construction of six prison blocks, four in the Abu Ghraib prison and two in the governorate of Babil prison, to accommodate 7,200 prisoners. The work had already begun. Ongoing construction activity, apparent as of mid-November 2002, suggests that Iraqi regime was planning for an increase in prison population either due to increased repression or an increase in anti-governmental activity. Four new prison compounds appear to be in the early stages of construction. The foundation and footings are either being dug or concrete has been poured.

Saddam Hussein declared an unprecedented amnesty to thank the Iraqi people for their "unanimity" in the referendum of October 2002, which extended his powers for another 7 years. The "full and complete amnesty" applied to any Iraqi imprisoned or arrested for political or other reason but reportedly murderers on a death row will be released only with consent of the victims' families. Iraq's Revolutionary Command Council (RCC), the state's supreme authority, issued an amnesty to all prisoners in Iraq.

When Saddam announced his general amnesty for virtually all the nation's prisoners, the mob that assembled outside the Abu Ghraib prison started what looked like a traditional anti-American rally. They chanted praises to their dictator and shouted "Down Bush!" But the mood changed once it became clear the prisoners could bust through the gates without any resistance from guards. One guard turned toward an American photographer, smiled, stuck a thumb up and said, "Bush! Bush!"

Abu Ghuraib prison was reported to be deserted following the amnesty. However, many prisoners remained unaccounted for and according to one report Iraqi TV acknowledged that there was no freedom for those convicted of "the crimes of spying for the Zionist entity [Israel] and United States" although it fails to give numbers. According to another news report authorities claimed that 13,000 inmates were released from Abu Ghuraib prison, however numbers were unconfirmed.

There have been several press reports of mass graves within the perimeter or near the prison, but this is not apparent from imagery alone. Further analysis using ground truth imagery and human sources may help confirm the existence and location of any mass graves.

This commercial satellite imagery should prove valuable to human rights groups and the effort to bring those guilty of abuses and war crimes to trial in the future.

Ads by Google

Breaking News Update
New Abu Ghraib photos,
video & exclusive prisoner
sworn statements
www.washingtonpost.com

1 Million New Iraqi Dinar
Buy Iraq Dinar Currency,
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The Iranian dissident group Mujahedeen Khalq was based at Abu Ghraib, west of Baghdad, but the MEK Camp is a separate and distinct facility.

On May 24, 2004, and following the continued scandal posed by abuses of detainees at Abu Ghraib, President G.W. Bush announced in a speech that the Abu Ghraib prison would be destroyed upon the completion of a new, modern prison to replace it:

"A new Iraq will also need a humane, well-supervised prison system. Under the dictator, prisons like Abu Ghraib were symbols of death and torture. That same prison became a symbol of disgraceful conduct by a few American troops who dishonored our country and disregarded our values. America will fund the construction of a modern, maximum security prison. When that prison is completed, detainees at Abu Ghraib will be relocated. Then, with the approval of the Iraqi government, we will demolish the Abu Ghraib prison, as a fitting symbol of Iraq's new beginning"

Baghdad Central Detention Center (BCCF)

Baghdad Central Detention Center was formerly known as Abu Ghurayb Prison.

An Iraqi detained at the Abu Ghurayb prison complex was killed when he and seven others sought to escape on 13 June 2003, CENTCOM announced in a 14 June 2003 press release on its website. All seven of the other escapees were injured in the incident, two critically. According to CENTCOM, coalition military-police guards fired several shots "in self-defense" and in an effort to prevent the escape attempt. "Detainees throwing rocks and brandishing shanks [sic] rushed the guards," the press release stated. One guard was slightly injured. The escape attempt was the second in as many days. Two prisoners attempted to escape detention at Baghdad International Airport on 12 June 2003.

On 16 August 2003 three mortar rounds were fired into the Abu Ghraib prison on the outskirts of Baghdad, killing six Iraqi detainees and injuring many more. About 500 prisoners, including common criminals and suspected anti-American guerillas, are housed in tents, while the main prison building is being renovated.

Coalition forces engaged an individual in the vicinity of the Abu Ghayriab prison 17 August 2003. The individual was later identified as a reporter. The individual was evacuated to the 28th Combat Support Hospital and was pronounced dead on arrival.

Some five thousand people were being held at the prison as of April 2004. On 21 April 2004 at least 21 prisoners were killed when suspected anti-coalition rebels shelled Baghdad's largest prison in what a US general says might have been a botched attempt to free insurgents detained for taking part in the uprising against coalition forces. US General Mark Kimmitt said those killed in the prison attack were all security detainees round up by coalition forces. "We have initial reports that 18 mortar rounds were fired earlier this afternoon at the Baghdad confinement facility. Preliminary reports indicate that more than 21 detainees were killed and more than 100 wounded."

In late April 2004, a number of photographs surfaced which depicted abuse and torture of Iraqi prisoners held at the Abu Ghurayb prison while in US custody. Some of the pictures published depict US soldiers, both men and women in military uniforms, laughing and giving thumbs-up signs while posing with naked Iraqi prisoners made to stand, stacked in a pyramid or positioned to perform sex acts. This follows the March 2004 announcement by the US Army that six members of the 800th Military Police Brigade were being investigated for allegedly abusing about 20 prisoners at Abu Ghurayb.

As of early May 2004, the 16th Military Police Brigade and the 504th Military Intelligence Brigade had been assigned responsibility over Abu Ghurayb, with the chain of command changed with both unit reporting directly to the U.S. commander in charge of the military's prisons in Iraq, Maj. Gen. Geoffrey D. Miller.

Camp Vigilant Compound

Camp Vigilant can hold 600 detainees.

A 13 June 2003 incident involved the escape and recapture of detainee # 8968 and the shooting of eight detainees at Abu Ghraib (BCCF) (320th MP Battalion). Several detainees allegedly attempted to escape at about 1400 hours from the Camp Vigilant Compound, Abu Ghraib (BCCF). A 15-6 investigation by CPT Wyks (400th MP Battalion, S-1) concluded that the detainee allegedly escaped by sliding under the wire while the tower guard was turned in the other direction. This detainee was subsequently apprehended by the QRF. At about 1600 the same day, 30-40 detainees rioted and pelted three interior MP guards with rocks. One guard was injured and the tower guards fired lethal rounds at the rioters injuring 7 and killing 1 detainee.

Camp Ganci / Ganci Encampment

Camp Ganci consists of eight encampments with a total capacity of 4,800.

An 07 November 2003 incident involved the Escape of detainee # 14239 from Abu Ghraib (320th MP Battalion). A detainee allegedly escaped at 1330 from Compound 2 of the Ganci Encampment, Abu Ghraib (BCCF). An SIR was initiated by SSG Hydro (320th MP Battalion, S-3 Asst. NCOIC). The SIR indicated that a detainee escaped from the North end of the compound and was discovered missing during distribution of the noon meal, but there is no method of escape listed in the SIR. No information on findings, contributing factors, or corrective action has been provided to this investigation team.

An 08 November 2003 incident involved the escape of detainees # 115089, #151623, # 151624, # 116734, # 116735, and # 116738 from Abu Ghraib (320th MP Battalion). Several detainees allegedly escaped at 2022 from Compound 8 of the Ganci encampment, Abu Ghraib. An SIR was initiated by MAJ DiNenna (320th MP Battalion, S-3). The SIR indicated that 5-6 prisoners escaped from the North end of the compound, but there is no method of escape listed in the SIR.

An 24 November 2003 incident involved a riot and shooting of 12 detainees #150216, #150894, #153096, 153165, #153169, #116361, #153399, #20257, #150348, #152616, #116146, and #152156 at Abu Ghraib (320th MP Battalion). Several detainees allegedly began to riot at about 1300 in all of the compounds at the Ganci encampment. This resulted in the shooting deaths of 3 detainees, 9 wounded detainees, and 9 injured US Soldiers. A 15-6 investigation by COL Bruce Falcone (220th MP Brigade, Deputy Commander) concluded that the detainees rioted in protest of their living conditions, that the riot turned violent, the use of non-lethal force was ineffective, and, after the 320th MP Battalion CDR executed "Golden Spike," the emergency containment plan, the use of deadly force was authorized. Contributing factors were lack of comprehensive training of guards, poor or non-existent SOPs, no formal guard-mount conducted prior to shift, no rehearsals or ongoing training, the mix of less than lethal rounds with lethal rounds in weapons, no AARs being conducted after incidents, ROE not posted and not understood, overcrowding, uniforms not standardized, and poor communication between the command and Soldiers.

An 13 December 2003 incident involved the shooting by non-lethal means into crowd at Abu Ghraib (320th MP Battalion). Several detainees allegedly got into a detainee-on-detainee fight around 1030 in Compound 8 of the Ganci encampment, Abu Ghraib.

An 13 December 2003 incident involved the shooting by non-lethal means into crowd at Abu Ghraib (320th MP Battalion). Several detainees allegedly got into a detainee-on-detainee fight around 1120 in Compound 2 of the Ganci encampment, Abu Ghraib.

An 13 December 2003 incident involved the shooting by non-lethal means into crowd at Abu Ghraib (320th MP Battalion). Approximately 30- 40 detainees allegedly got into a detainee-on-detainee fight around 1642 in Compound 3 of the Ganci encampment, Abu Ghraib (BCCF).

An 17 December 2003 incident involved the shooting by non-lethal means of detainee from Abu Ghraib (320th MP Battalion). Several detainees allegedly assaulted an MP at 1459 inside the Ganci Encampment, Abu Ghraib (BCCF). An SIR was initiated by SSG Matash (320th MP BRIGADE, S-3 Section).

Hard Site

An 24 November 2003 incident involved the Shooting of detainee at Abu Ghraib (320th MP Battalion). A detainee allegedly had a pistol in his cell and around 1830 an extraction team shot him with less than lethal and lethal rounds in the process of recovering the weapon. A 15-6 investigation by COL Bruce Falcone (220th Brigade, Deputy Commander) concluded that one of the detainees in tier 1A of the Hard Site had gotten a pistol and a couple of knives from an Iraqi Guard working in the encampment.

An 14 January 2004 incident involved the escape of detainee #12436 and missing Iraqi guard from Hard-Site, Abu Ghraib (320th MP Battalion). A detainee allegedly escaped at 1335 from the Hard Site at Abu Ghraib (BCCF). An SIR was initiated by SSG Hydro (320th MP Battalion, S-3 Asst. NCOIC). The SIR indicates that an Iraqi guard assisted a detainee to escape by signing him out on a work detail and disappearing with him.

Camp Avalanche

In late May 2004 many prisoners from Camp Ganci and Camp Vigilant were moved to a new area, called Camp Avalanche. The prisoners live in tents on concrete, reducing the level of dust. Fans are used for cooling and the camp has more showers for prisoners.



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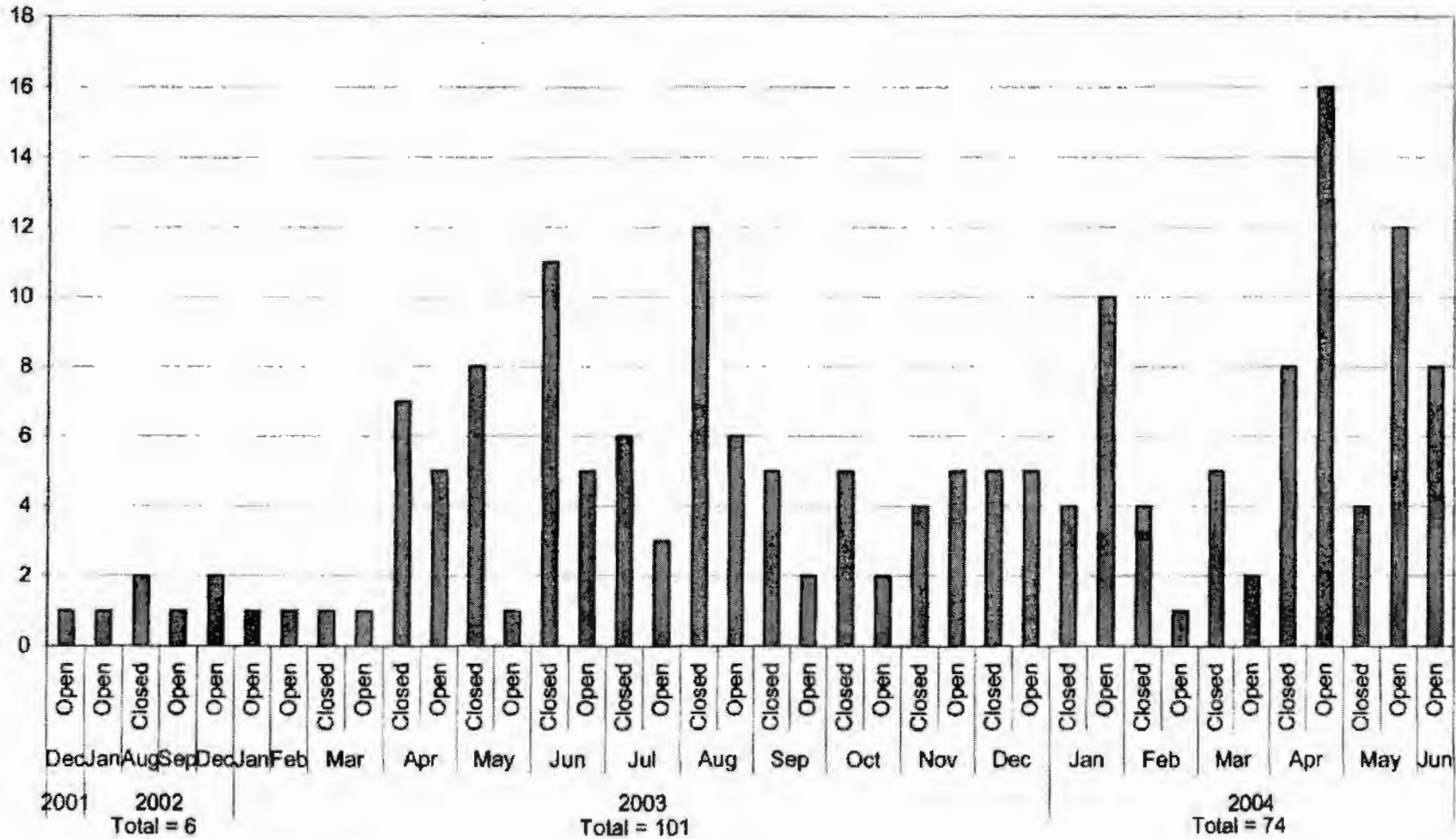
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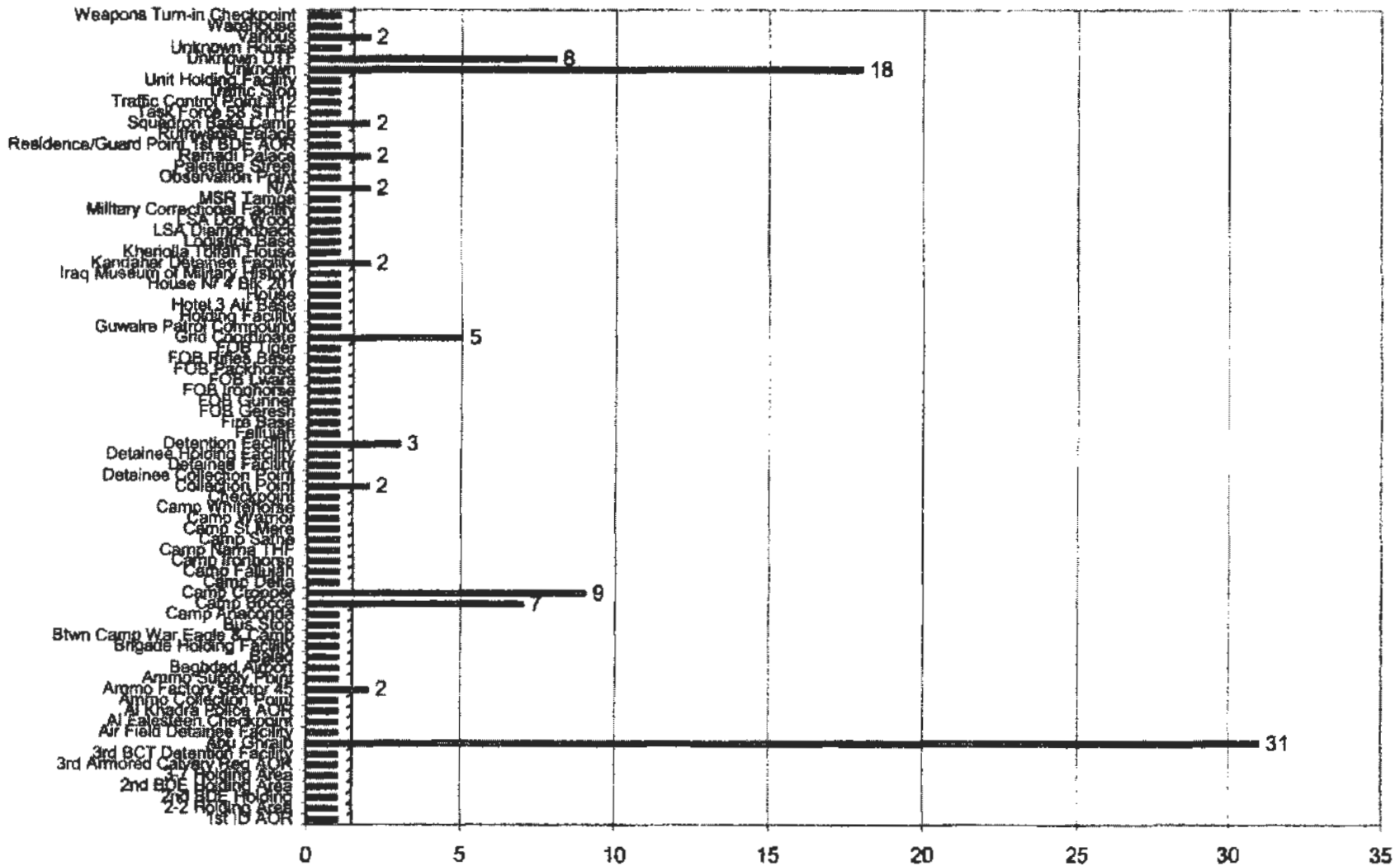
DoD DETAINEE INVESTIGATIONS SUMMARY

CASES	AFGHANISTAN	IRAQ	GTMO	TOTAL
DETAINEE DEATHS ██████████	██████████ 0	██████████ 0	██████████ 0	26
DETAINEE ABUSE ██████████	██████████ 0	██████████ 7	██████████ 0	72
DETAINEE DEATHS ██████████	██████████ 0	██████████ 0	██████████ 0	23
DETAINEE ABUSE ██████████	██████████ 0	██████████ 1	██████████ 0	72
TOTAL	13	170	10	193

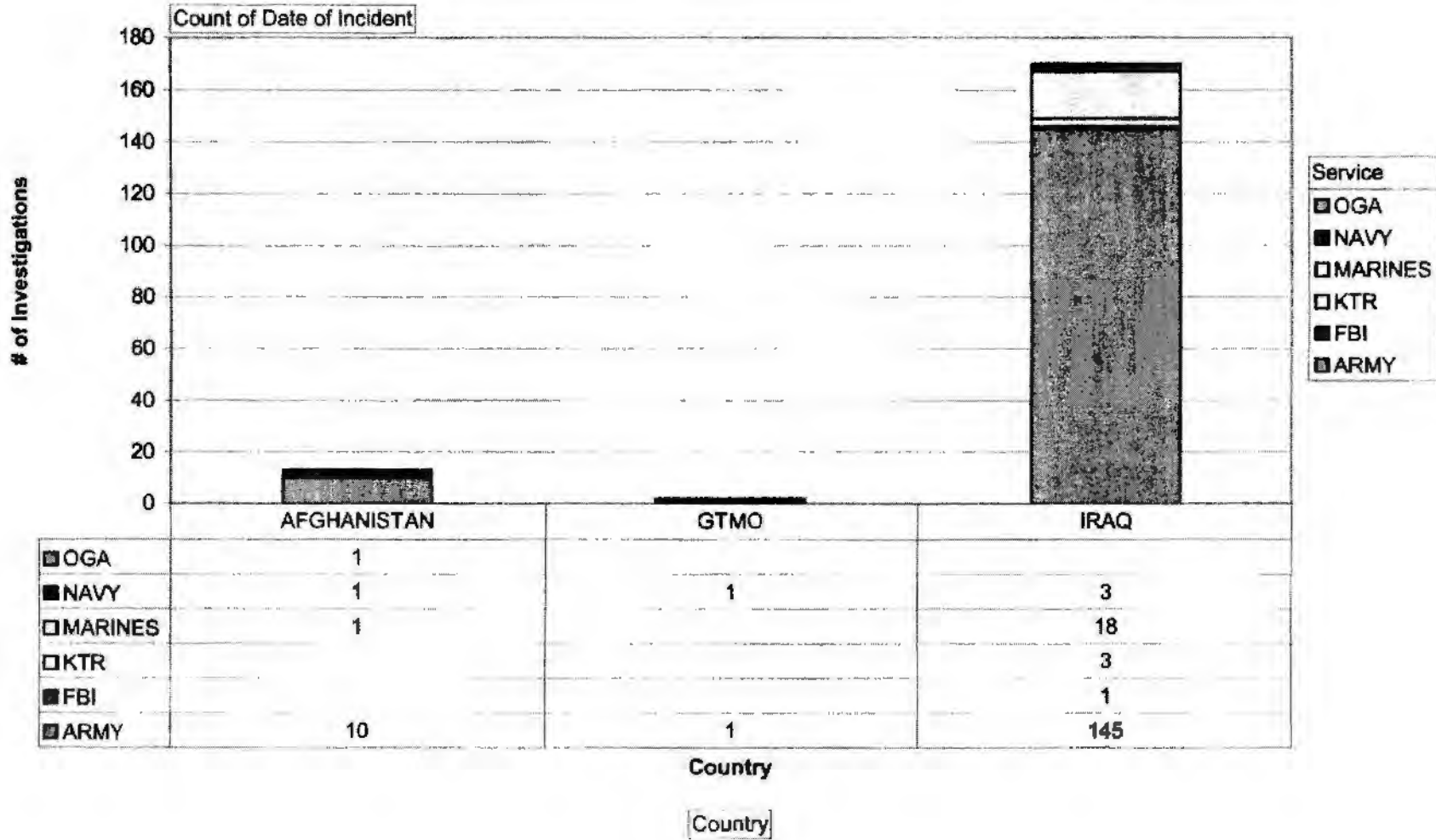
Number of Open/Closed Detainee Cases
Grand Total = 184



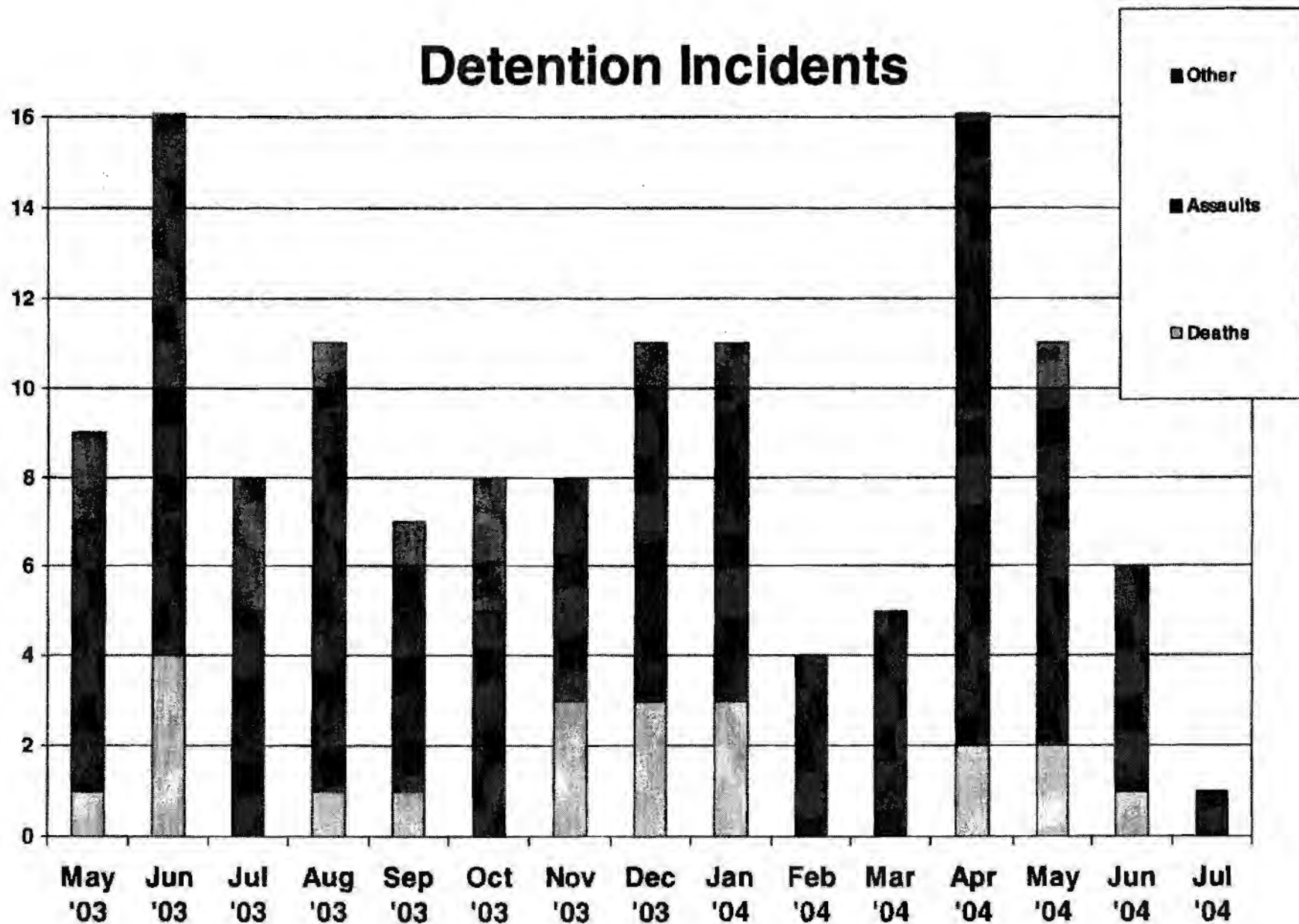
Count of Offenses & Unique Location



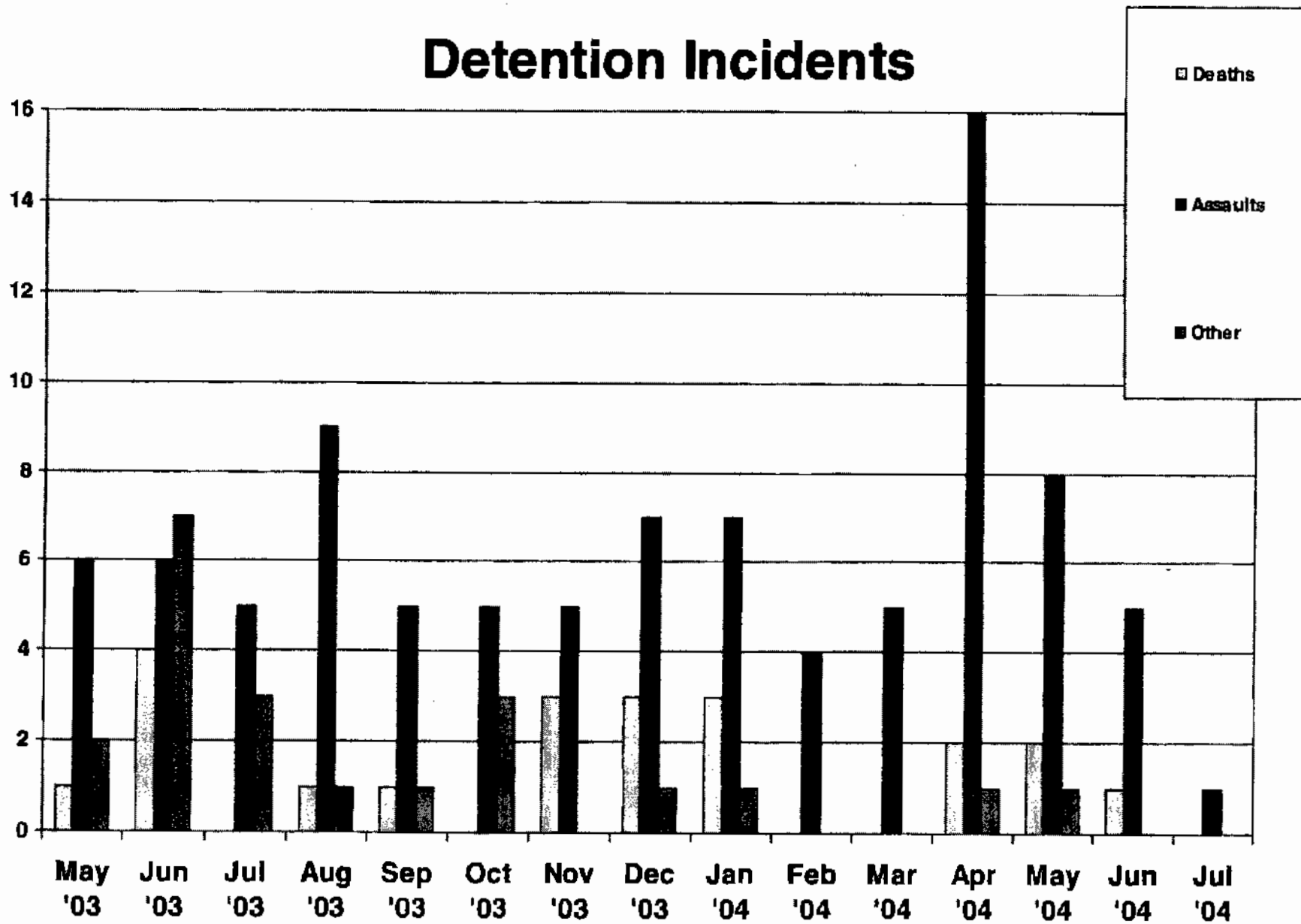
Investigation Breakdown by Location/Service

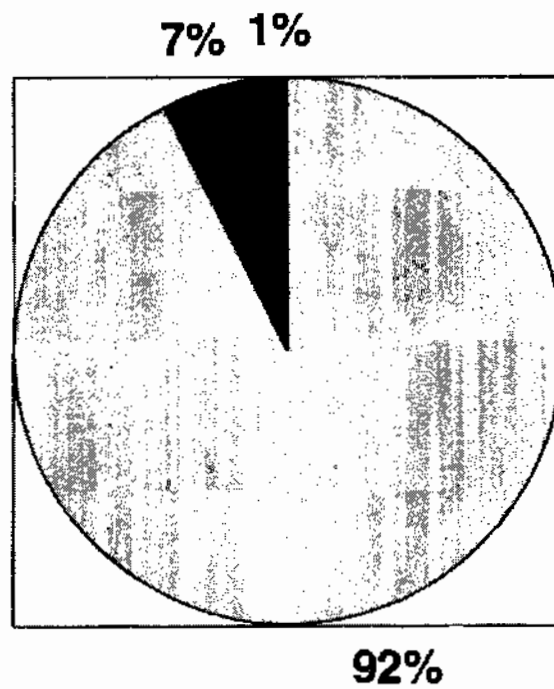


Detention Incidents



Detention Incidents





- Iraq
- Afghanistan
- GTMO

USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01

Total as of 12 Aug 04: 10 Substantiated incidents; 13 (plus unknown #) Unsubstantiated incidents

1. (b)(5), (b)(6), (b)(7)(A), (b)(7)(B) 10 incidents - All 1stMARDIV - 8 OIF I, 2 OIF II.
24 suspects: 11 Court-martial convictions - 1 General Court-martial, 7 Special Courts-martial; 3 Summary (b)(5), (b)(6), (b)(7)(A), (b)(7)(B)
2 Non-judicial Punishments (1 followed by Board of Inquiry & pending discharge)
1 page 11 (official counseling)
6 - charges withdrawn or dismissed
4 cases pending:
3 pending General Courts-martial
1 pending Art 32 investigation

2. **Unsubstantiated:** 13 incidents (plus unknown #); 25 known suspects & unknown # other suspects (2 NJPs for (b)(5), (b)(6), (b)(7)(A), (b)(7)(B)

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)

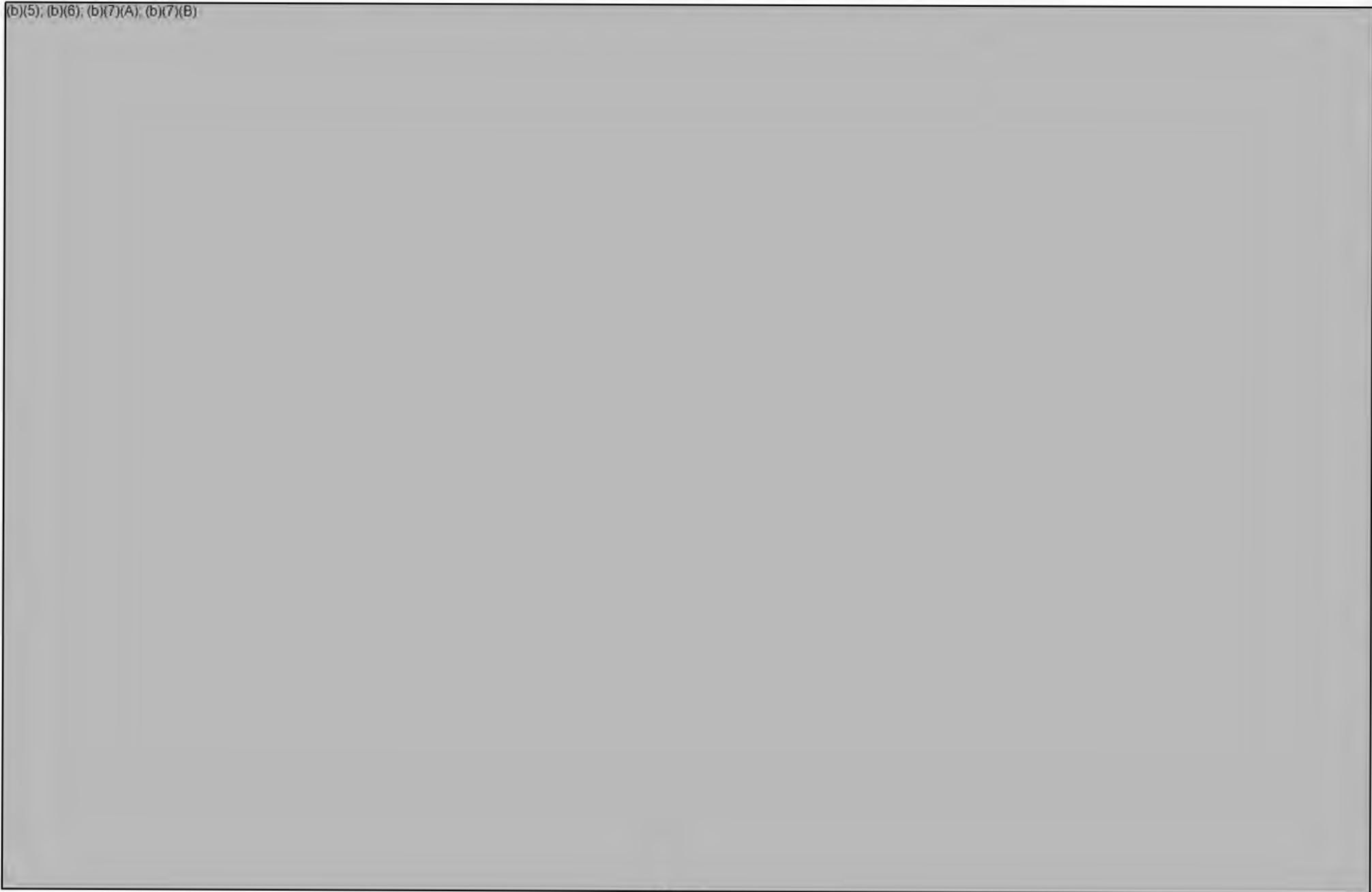
(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B) DIG counts under Navy; 1 open is joint Army CID & NCIS), Non-criminal Investigations 2/7, Inspections/Reviews 0/0, Total 25 Investigations 5/20 (2/12 without NCIS/Army CID)

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)

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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01

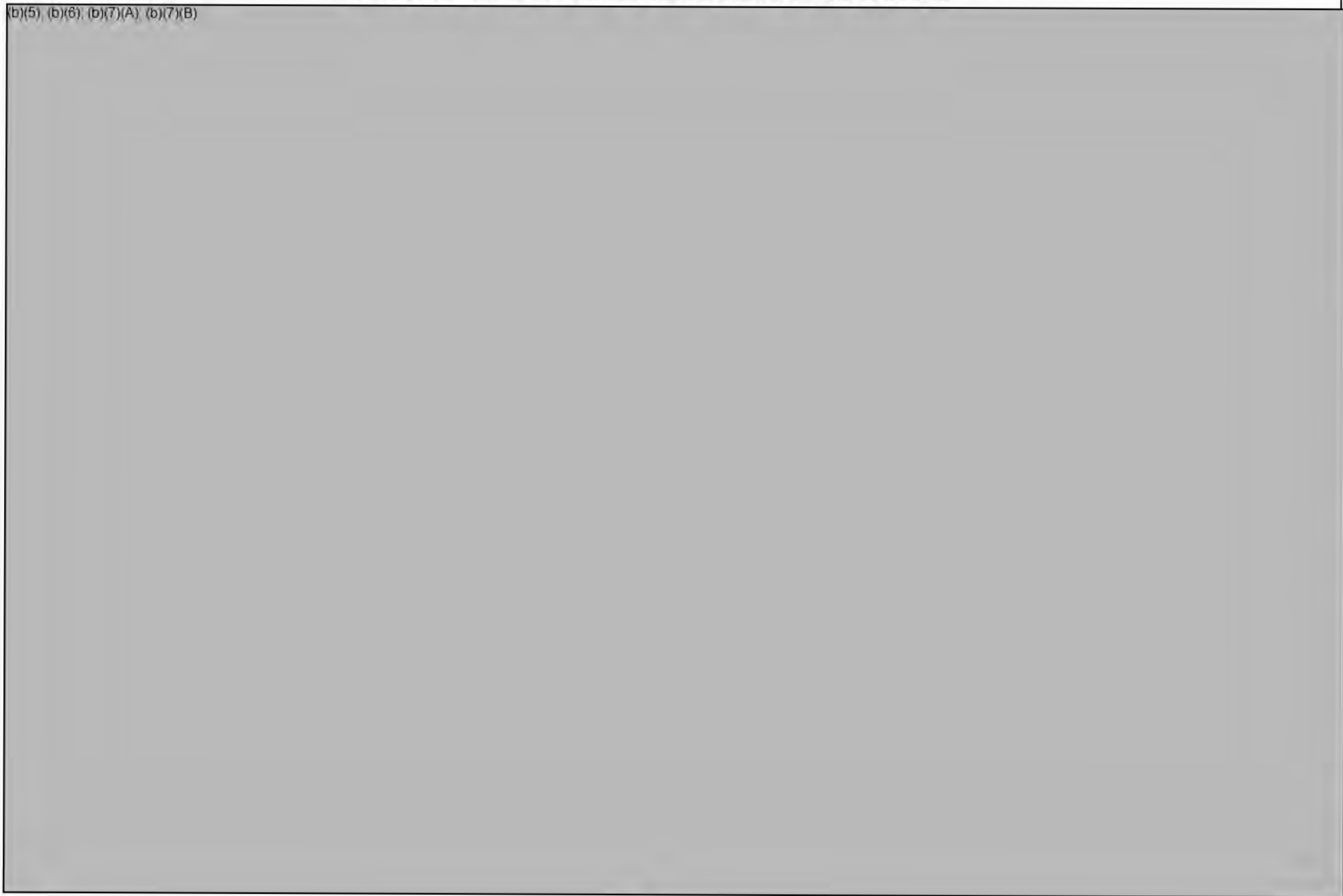
(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)




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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01

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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)




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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01


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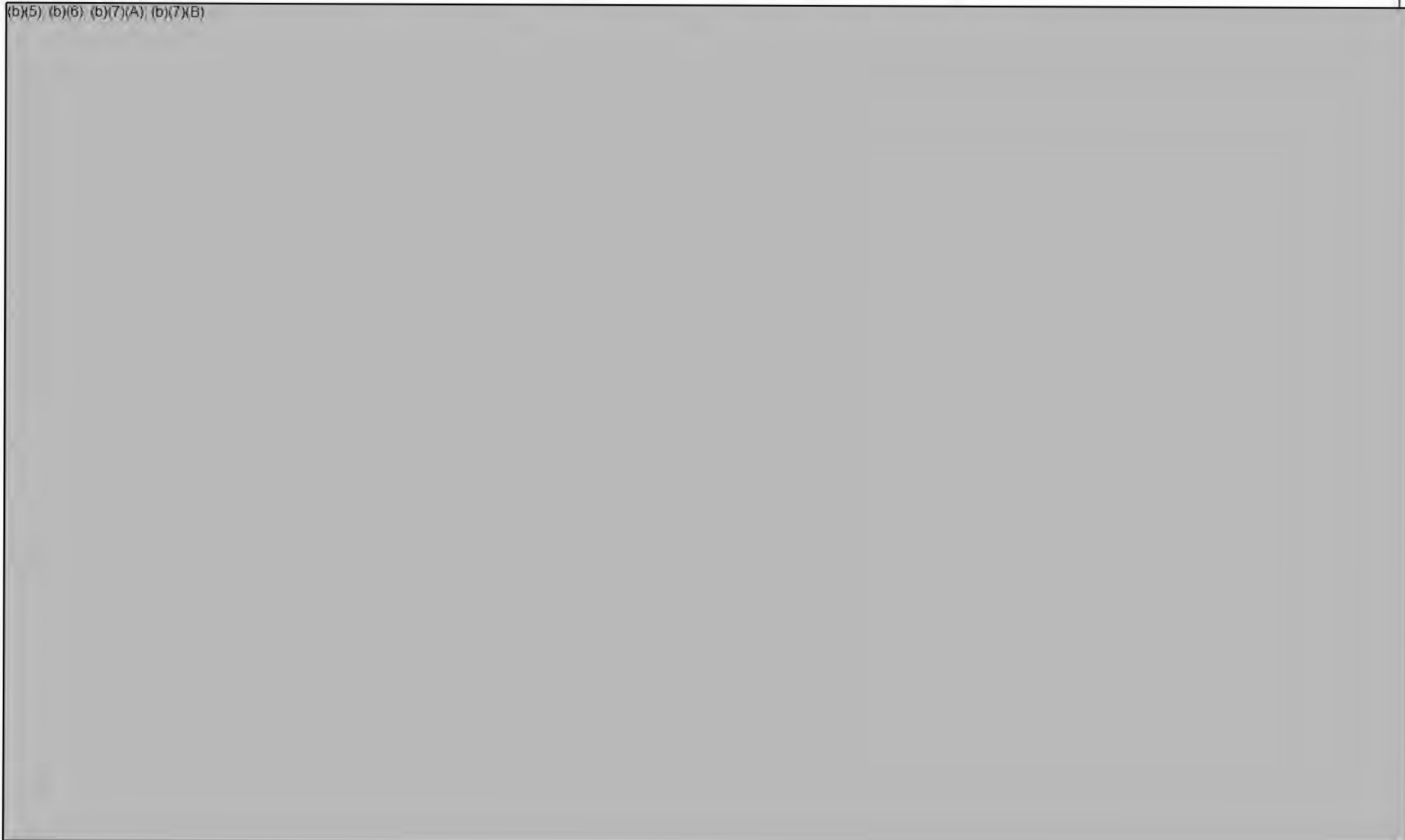
USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01


(b)(5) (b)(6) (b)(7)(A) (b)(7)(B)



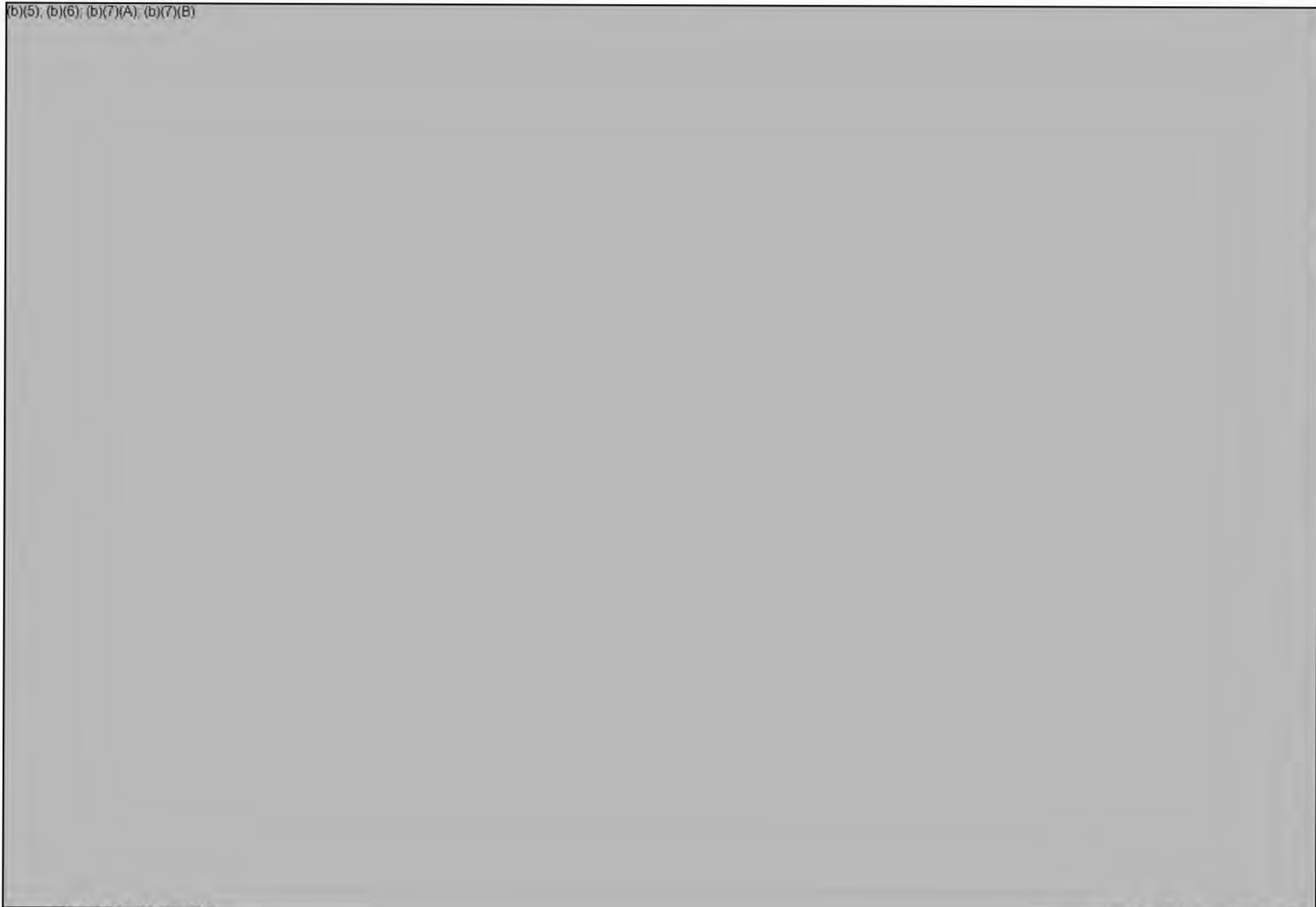
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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)




Red = Cases Open 180+ Days
Green = Closed

Light Blue = CM Results
Light Yellow = Disposition Taken

SS


(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)




Blue = CID Case
Red = Cases Open 180+ Days
Green = Closed

Light Blue = CM Results
Light Yellow = Disposition Taken

(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



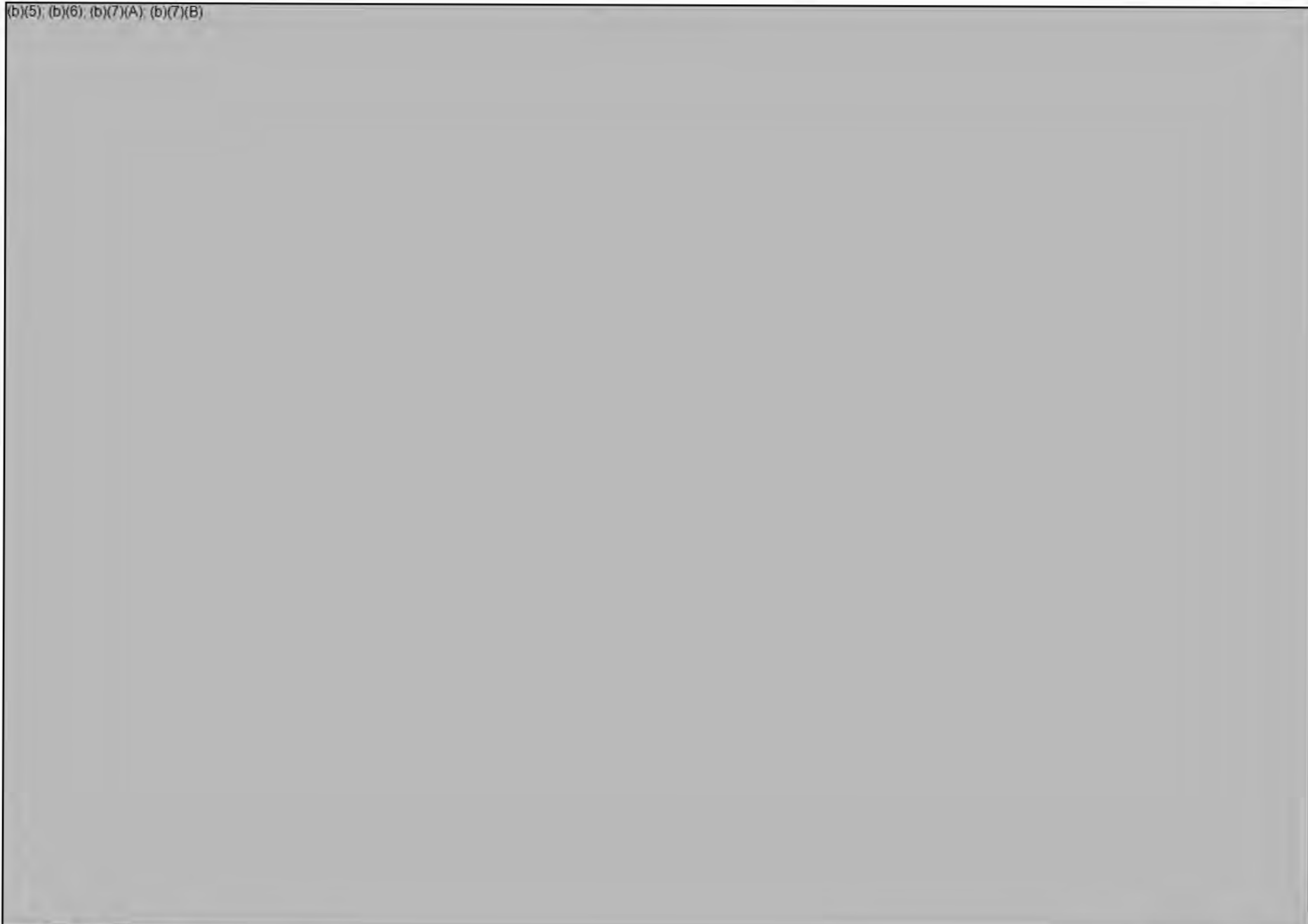
(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



White = Not Case
Red = Cases Open 180+ Days
Green = Closed

Light Blue = CM Results
Light Yellow = Disposition Taken

(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



Blue = CID Case
Red = Cases Open 180+ Days
Green = Closed

Light Blue = CM Results
Light Yellow = Disposition Taken

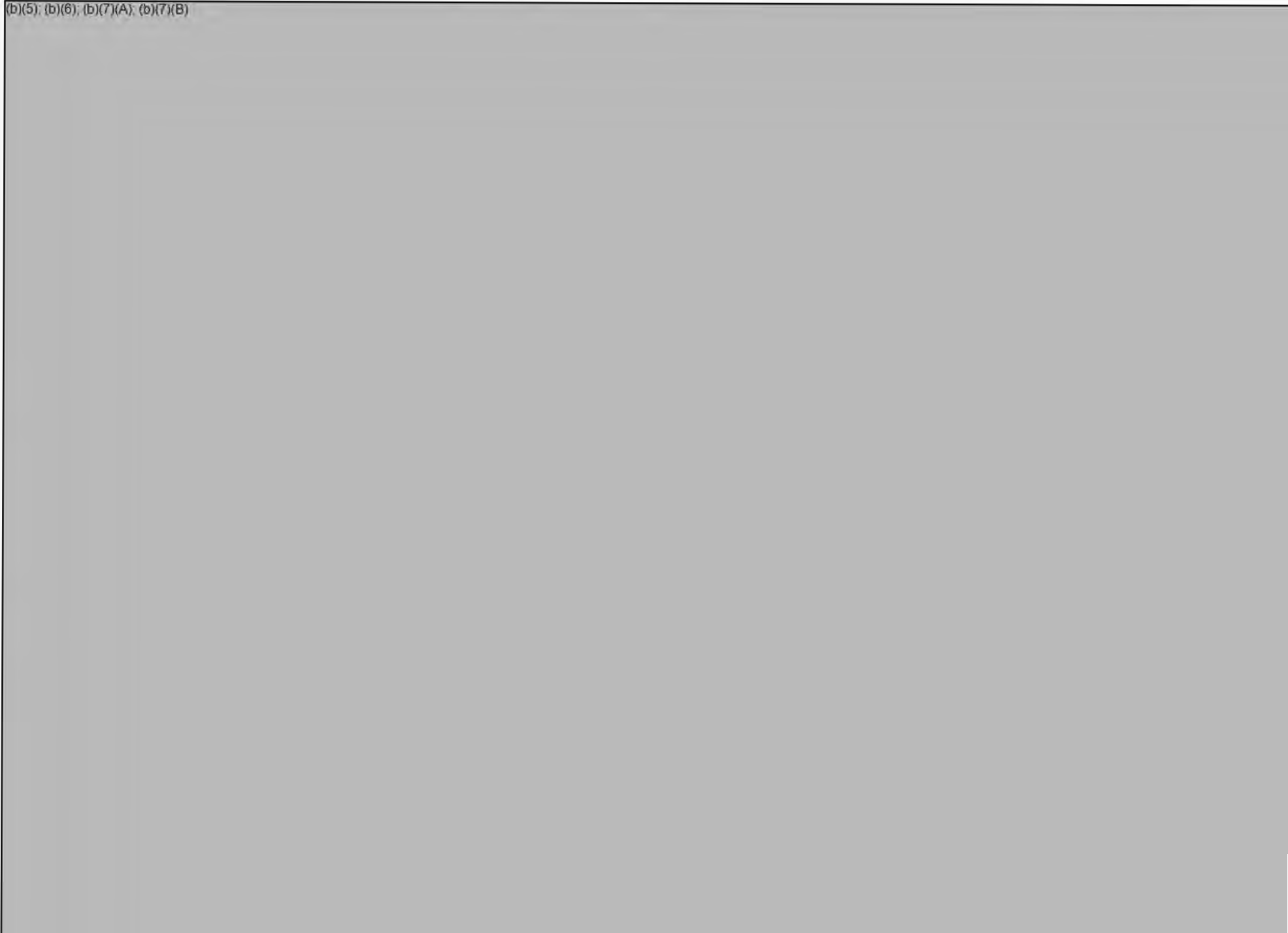
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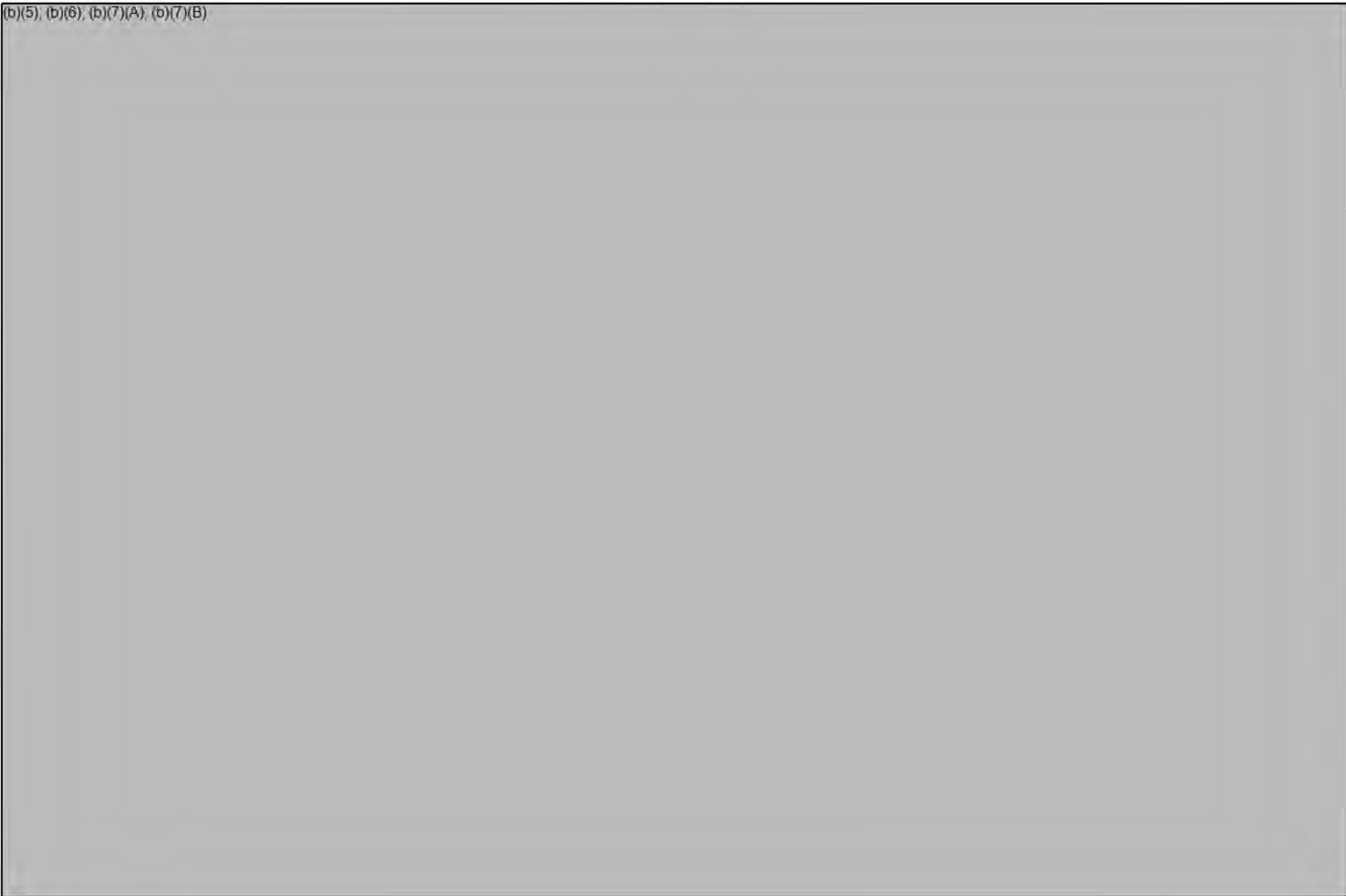
Blue = CID Case
Red = Cases Open 180+ Days
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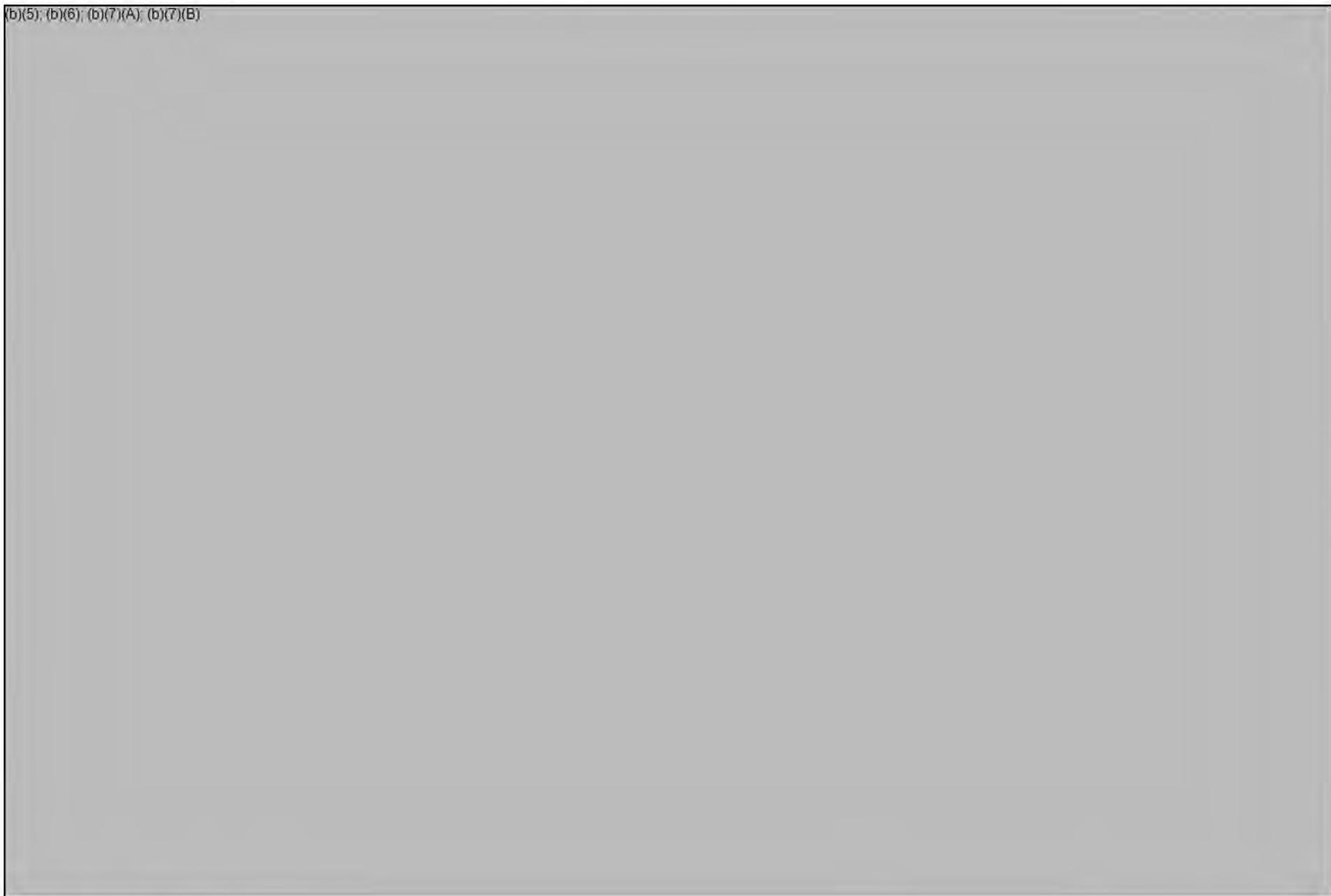
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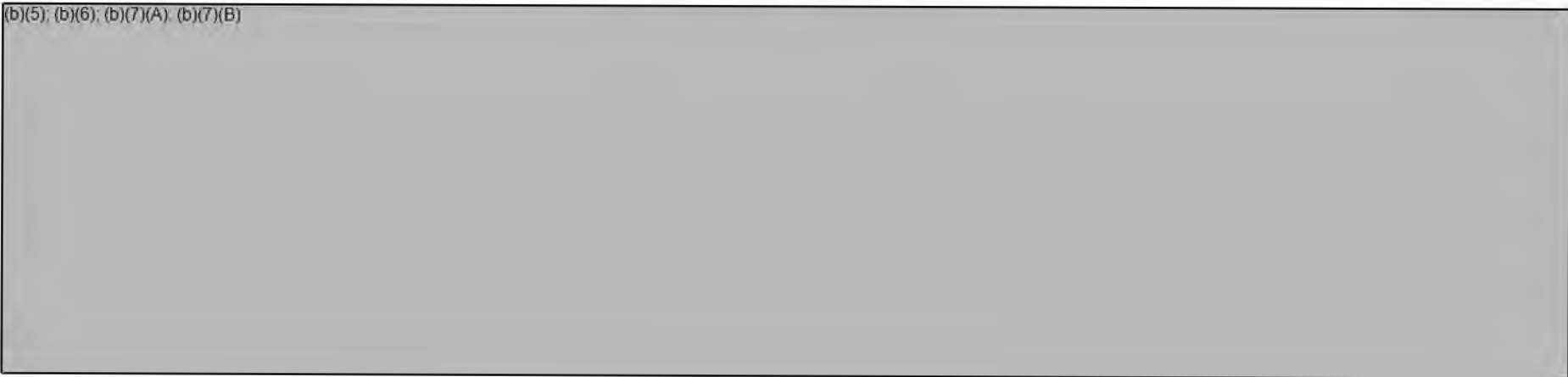
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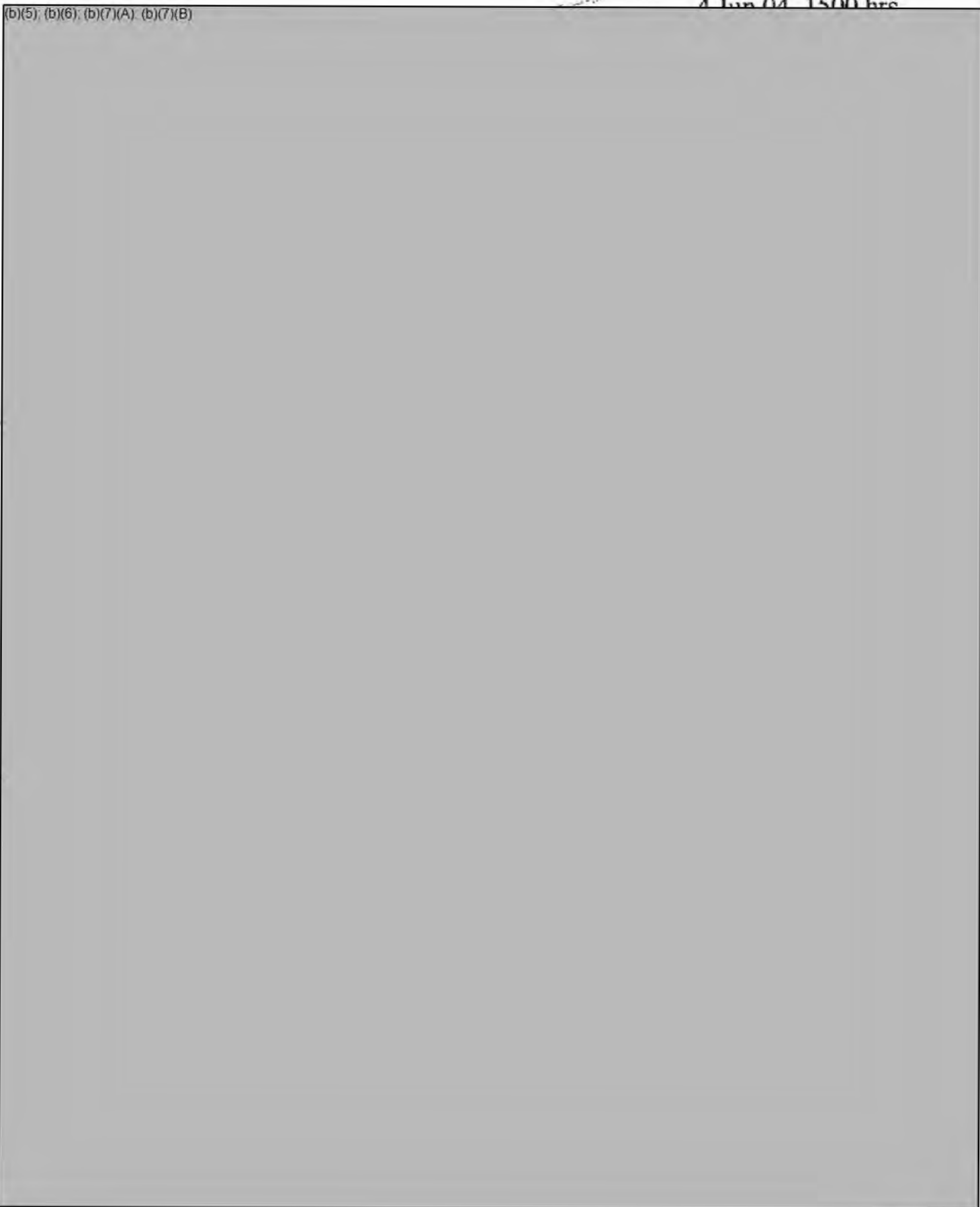
Light Blue = CM Results
Light Yellow = Disposition Taken

806-0812

Mr. [unclear]

4 Jan 04 1500 hrs

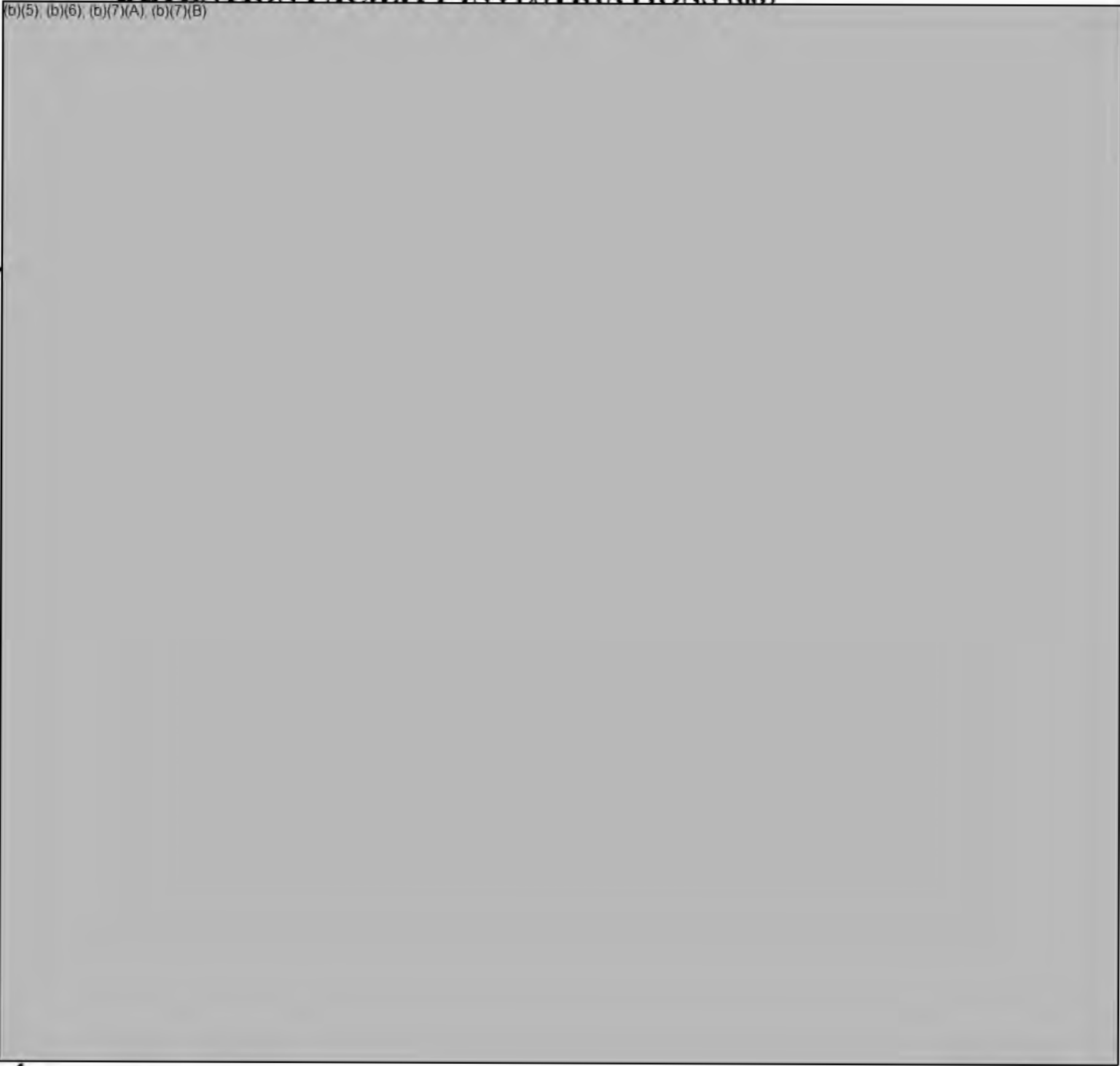
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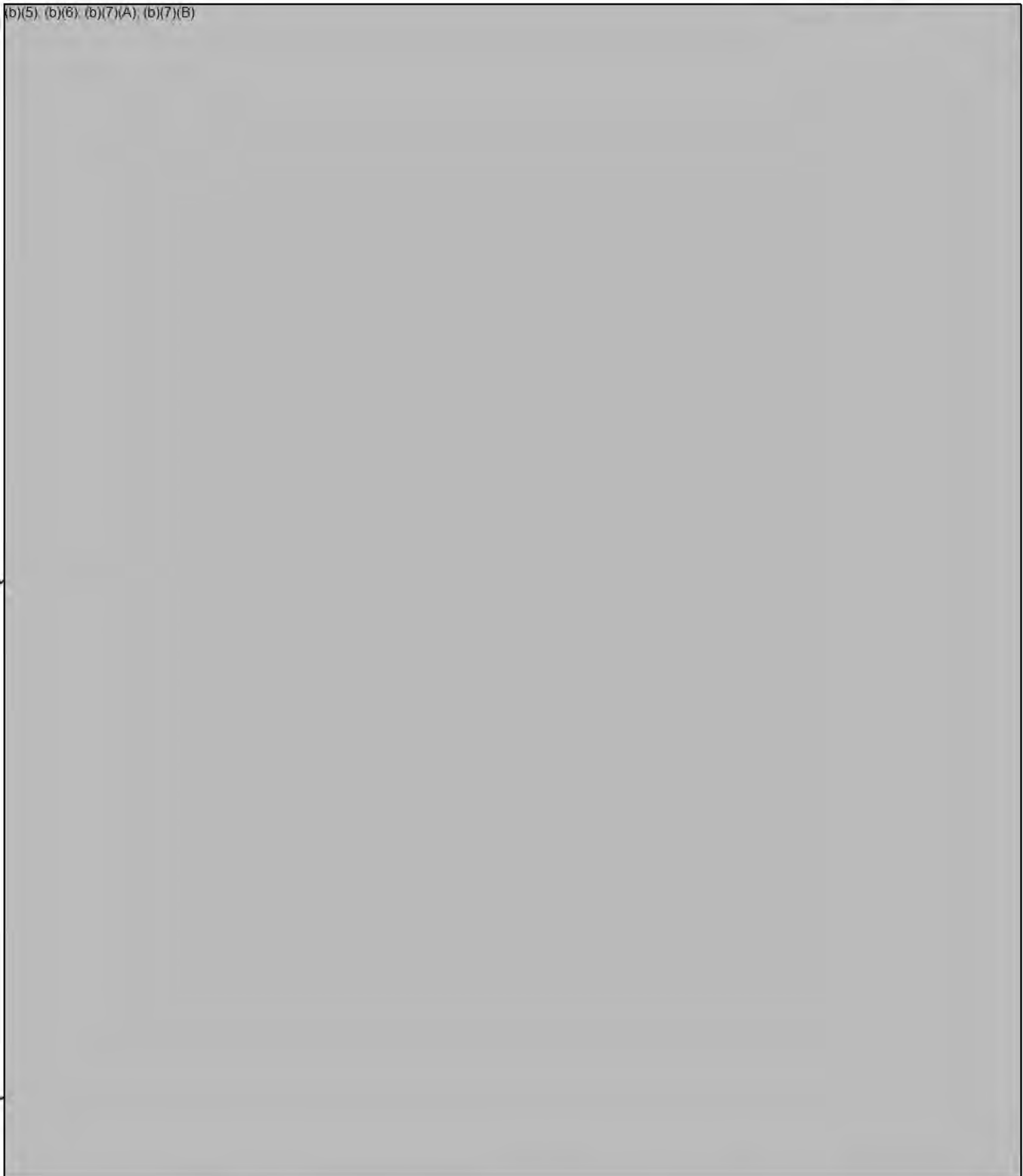
DETENTION FACILITY INVESTIGATIONS (68)

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4 Jun 04, 1500 hrs

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(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)

***Death Certificate on File**

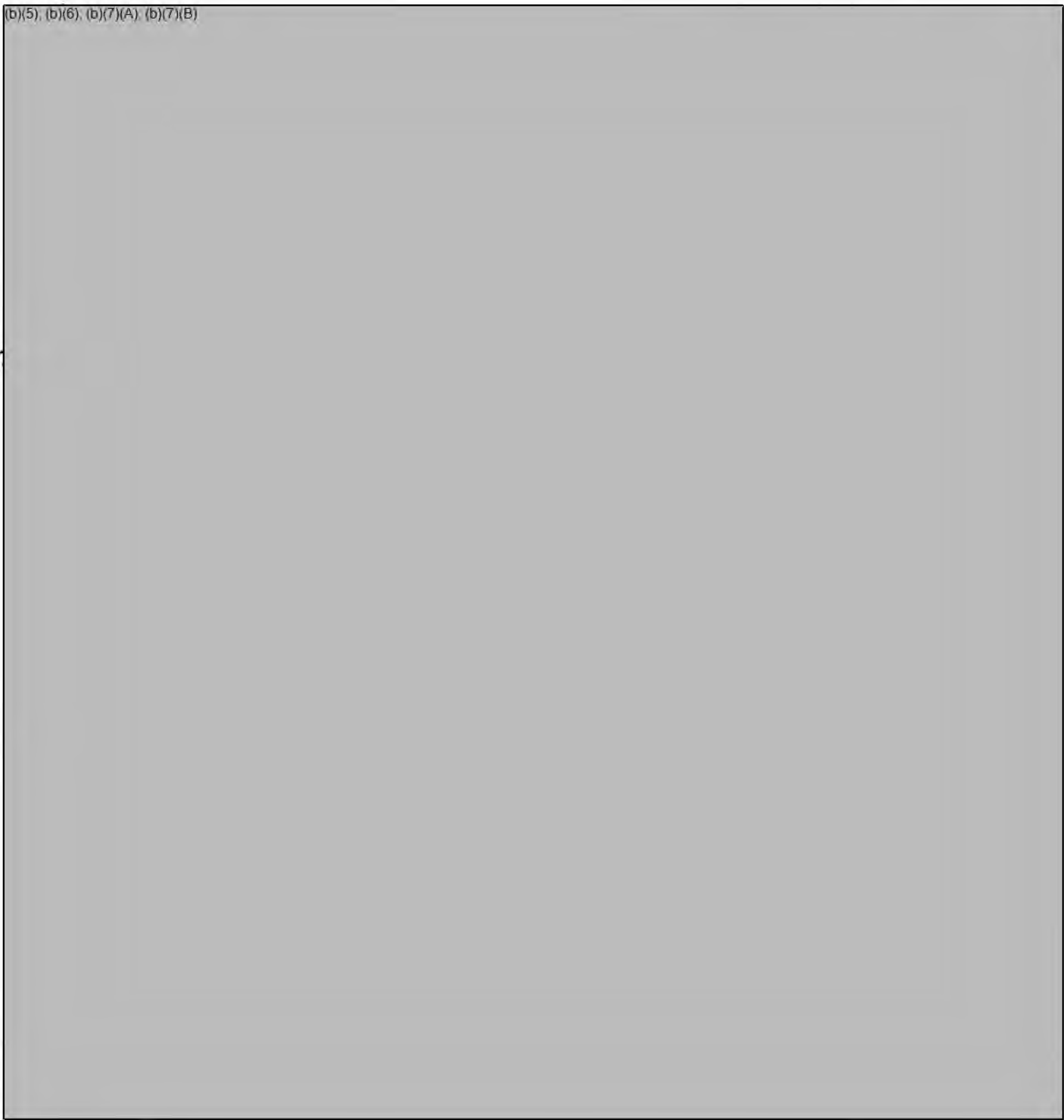
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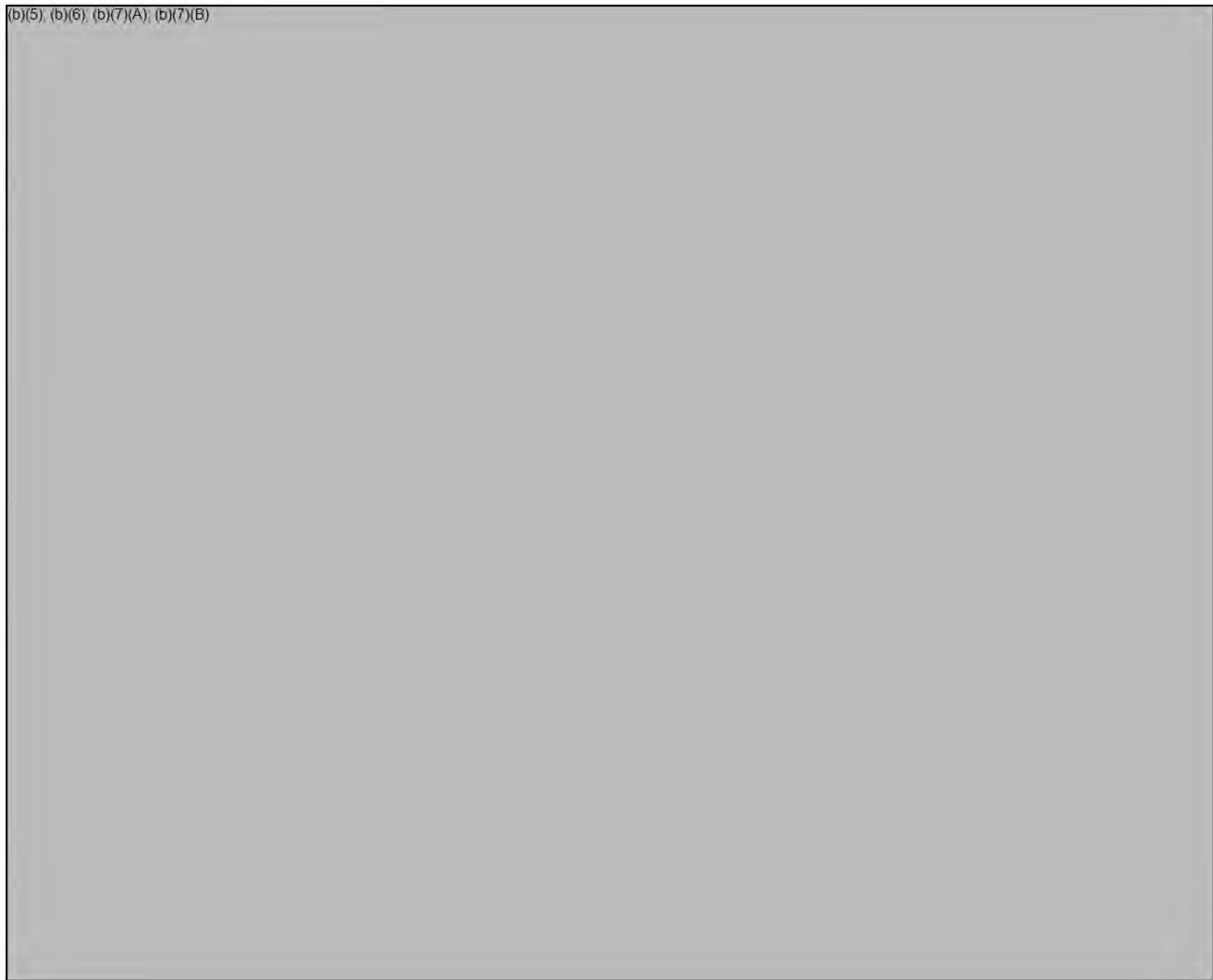
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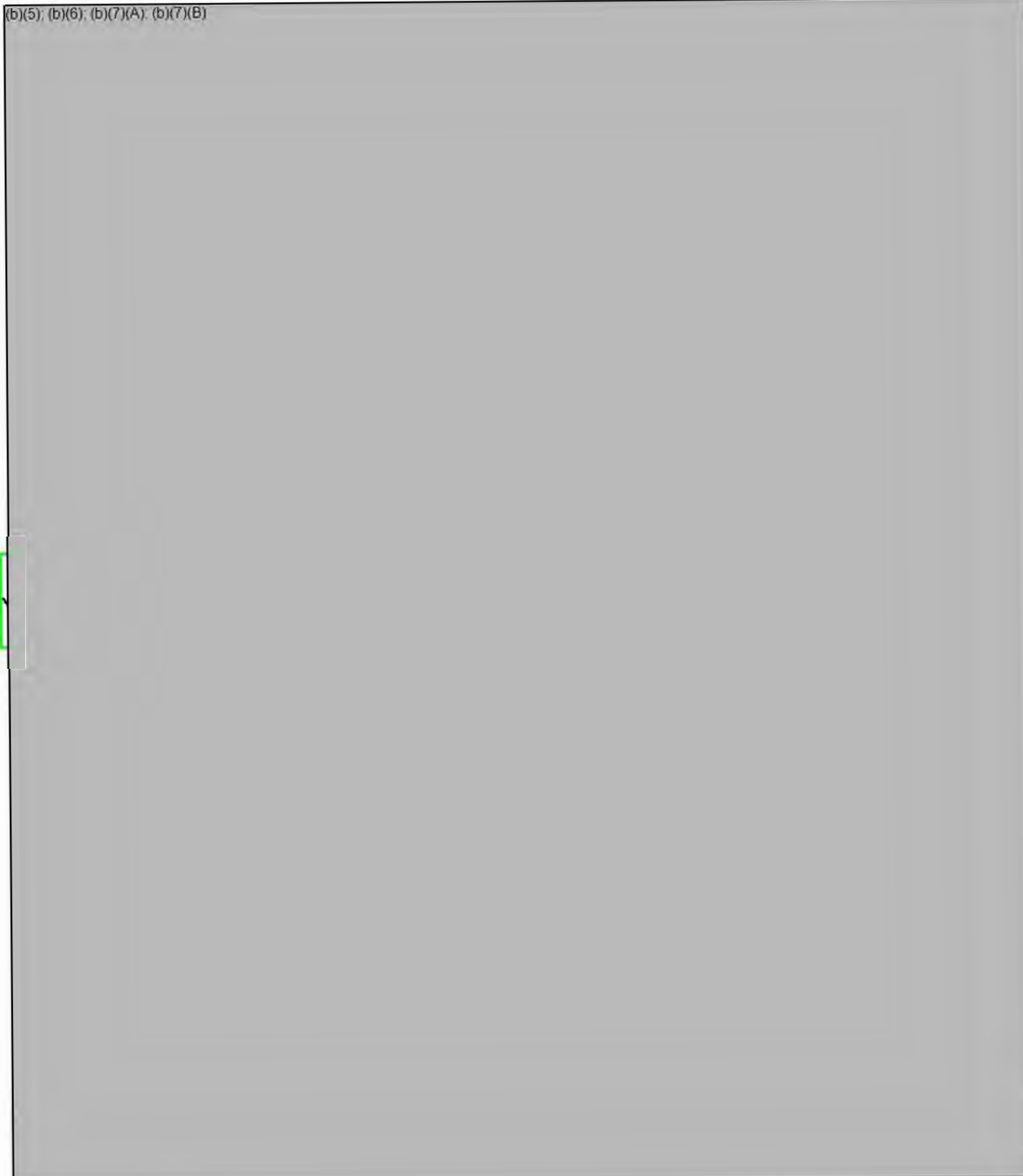


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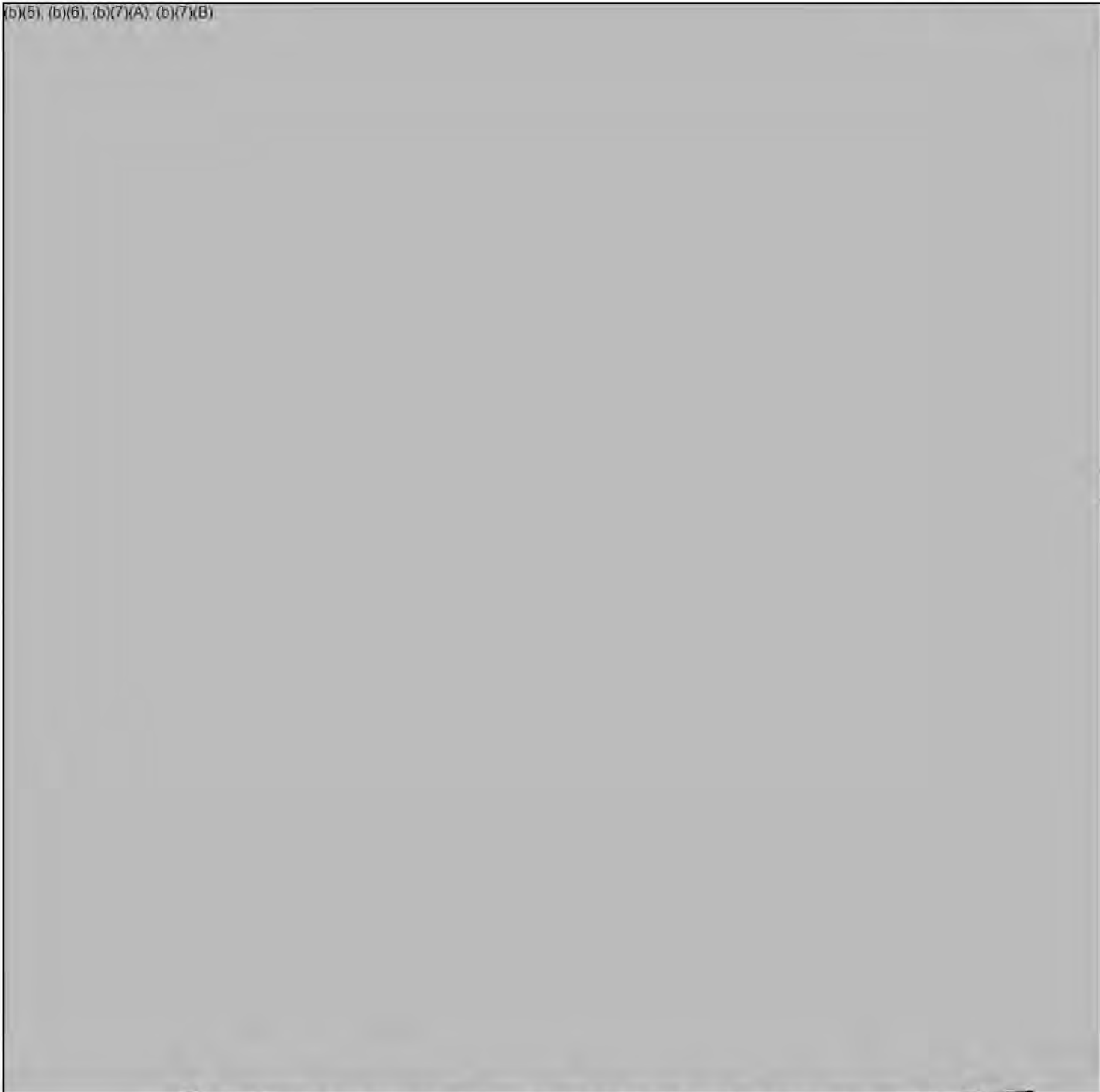
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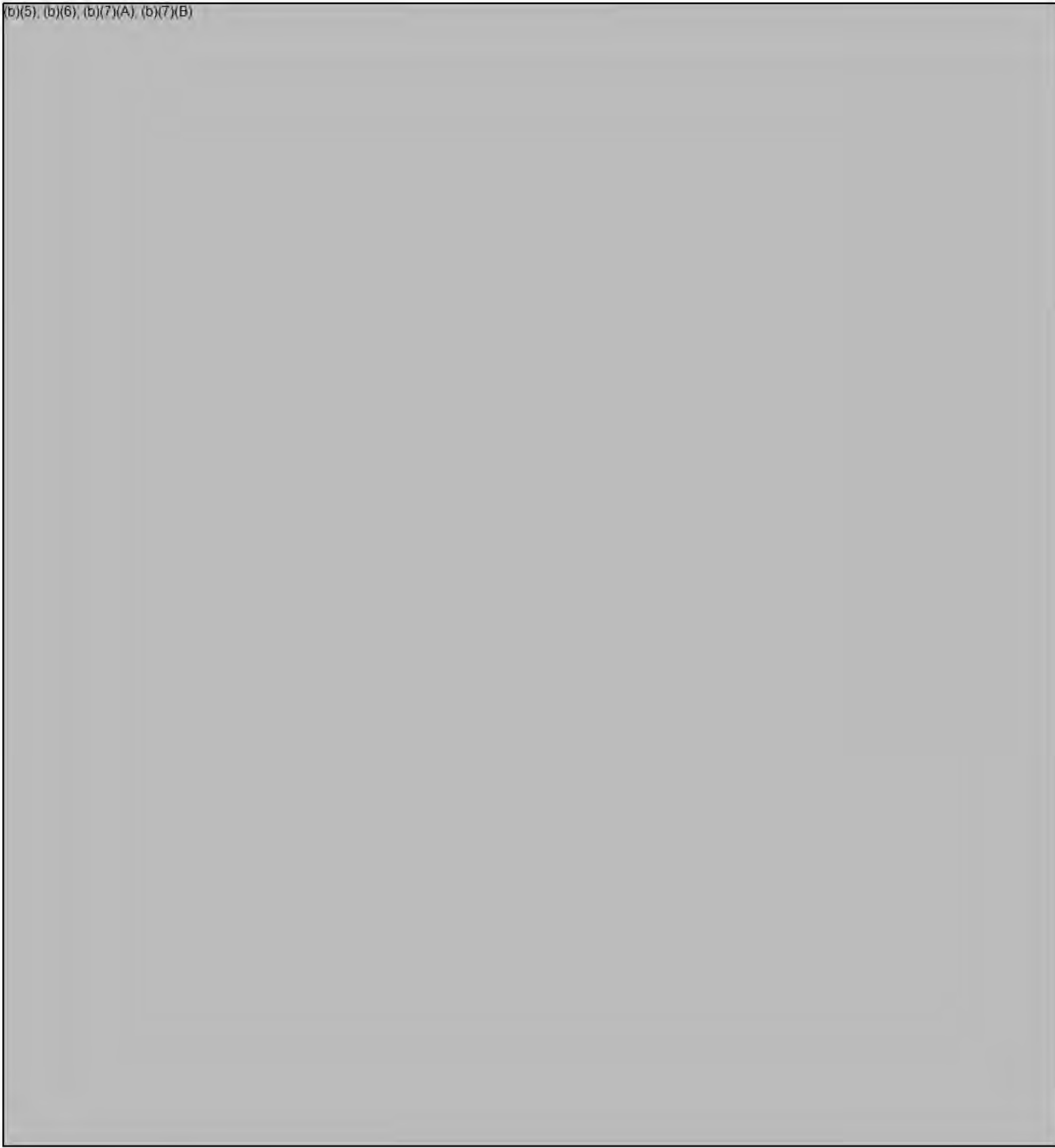
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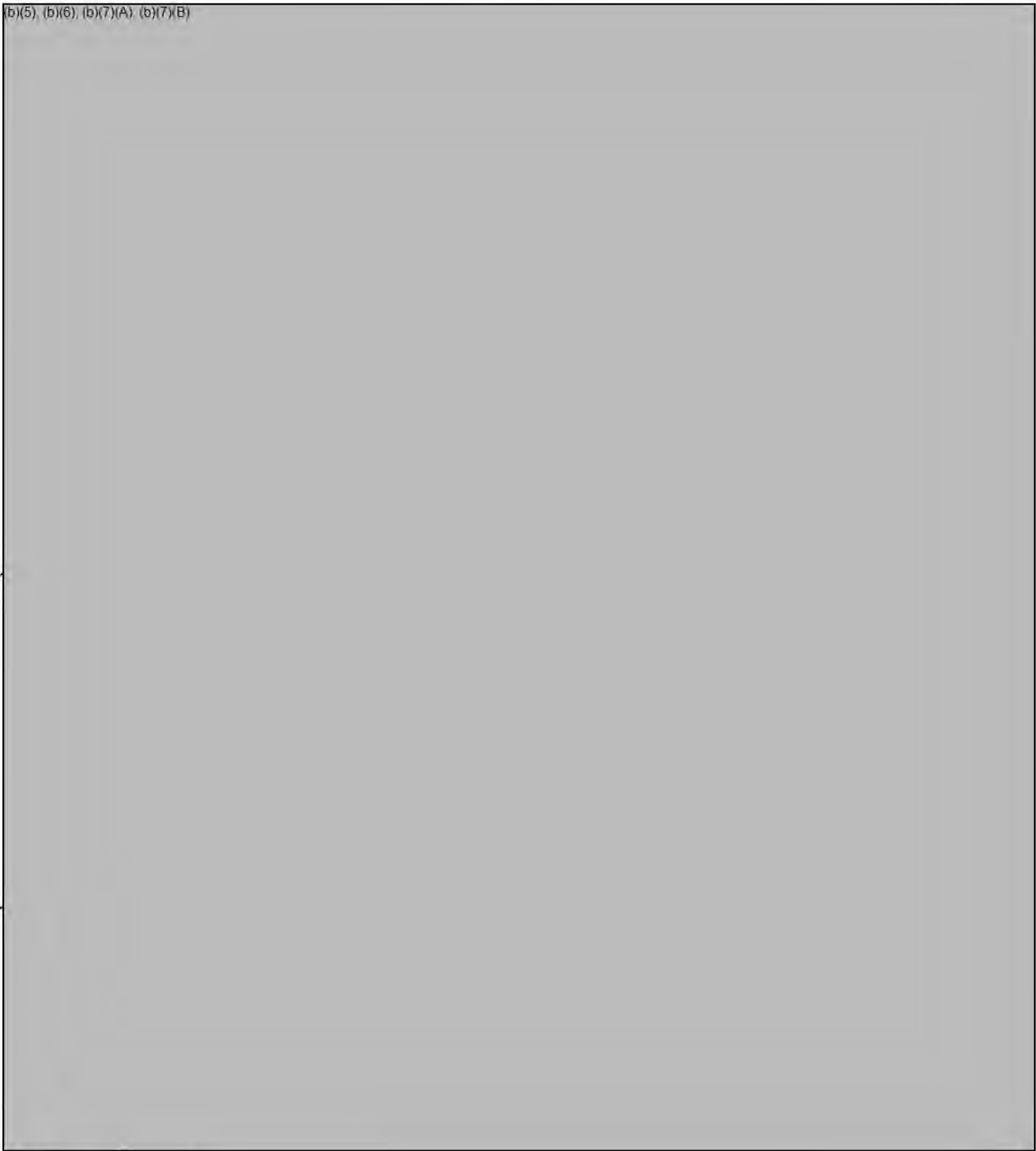


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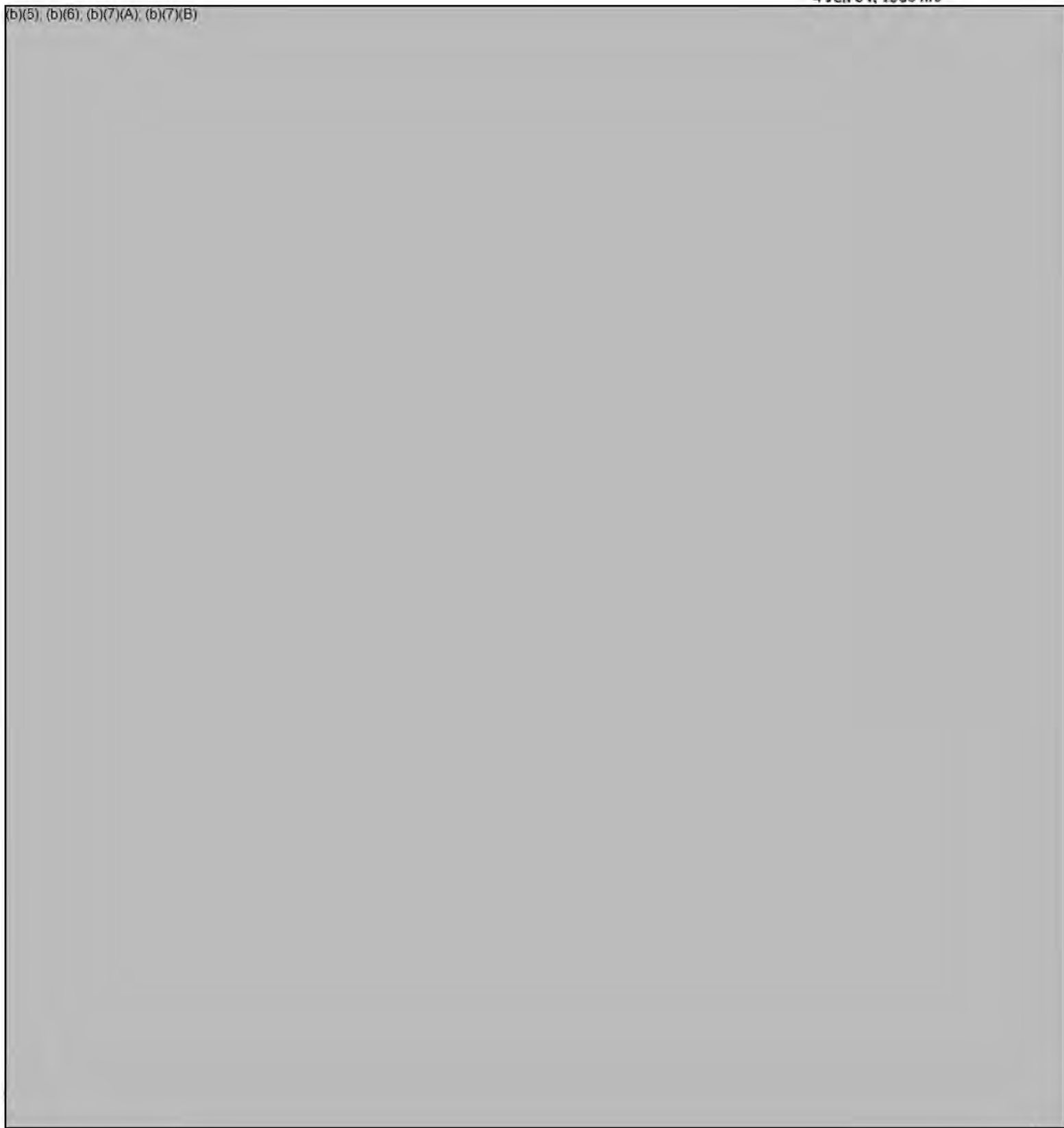


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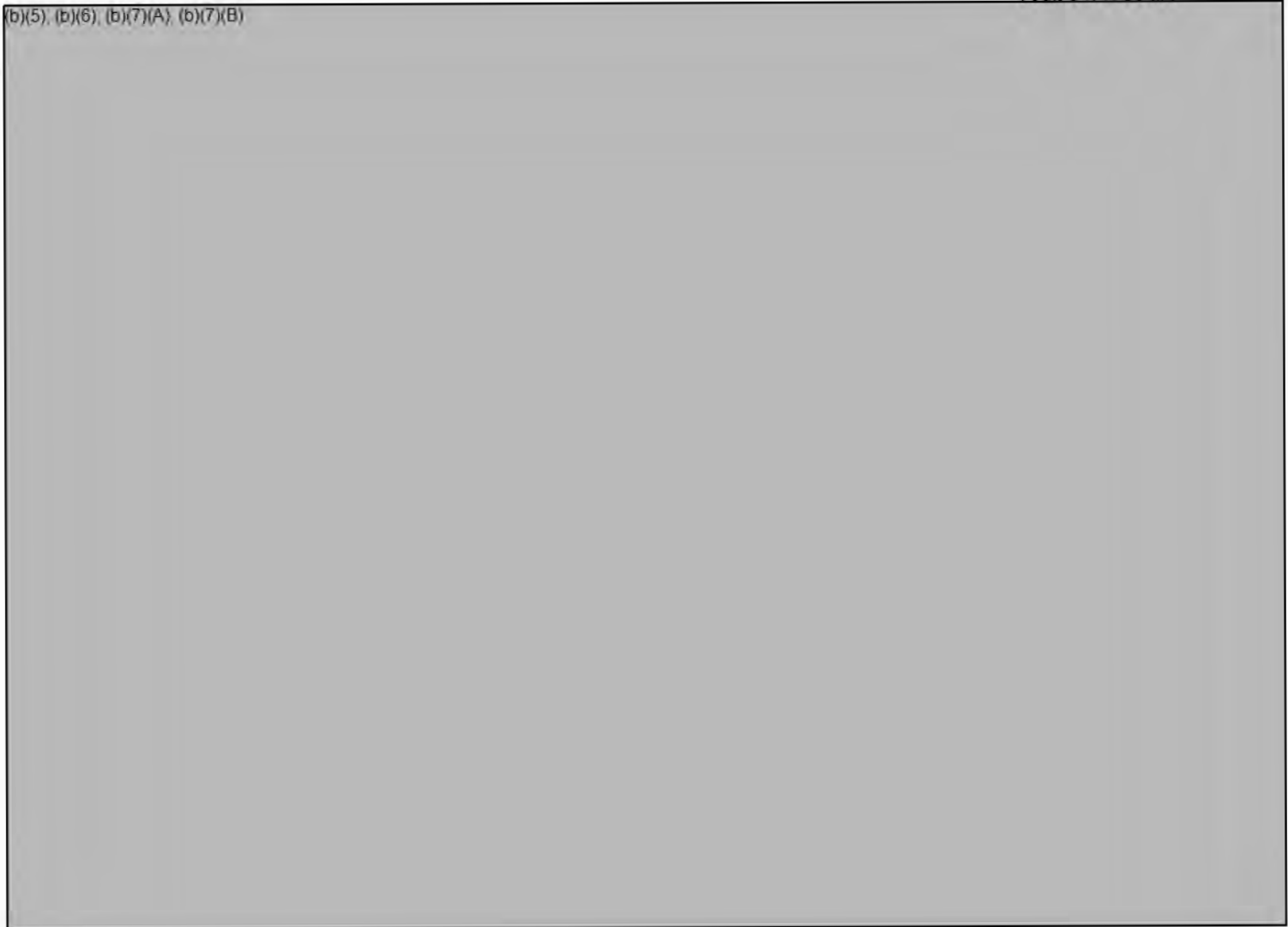
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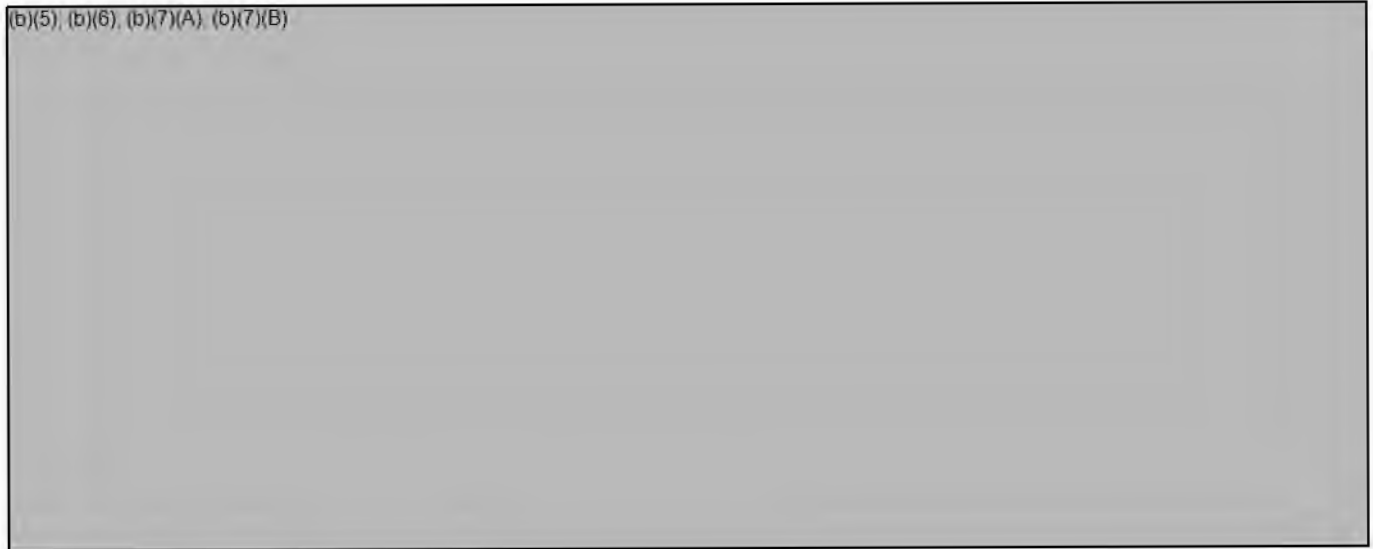


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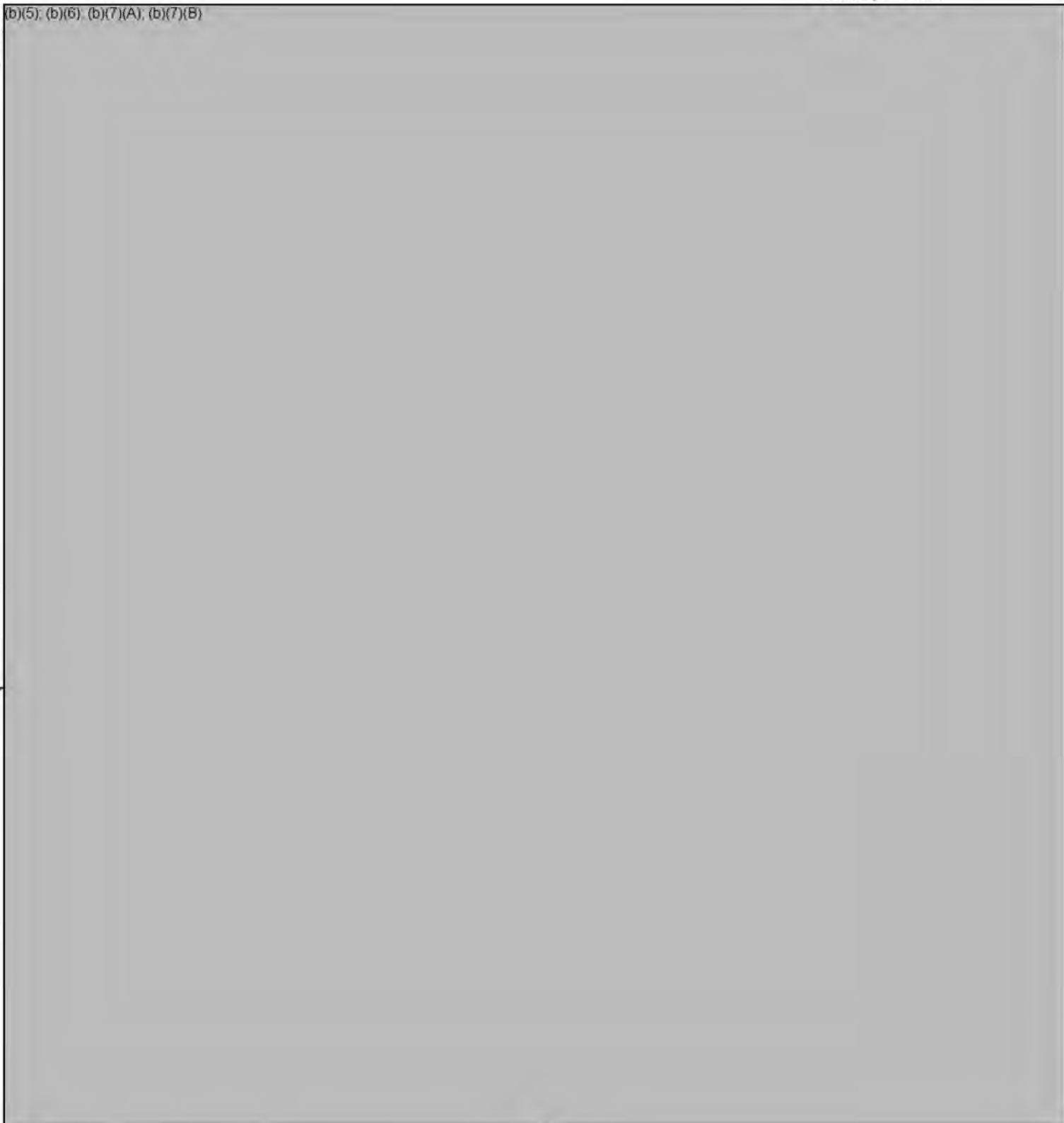
DETENTION FACILITY INVESTIGATIONS (68)

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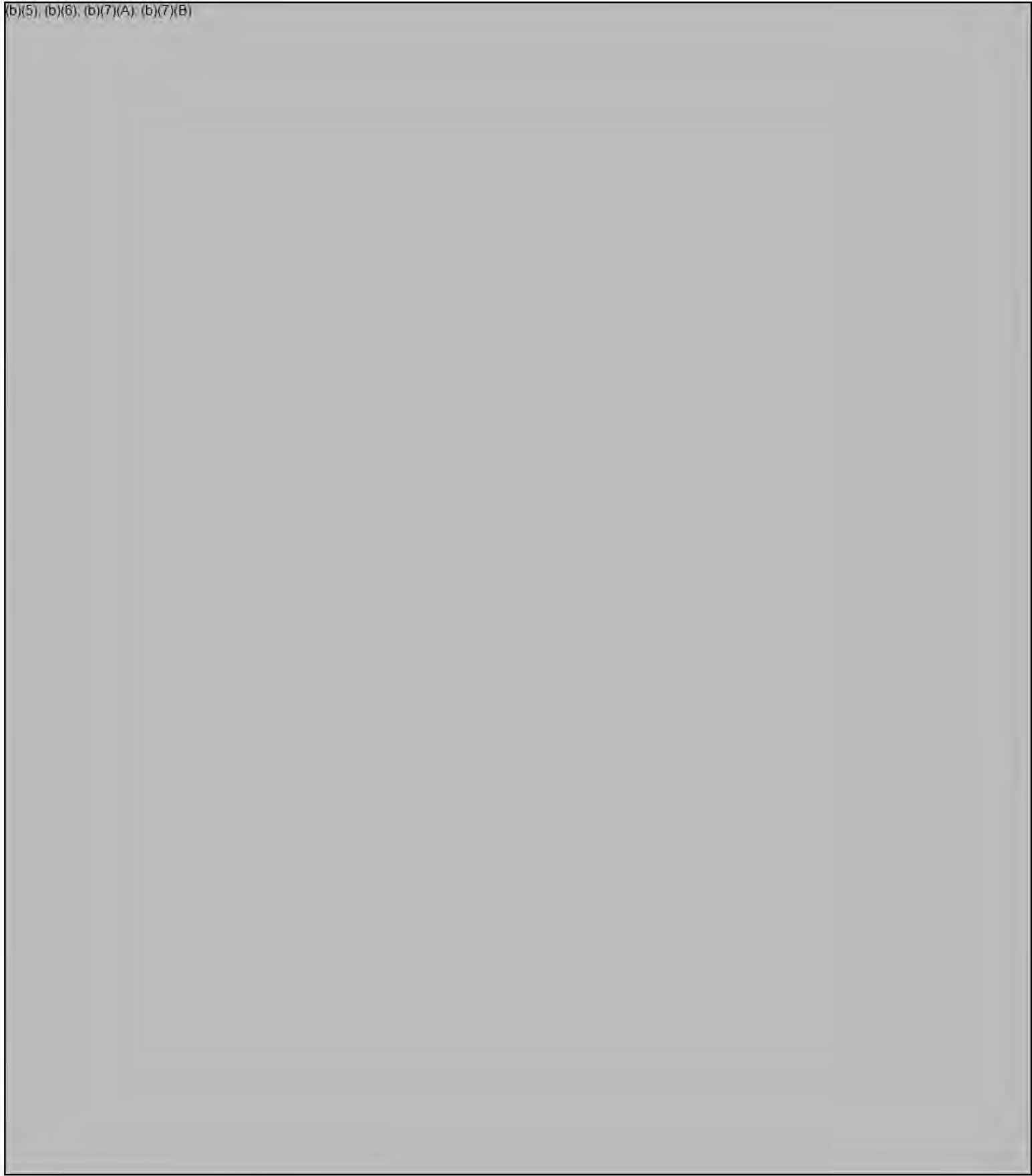


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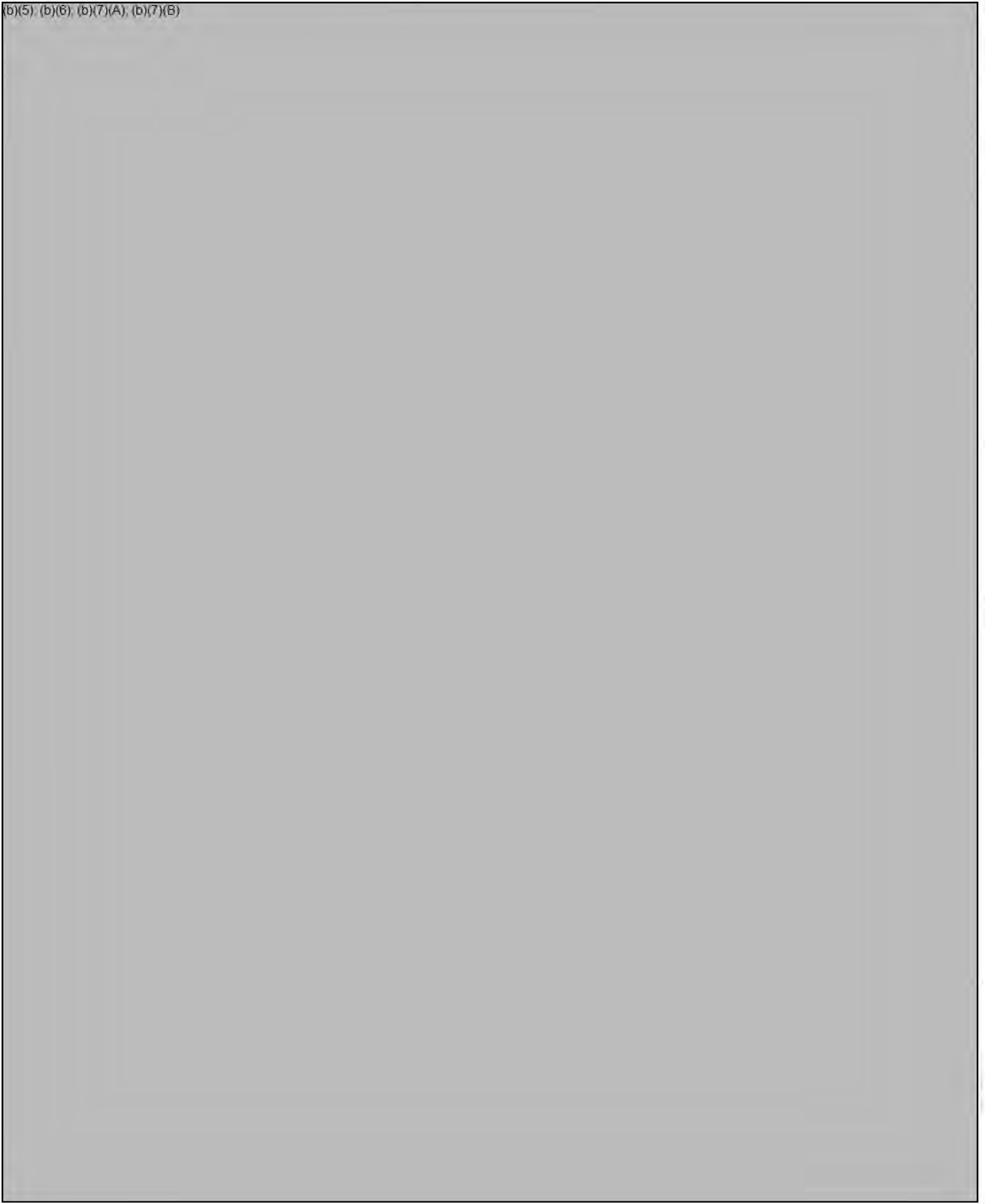
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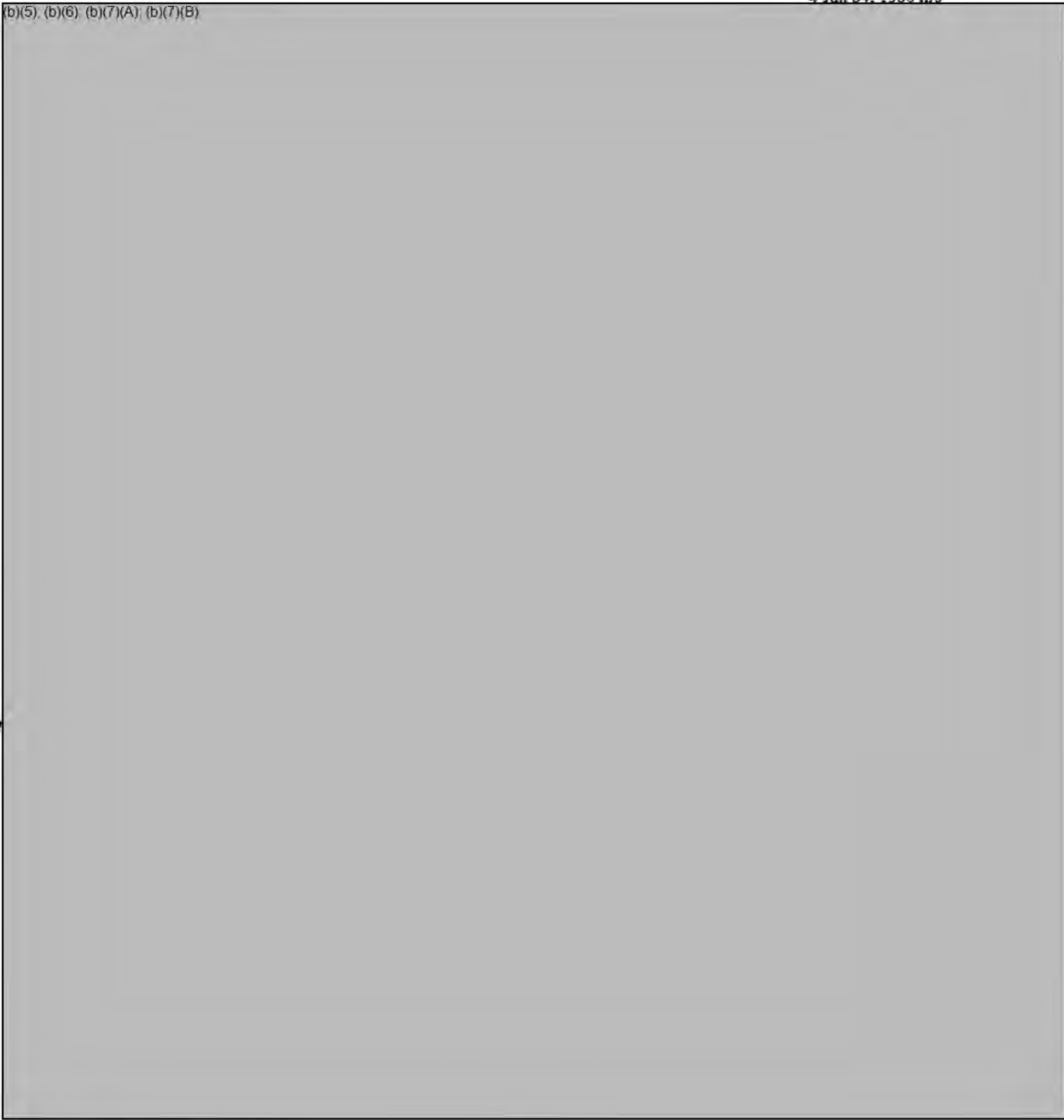


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4 Jun 04, 1500 hrs

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***Death Certificate on File**

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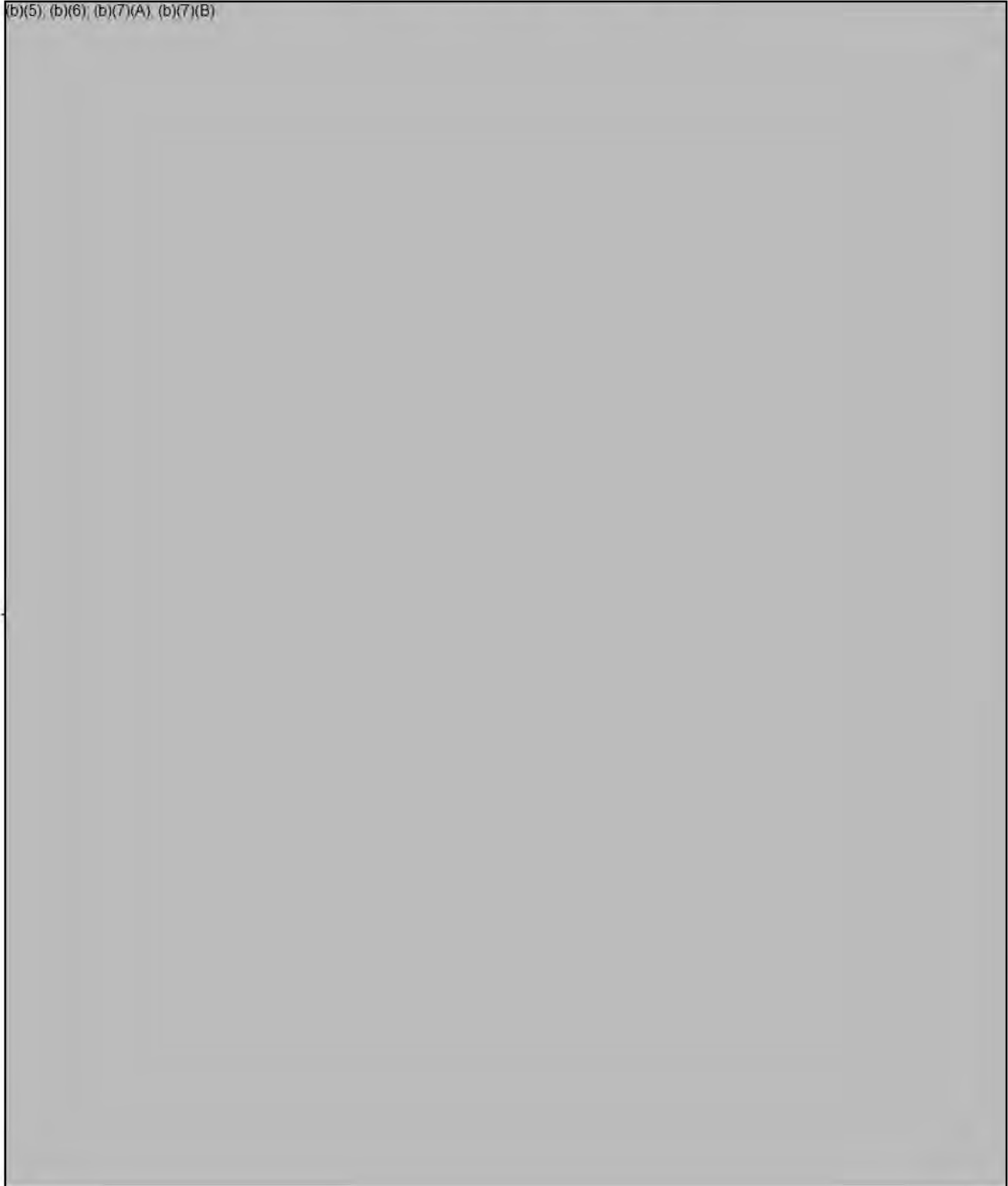
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DETENTION FACILITY INVESTIGATIONS (68)

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



(b)(5) (b)(6) (b)(7)(A) (b)(7)(B)




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4 Jun 04, 1500 hrs

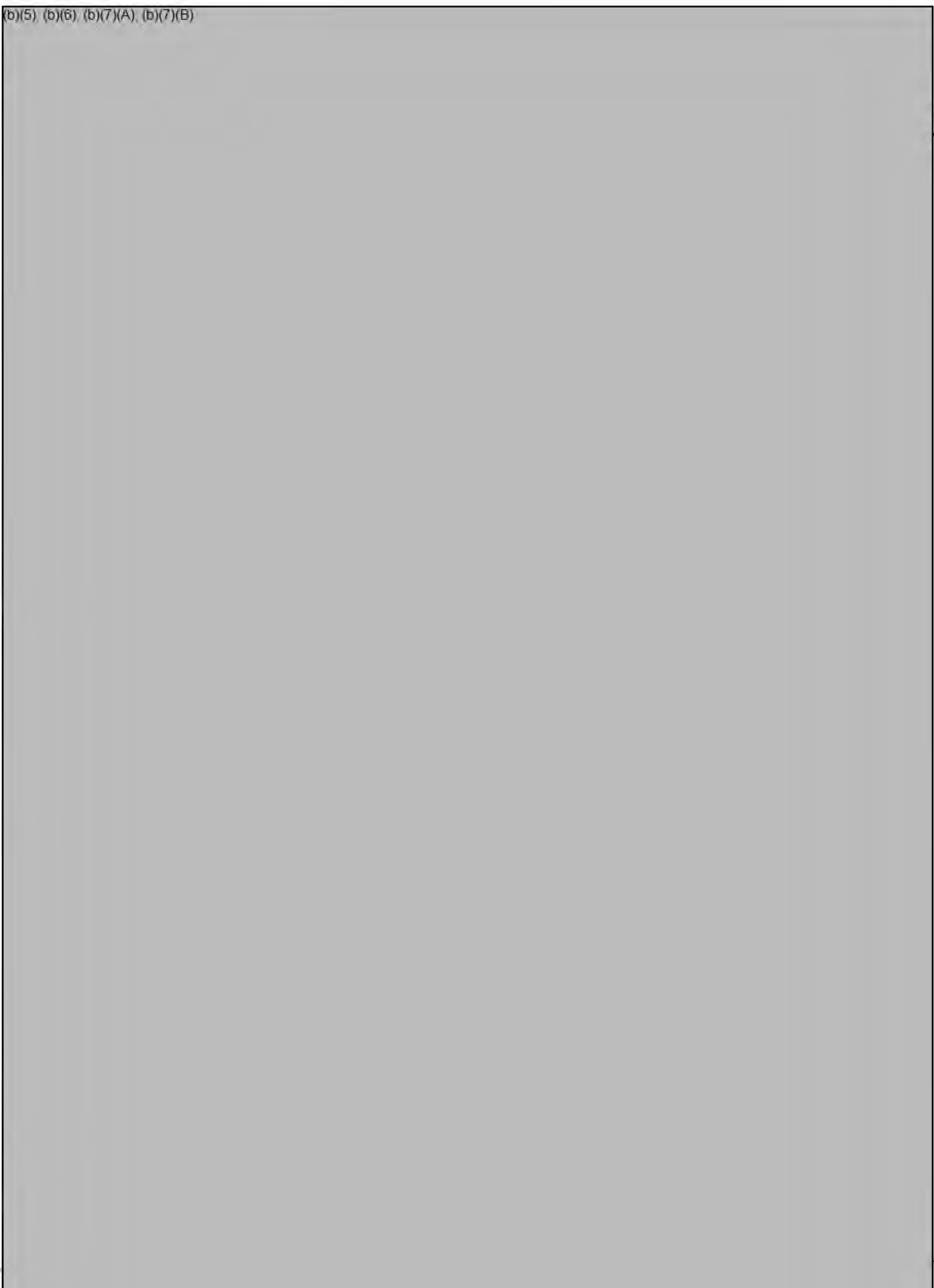
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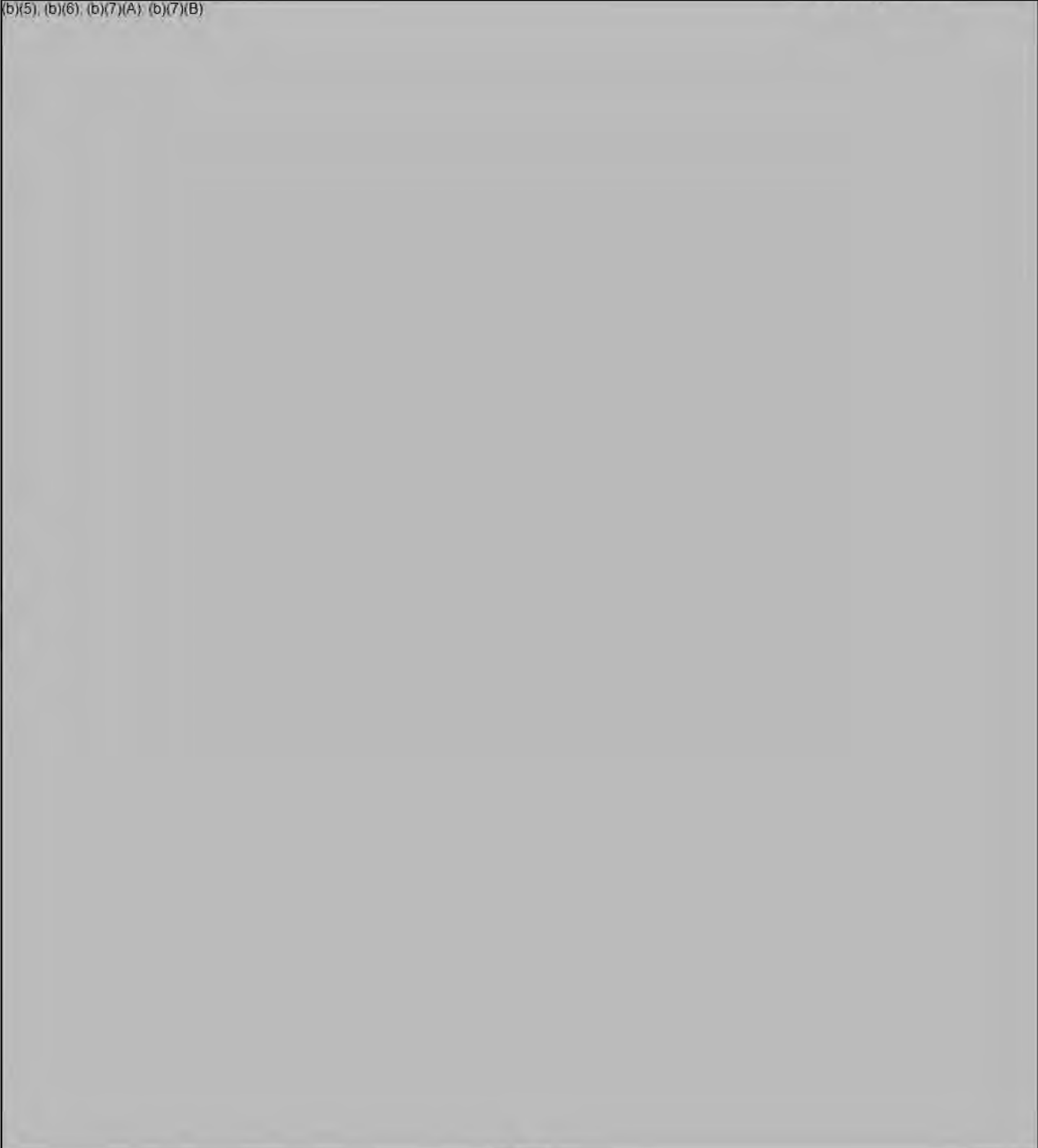
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(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



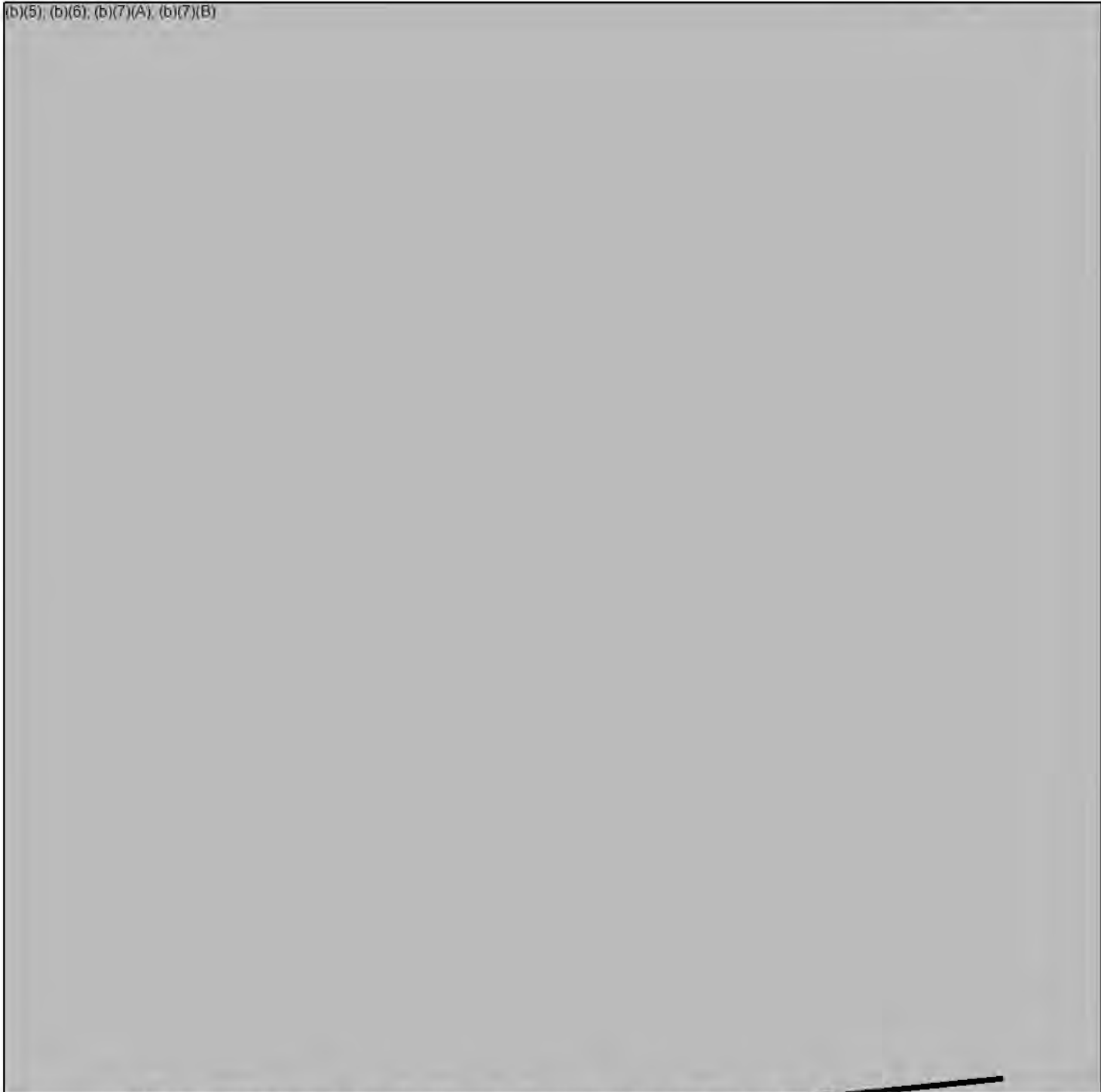
4 Jun 04, 1500 hrs

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4 Jun 04, 1500 hrs

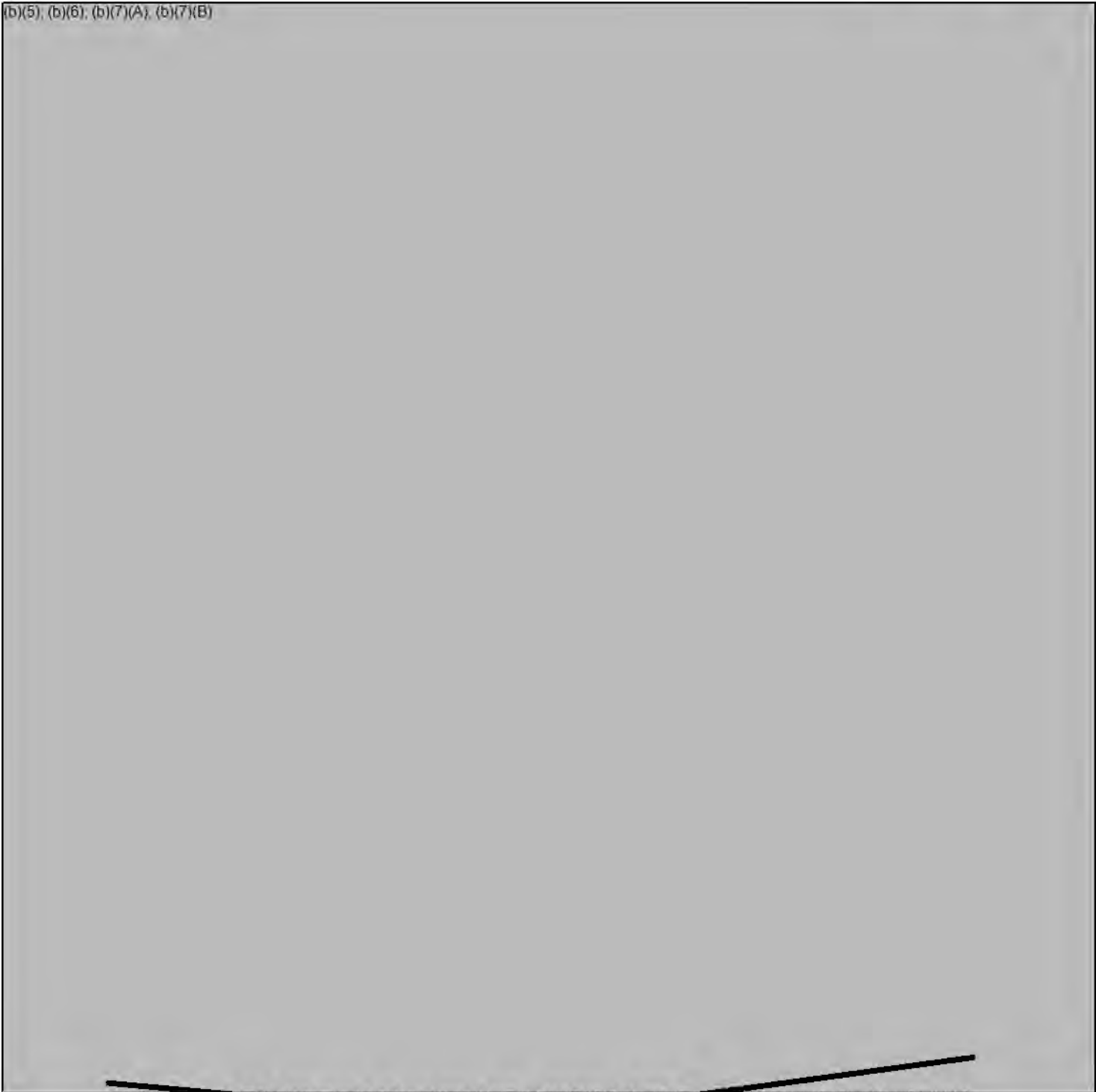
(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



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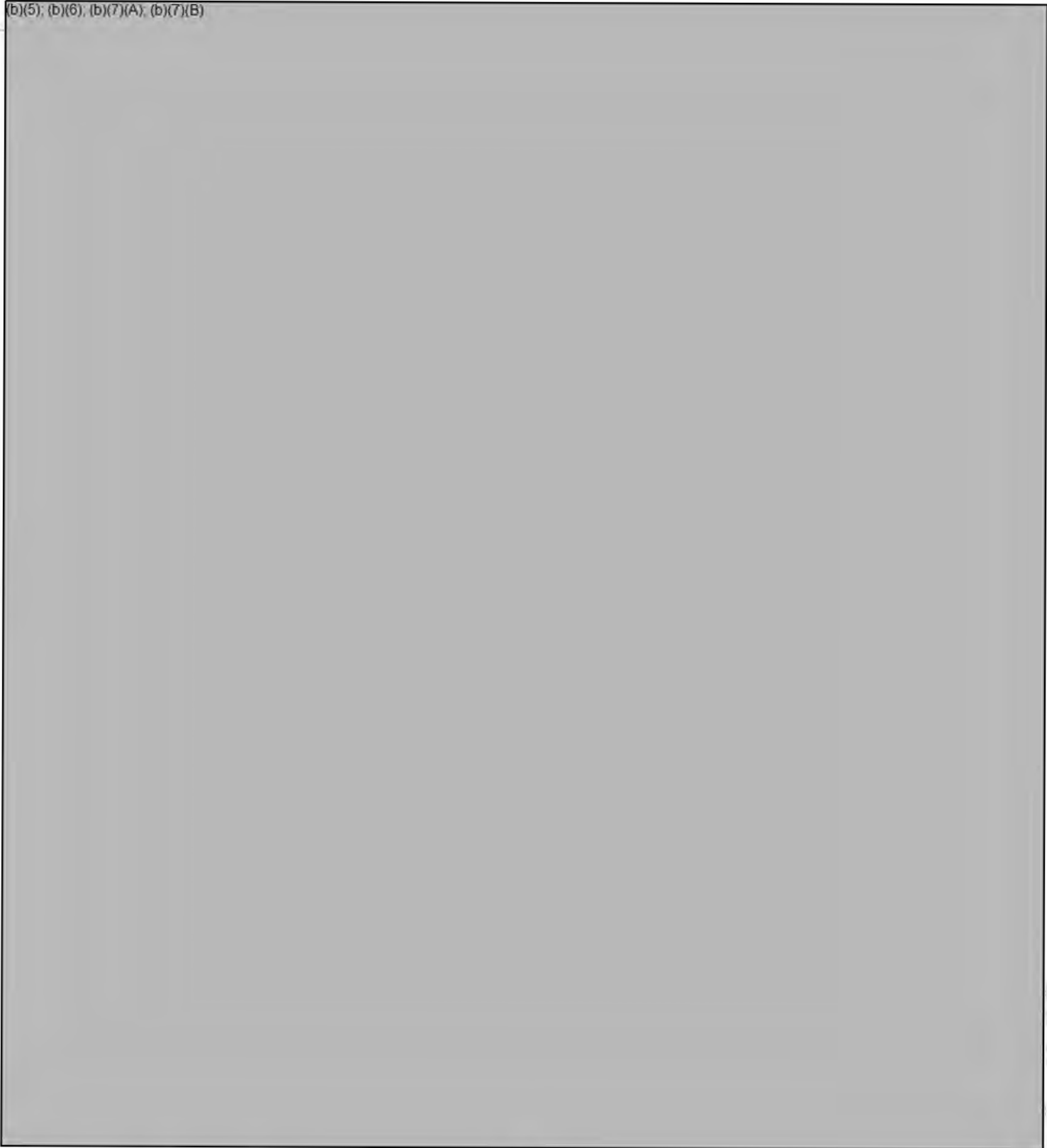
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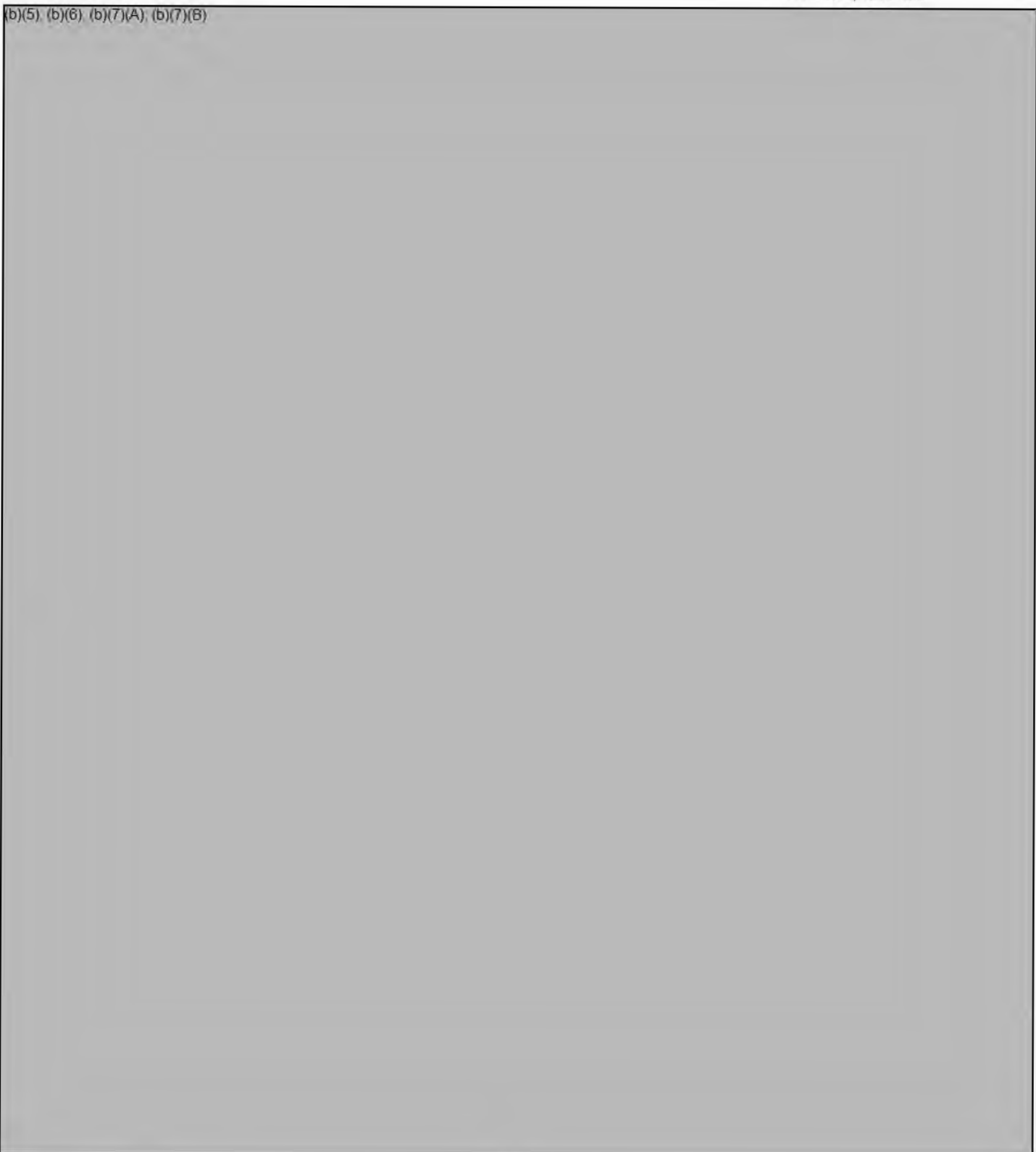
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(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)

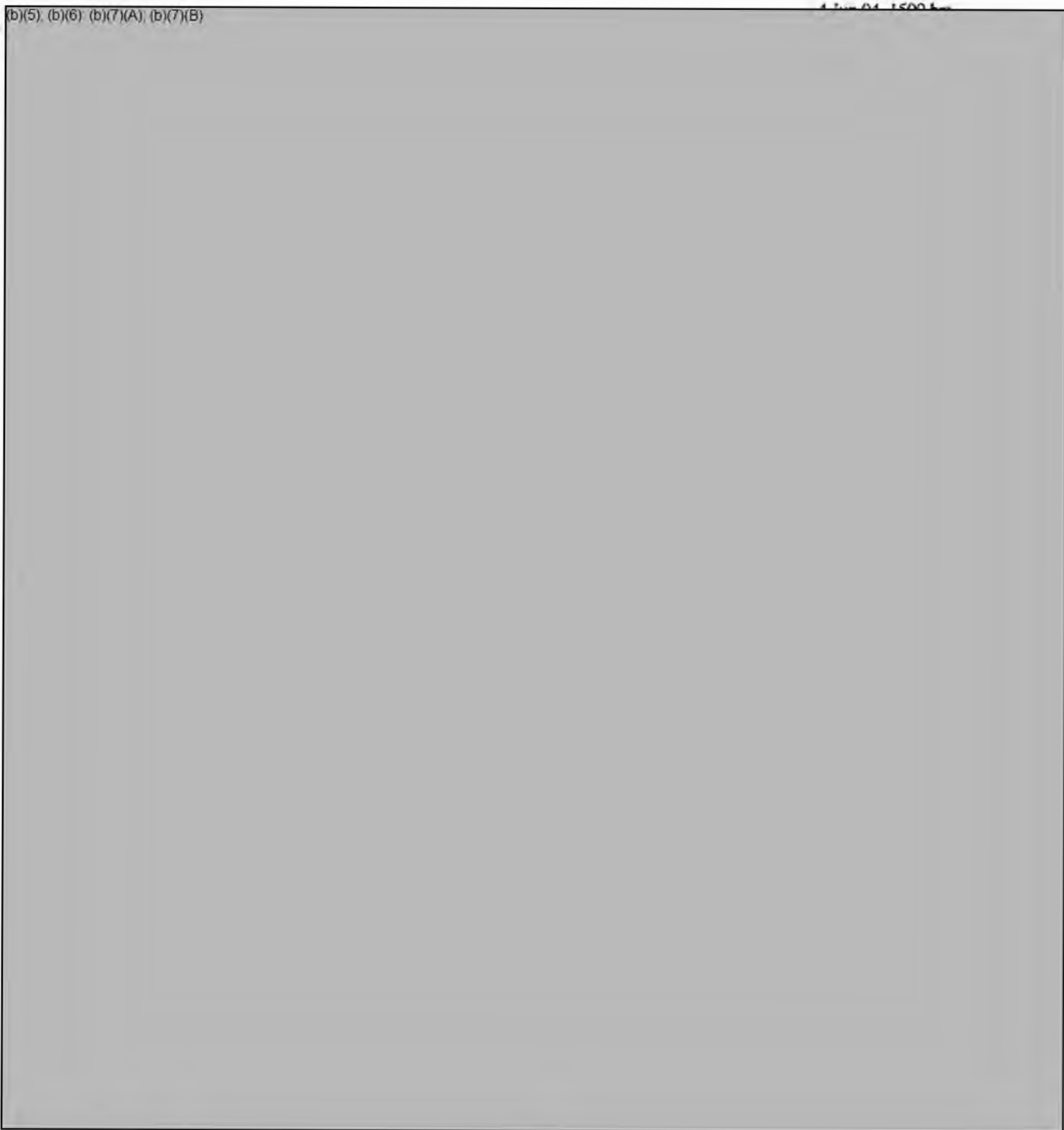


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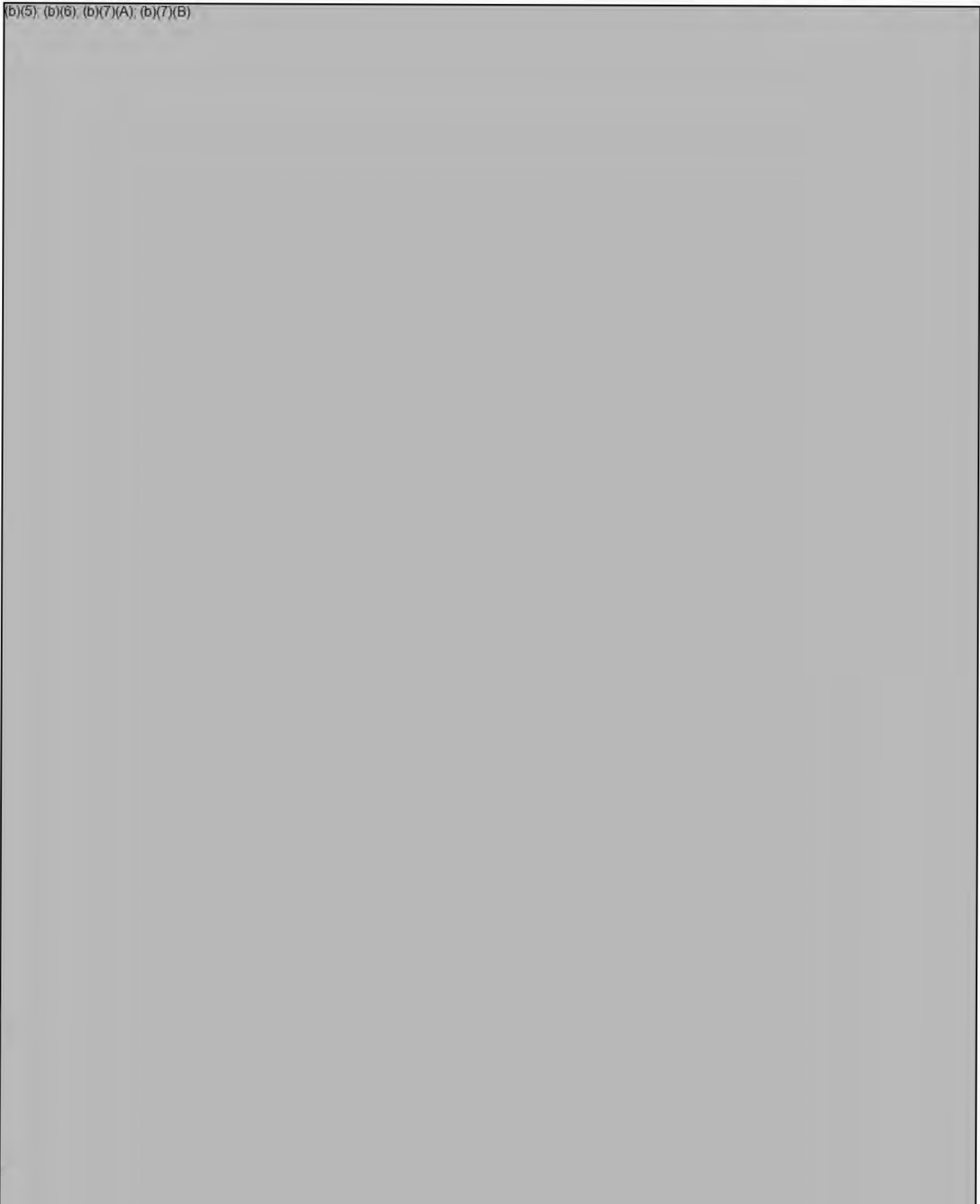


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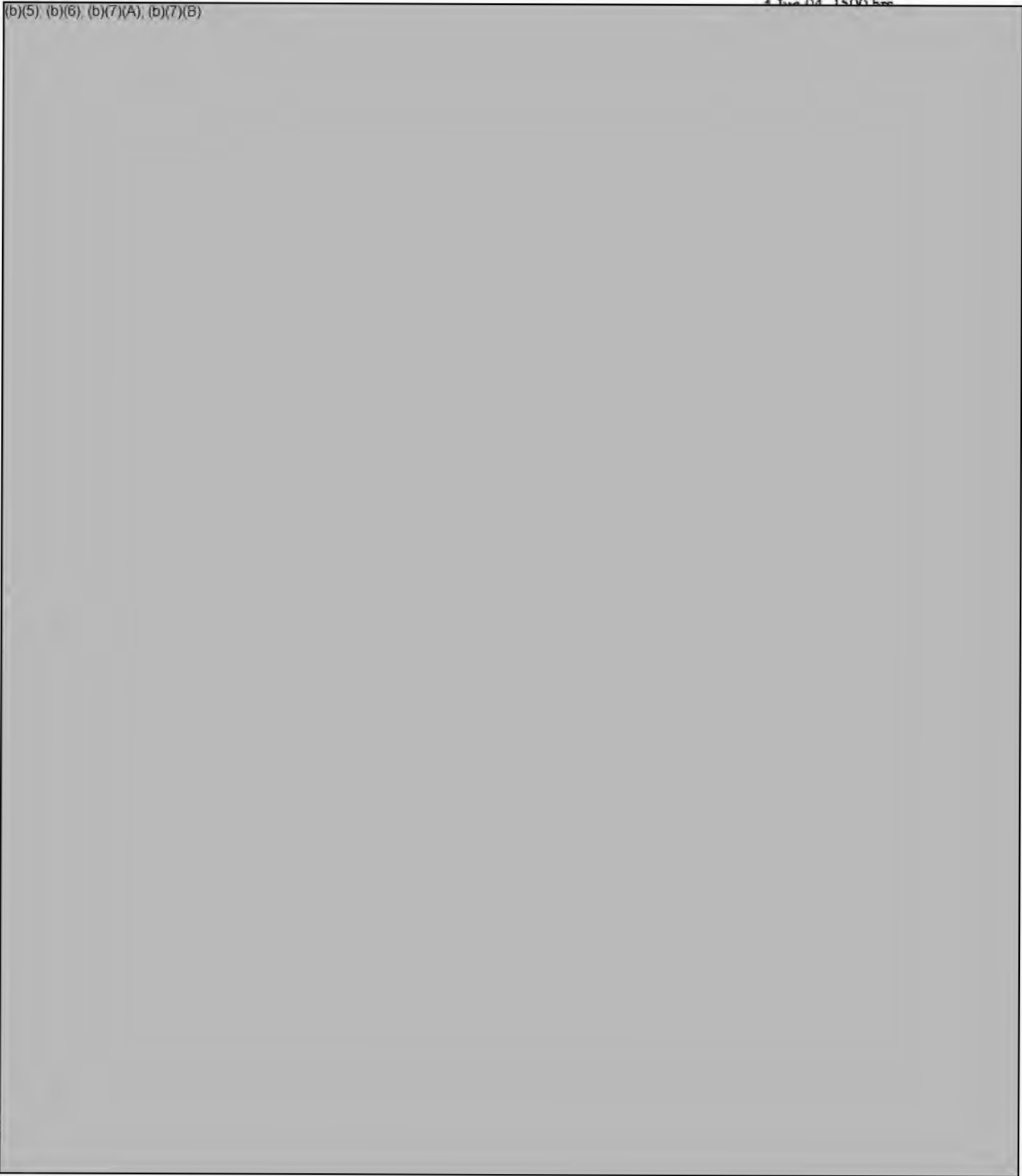


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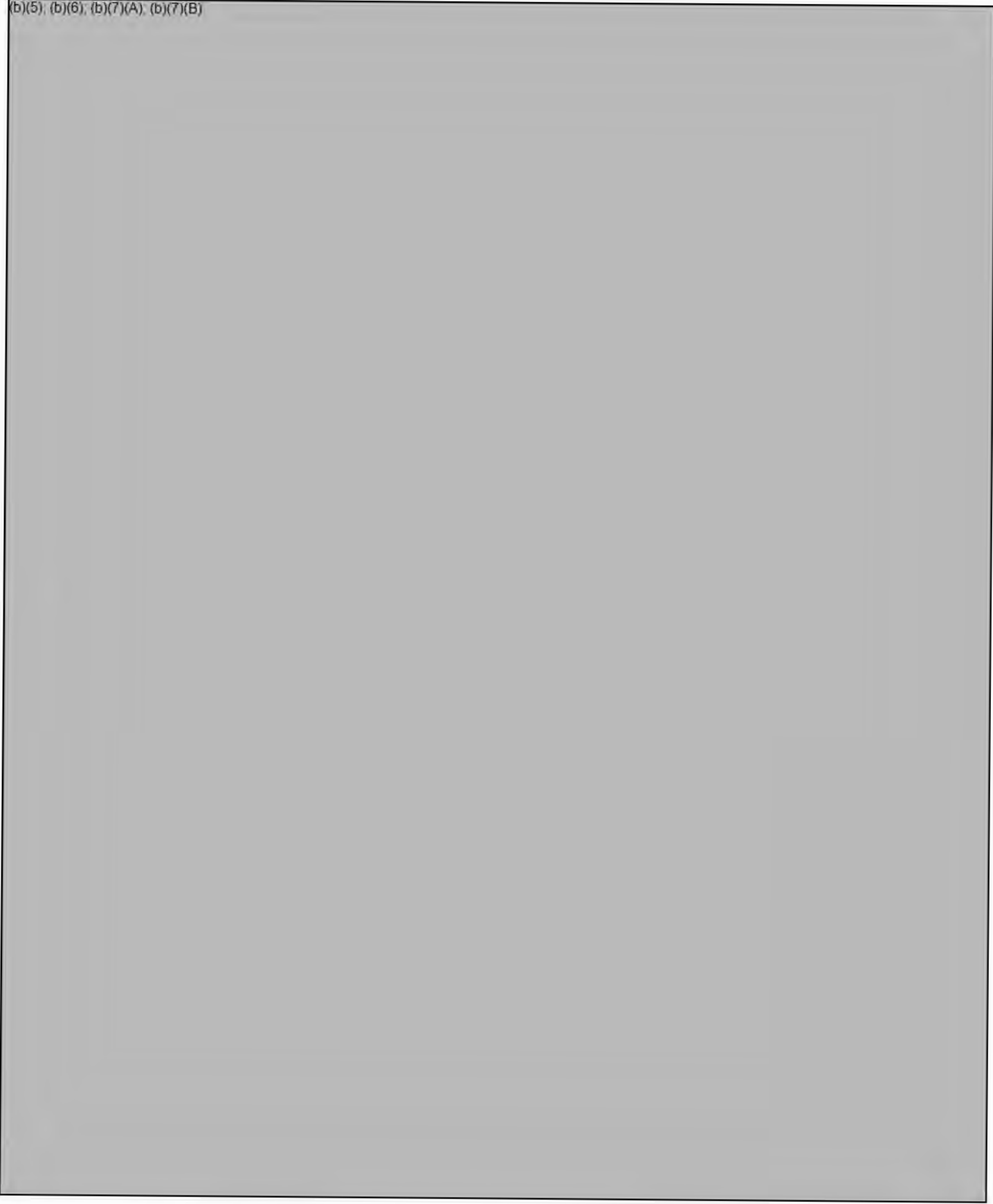
(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



4 Jun 04, 1500 hrs


(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)

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(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



***Death Certificate on File**

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(b)(5)

Checked by [signature]

(b)(5)

"Planned for [signature]"

Inv Agency	Type	Unit/Place	Date	Rpt by	Y/N	Comp
CID	Death	Asadabad FB	21-Jun-03	MP		
CID	Death	FOB Packhorse	11-Sep-03	SJA		
CID	Death	Abu Ghraib	24-Nov-03	CJTF-7		
CID	Death	Camp Cropper	3-Aug-03	MP		
CID	Death	Abu Ghraib	8-Aug-03	CJTF-7		
CID	Death	Abu Ghraib	11-Aug-03	CJTF-7		
CID	Death	Abu Ghraib	13-Aug-03	CJTF-7		
CID	Death	Abu Ghraib	20-Aug-03	MP		
CID	Death	Abu Ghraib	3-Nov-03	CJTF-7		
CID	Death	2nd Bde DF	9-Dec-03	MP		
CID	Death	Abu Ghraib	8-Jan-04	MP		
CID	Death	Abu Ghraib	16-Jan-04	MP		
CID	Death	Camp Cropper	28-Jan-04	MP		
CID	Death	Tikrit DF	7-Feb-04	MP		
CID	Death	Abu Ghraib	18-Feb-04	CJTF-7		
CID	Death	Camp Cropper	19-Apr-04	MP		
CID	Death	Bagram DF	4-Dec-02	MP		AC/USAR
CID	Death	Bagram DF	10-Dec-02	MP		AC/USAR
CID	Death	Camp Cropper	13-Jun-03	MI		
CID	Death	Abu Ghraib	4-Nov-03	CJTF-7	Y	
CID	Death	FOB Greshk	6-Nov-03	SJA		
CID	Death	3d ACR DF	26-Nov-03	MP		
CID	Death	FOB Rifles	8-Jan-04	MP		
CID	Death	Camp Cropper	7-Mar-04	MP		
CID	Death	LSA Diamonba	25-Apr-04	MP		
CID	Death	Baghdad CFF	19-May-04	MP	Y	
CID	Death	Afghanistan	26-Aug-02	MI SSG		
CID	Death	Samara, Iraq	3-Jan-04	DODIG		
CID	Death	Unknown (Iraq)	28-Feb-04	SJA		
CID	Death	Abu Ghraib	28-Mar-04	320th MP		
CID	Death	Abu Ghraib	11-Apr-04	320th MP		
CID	Death	MP	12-Jul-03	MP		
CID	Death	Camp Ganci	11-May-04	MP		
CID	Death	Camp Bucca	18-Apr-03	CJTF-7		
CID	Death	Abu Ghraib	10-Apr-04	OAFME		
CID	Death	Unknown	22-May-04	MP		
CID	Assault	3d Bde, 3d Inf HI	15-Apr	Soldier		ARRG
CID	Assault	AMC, Baghdad	1-Sep-03	SJA		
CID	Assault	Camp Bucca	12-May-03	MP		USAR
CID	Assault	Tikrit DF	8-Sep-03	SJA		
CID	Assault	Camp Bucca	12-May-03	MP		
CID	Assault	Abu Ghraib	22-Nov-03	CJTF-7		
CID	Assault	FOB Gunner	20-Aug-03	SJA		
CID	Assault	Abu Ghraib	Oct/Dec 03	MP		USAR
CID	Assault	1/36 Inf	31-Aug-03	MP		
CID	Assault	Al-Azmiyah	4-Apr-04	MP		
CID	Assault	Unknown (Iraq)	1-Jun-03	SJA		
CID	Assault	1/36 Inf	11-Jun-03	SJA		
(2) CID	Assault	Unknown (Iraq)	20-Jun-03	CJTF-7		
(2) CID	Assault	Unknown (Iraq)	21-Jun-03	MP		
CID	Assault	307 Eng	22-Jun-03	SJA		
CID	Assault	300th MP Co	31-Dec-03	MP		AC
CID	Assault	Baghdad CFF	4-Jan-04	MI		

(b)(5)

Unit	Assault	313th MI Bn	21-Dec-03
Unit	Theft	TF 2-6	7-Jun-03

Following three cases are duplicates of CID cases:

CID/Unit	Death		11-Sep-03
CID/Unit	Assault		7-Jan-04
CID/Unit	Assault		1-Jun-03

Note: One additional case appears in the file but is not an Army case:

Unit	Assault	1 MEF	12-Apr-04
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Note: In a later report, CID 0136-03-CID469 is listed as 0139-03-CID469

(b)(5)

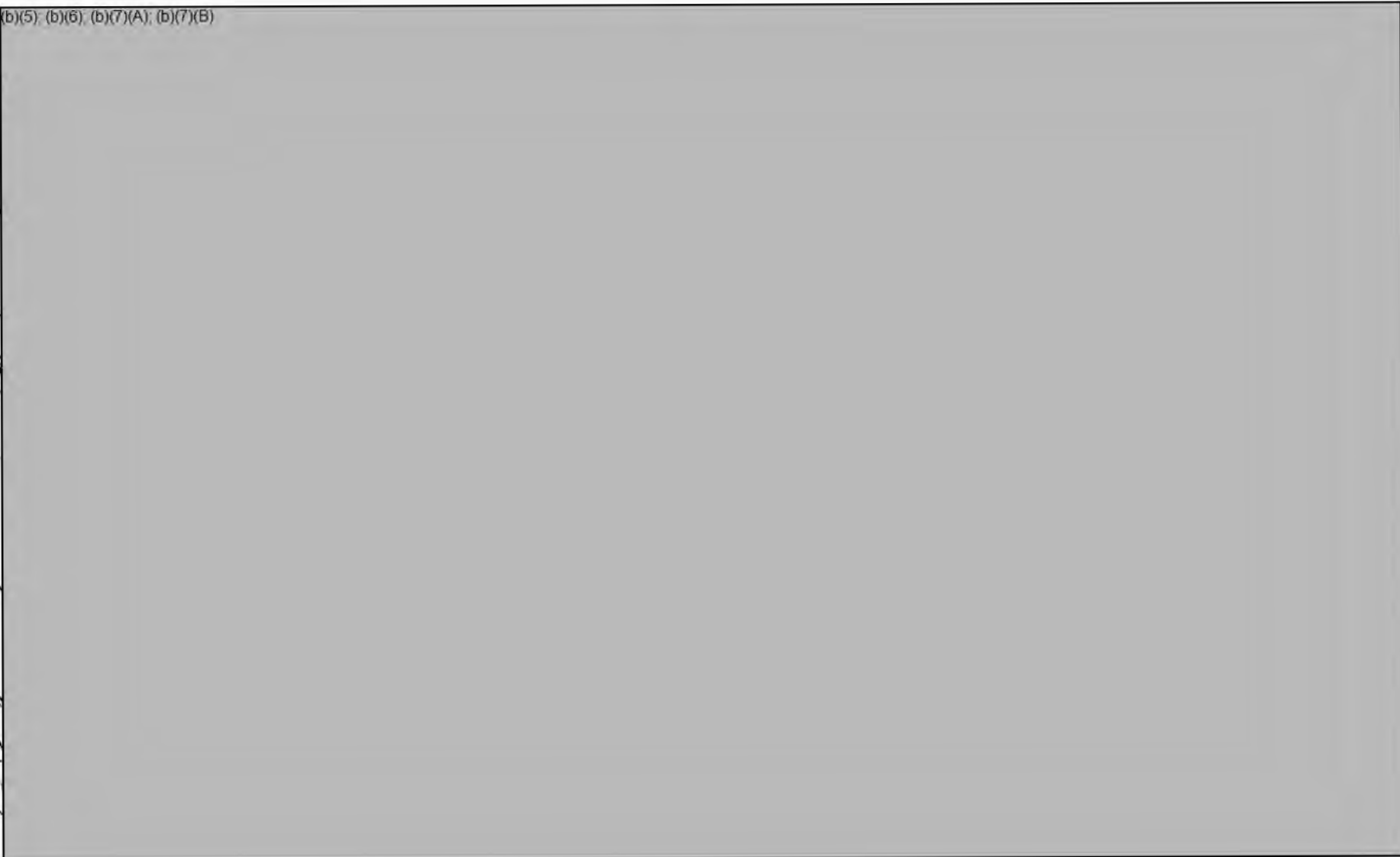
Y	
N	&C

Investigation continues

detainee kicked and punched

(b)(5)

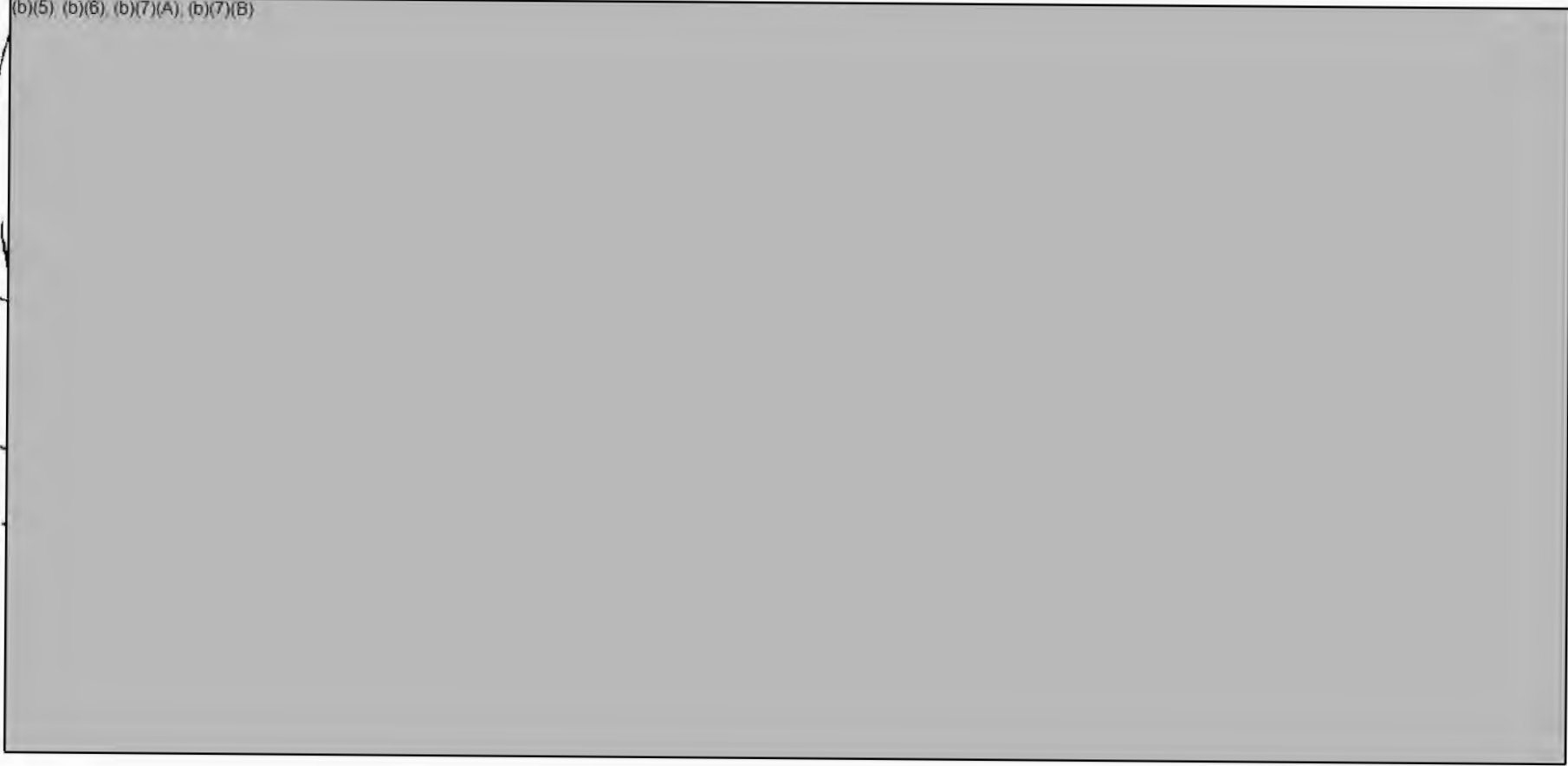
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Criminal Investigations

(b)(5) (b)(6) (b)(7)(A) (b)(7)(B)

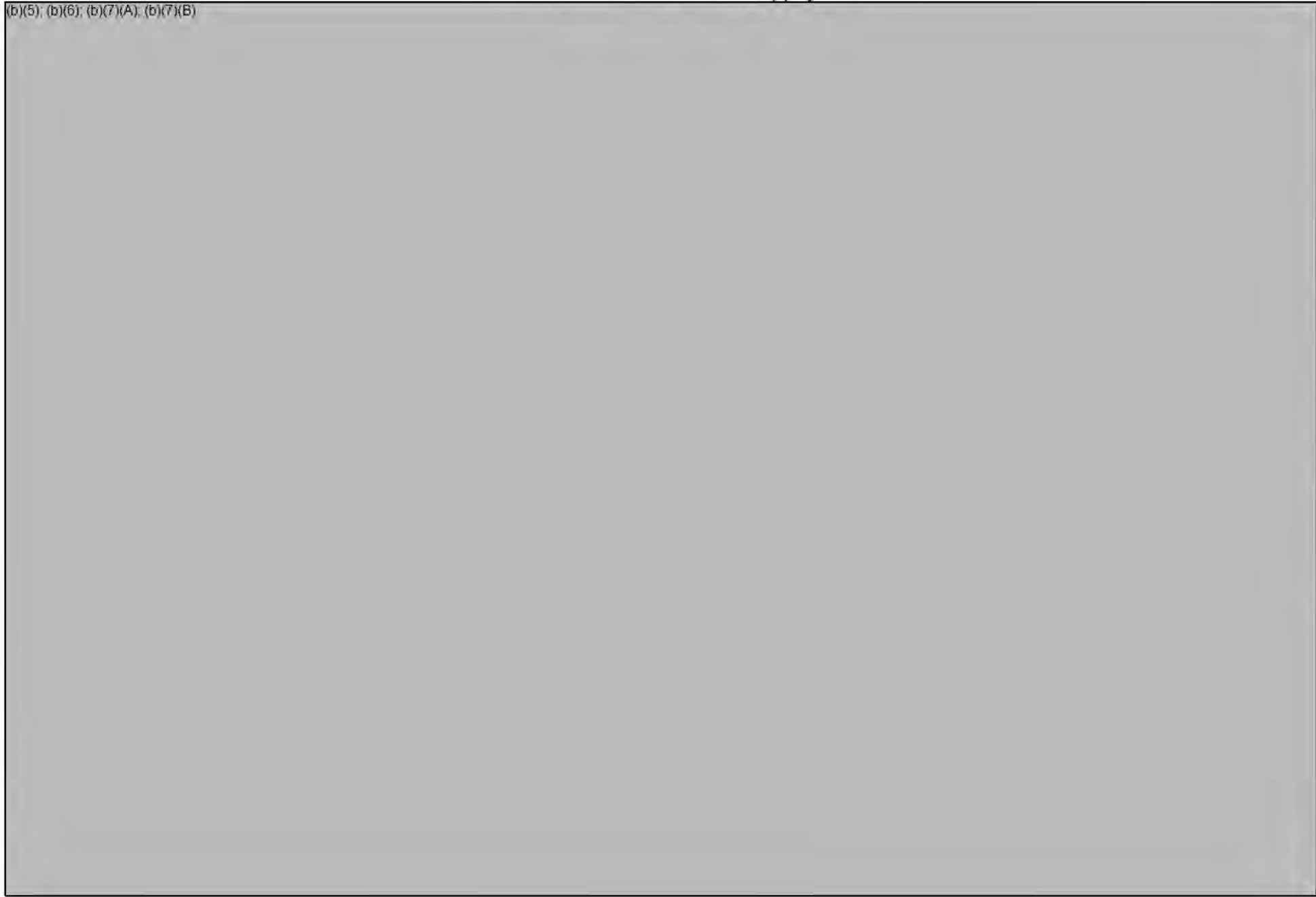
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16
6



Criminal Investigations

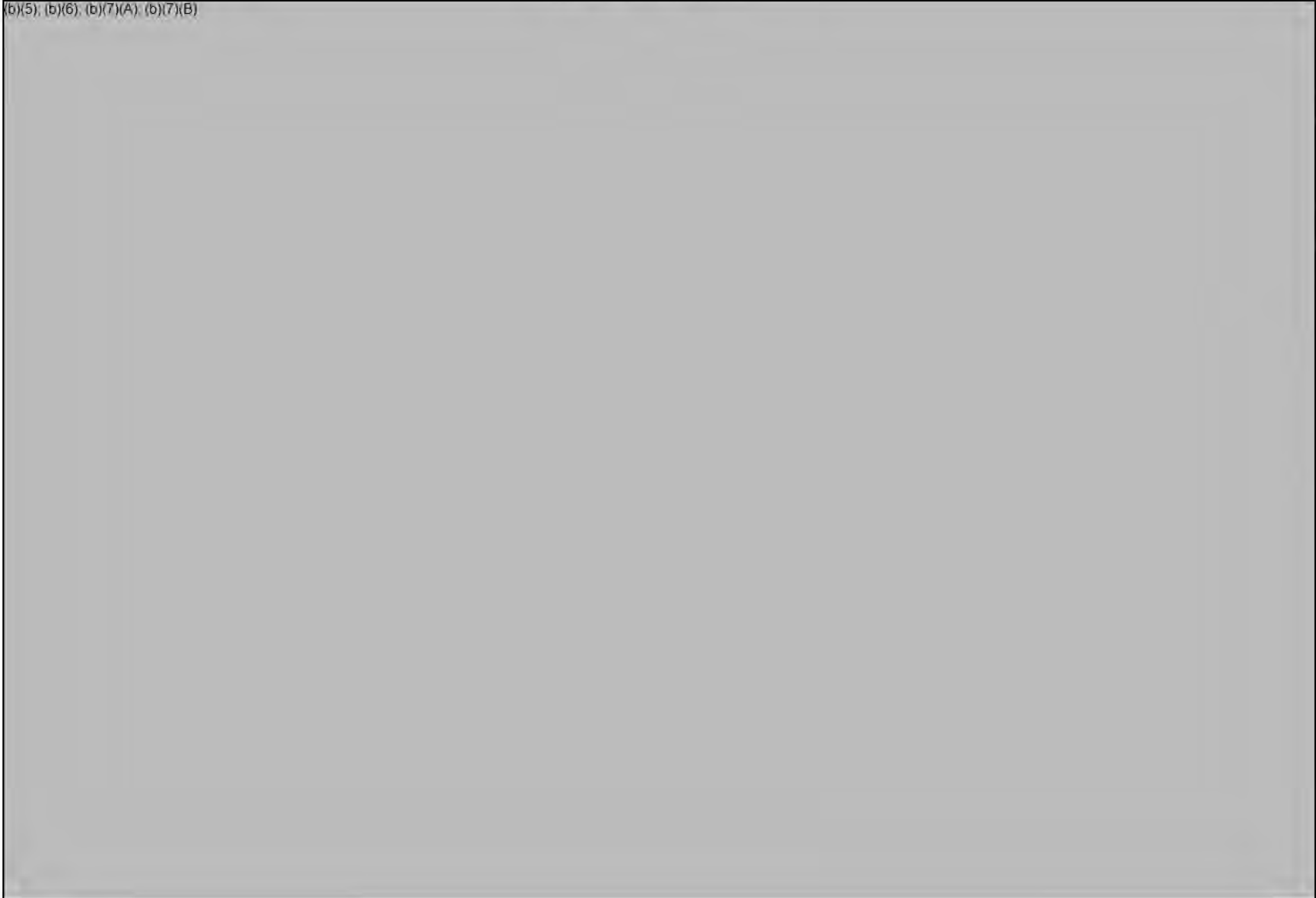
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(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



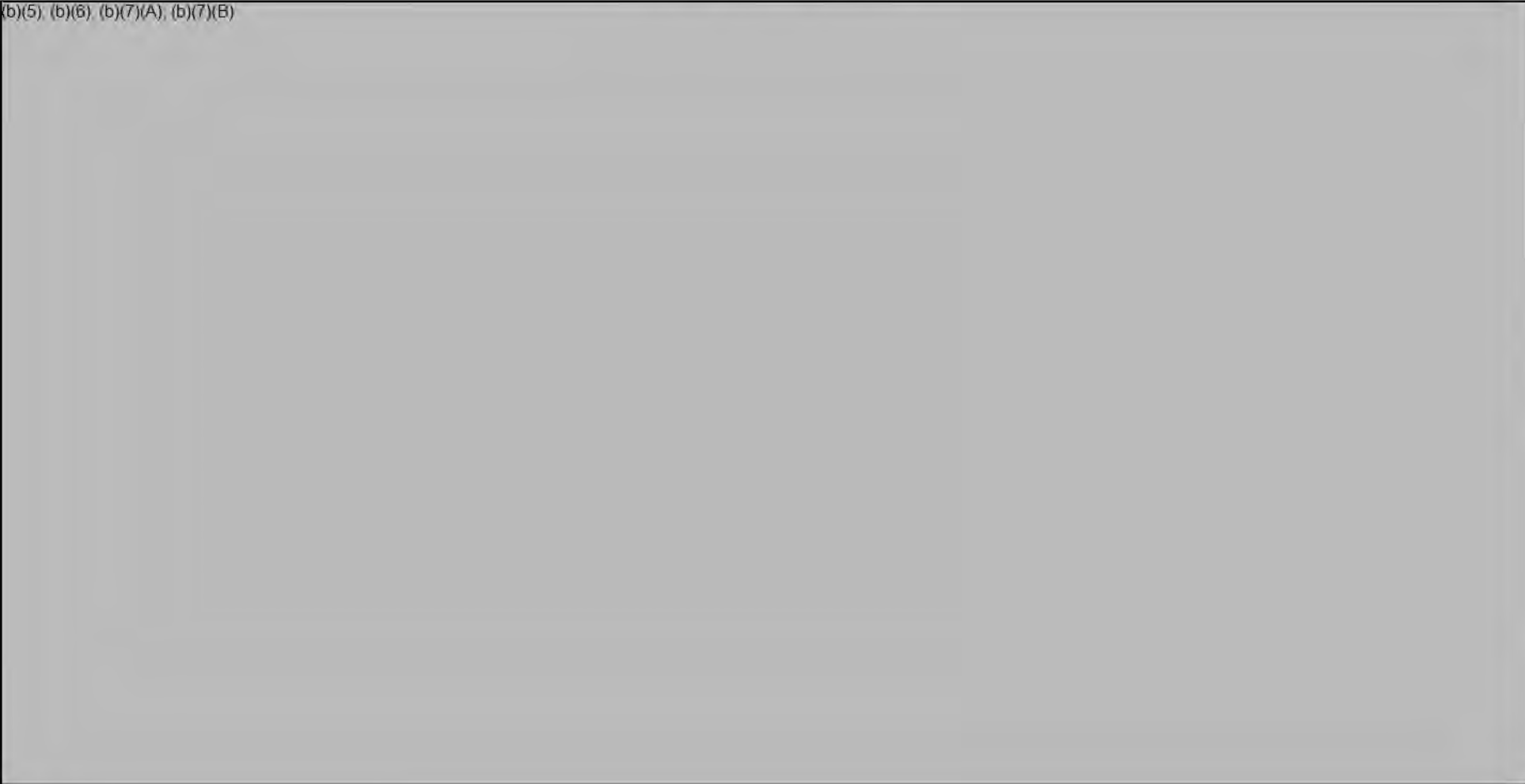
Criminal Investigations

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



Criminal Investigations

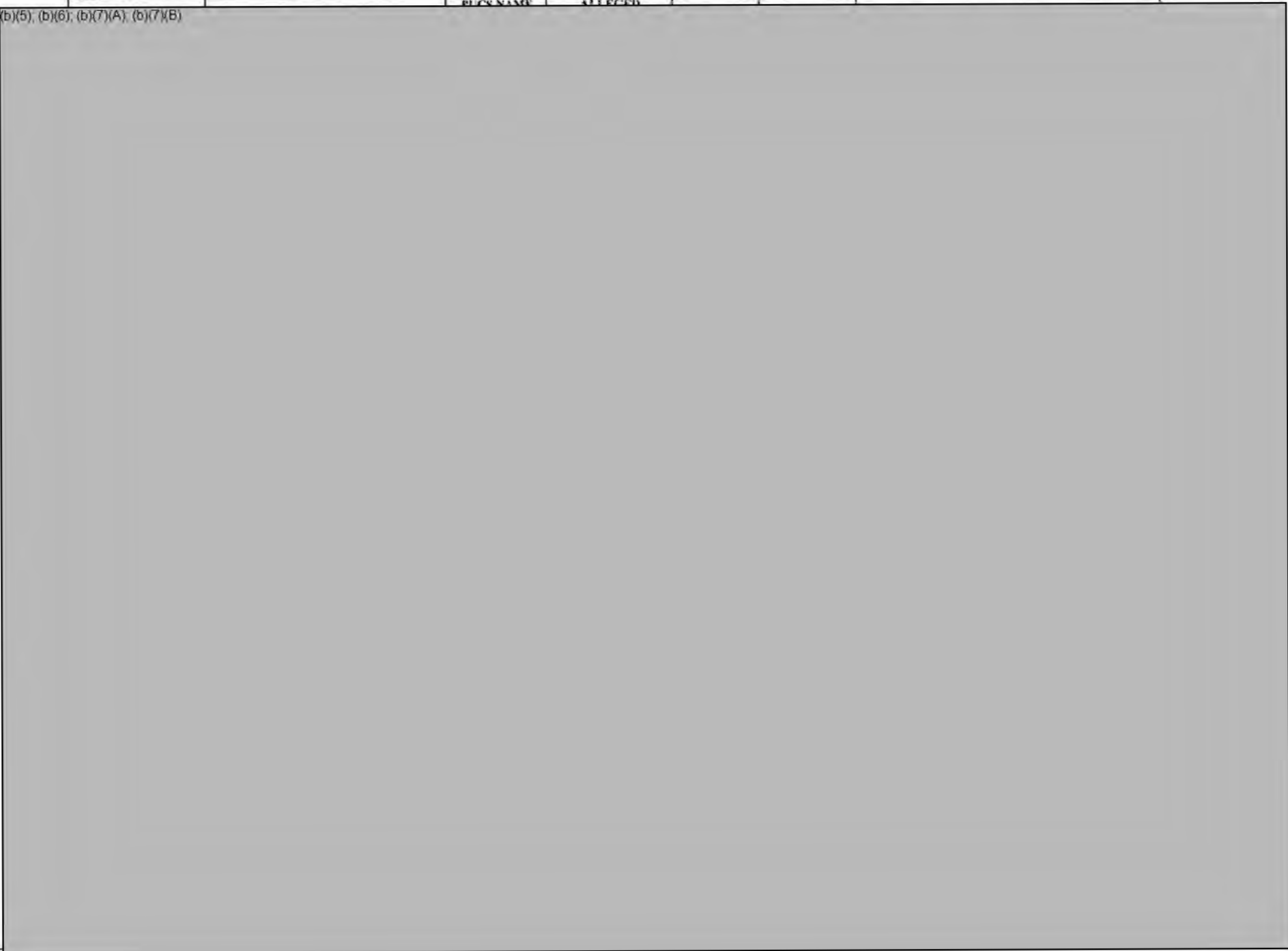
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(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)

BUCK NAME

ALLEGED




(b)(5) (b)(6) (b)(7)(A) (b)(7)(B)



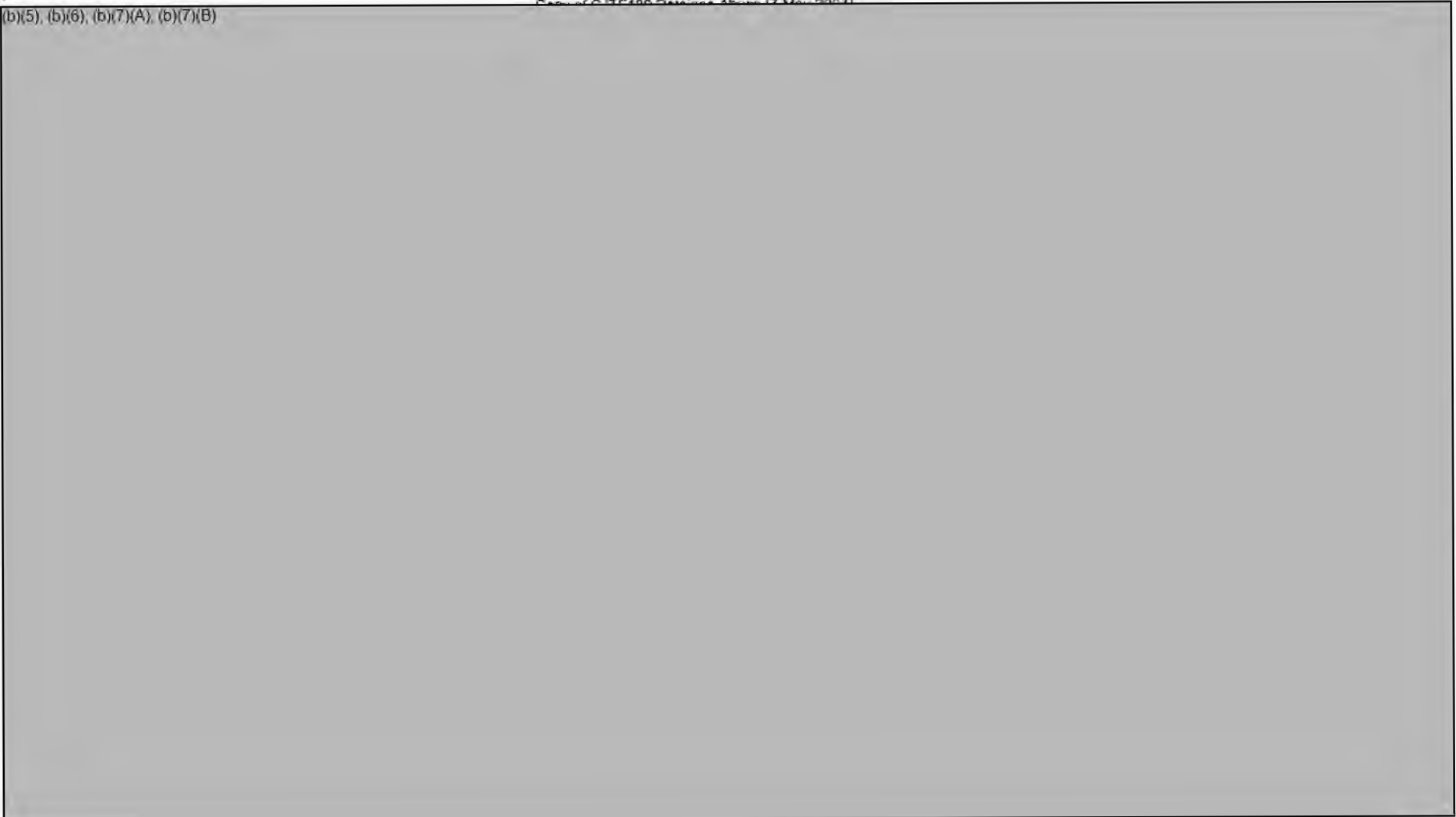
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FOR OFFICIAL USE ONLY~~

(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)




~~PRE-DECISIONAL WORKING DOCUMENT
FOR OFFICIAL USE ONLY~~

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



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FOR ATTORNEYS ONLY~~

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



~~PRE-DECISIONAL WORKING DOCUMENT
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Timeline References

CID References

1. CID369-23525
2. CID899-63556
3. CID519-62147
4. CID899-63500
5. CID899-63499
6. CID469-60212
7. CID899-63549
8. CID469-60209
9. CID259-61211
10. CID259-80132
11. CID259-80136
12. CID899-63505
13. CID899-63502
14. CID939-64011

DTF References

1. DTF June 16, 2004 (no further documentation)
2. "Bound and Shackled Prisoners Unloaded at U.S. Navy Base," *Agence France-Presse*, January 11, 2002.
3. ICRC Press Release, "First ICRC visit to Guantanamo Bay prison camp," January 18, 2002.
4. "Development of Interrogation Techniques for GTMO," undated
5. LTG Ricardo S. Sanchez, "CJTF-7 Interrogation and Counter-Resistance Policy," September 13, 2003.
6. LTG Ricardo S. Sanchez, "CJTF-7 Interrogation and Counter-Resistance Policy," October 12, 2003. Memorandum is addressed to C2, Combined Joint Task Force Seven, Baghdad, Iraq; C3, Combined Joint Task Force Seven, Baghdad, Iraq; and Commander, 205th Military Intelligence Brigade, Baghdad, Iraq.
7. CJTF-7JA, "Executive Summary: Detainee Abuse at Baghdad Central Confinement Facility (BCCF), Abu Ghraib," May 4, 2004.
8. OCJCS/Legal Counsel, "Detention Related Investigations," May 26, 2004
9. Seymour M. Hersh. "Torture at Abu Ghraib: American soldiers brutalized Iraqis. How far UP does the responsibility go?," *The New Yorker*, May 10, 2004.
10. ICRC Press Release, "Report by the ICRC on the coalition forces' treatment of persons held in Iraq," May 7, 2004.
11. "General Detailed Conditions at Prison," *Los Angeles Times*, June 3, 2004
12. Seymour M. Hersh, "The Gray Zone: How a secret Pentagon program came to Abu Ghraib." *The New Yorker*, May 24, 2003.

DOD References

1. "DOD Provides Details on Interrogation Process," U.S. Dept. of Defense. June 22, 2004. <http://www.defenselink.mil/releases/2004/nr20040622-0930.html>
2. "Chronology of Investigations as of May 7, 2004." *Defend America*.

WP References

1. "Chronology of Abu Ghraib," *Washington Post*. June 1, 2004.
http://www.washingtonpost.com/wp-srv/world/daily/graphics/abughraib_050904.jpg

UNK References

1. Unknown reference: "Chronology w/ Summary of Investigations" 5/11/04

(b)(5)

28 Aug 03
13 Jan 04
28 Feb 04
4 Jun 04

tal 4

13 Jun 03
24 Jun 03
29 Jun 03
Jul 03
13 Jul 03
25 Jul 03
1 Aug 03
2 Aug 03
Oct 03
22 Nov 03
Nov 03
Nov/Dec 03
17 Dec 03
2 Jan 04
7 Jan 04
2 Mar 04
Apr 04
9 May 04
28 May 04
1 Jun 04
1 Jun 04

tal 21

1st AD =6
82nd AB Div =3
4th ID =3
16th MP BDE =1
2nd ACR =1
ODA 311 Army SF (OEF) =1
Polish Forces & Unk SF Force =1

1-37th AR Bn =1
D Btry 3/9th AFAR=1
Unknown Unit =3

(b)(5)

8 Sep 03
9 May 04

Total 2

Apr 03
24 Jun 03
B Div 24 Jun 03
17 Sep 03
1 Oct 03
17 May 04
2 Jun 04

Total 7

7 Sep 03

Total 1

1 May 03
14 May 03
20 May 03
2 Jun 03
5 Jun 03
7 Jun 03
10 Jun 03
10 Jun 03
25 Jul 03
24 Aug 03
24 Aug 03
17 Dec 03
12 Jan 04
27 May 04

Total 14

4th ID = 4

3rd ID = 3

1st AD = 3

82nd AB Div = 1

101st AB Div = 1

3rd ACR = 1

Unknown = 1

Internment/Resettlement Facilities									
	Case ID	Inv Agency	Type	Location	Date	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
1	(b)(5)		Death	(b)(5)			No	N/A	N/A
2			Death				No	N/A	N/A
3			Death				No	N/A	N/A
4			Death				No	N/A	N/A
5			Death				No	N/A	N/A
6			Assault				No	N/A	N/A
7			Death				No	N/A	N/A
8			Death				No	N/A	N/A
9			Death				No	N/A	N/A
10			Death				No	N/A	N/A
11			Death				No	N/A	N/A
12			Death				No	N/A	N/A
13			Death				No	N/A	N/A
14			Death				No	N/A	N/A
15			Sex Assault				Yes	Yes	N/A
16			Death				No	N/A	N/A
17			Death				No	N/A	N/A
18			Assault				No	N/A	N/A
19			Assault				Yes	Yes	N/A
20			Assault				Yes	Yes	N/A
21			Assault				Yes	Yes	N/A
22			Assault				Yes	Yes	N/A
23			Sex Assault				Yes	Yes	N/A
24			Assault				Yes	Yes	N/A
25			Assault				Yes	Yes	N/A
26			Assault				Yes	Yes	N/A
27			Death				Yes	Yes	N/A
28			Death				Yes	Yes	N/A
29			Death				Yes	Yes	N/A
30			Assault				Yes	Yes	N/A
31			Assault				Yes	Yes	N/A
32			Death				UNK	UNK	Undetermined Death
33			Death				UNK	UNK	Undetermined Death
34			Death				UNK	UNK	Undetermined Death
35			Death				UNK	UNK	Undetermined Death
36			Death				UNK	UNK	Undetermined Death
37			Death				UNK	UNK	Undetermined Death
38			Death				Yes	Yes	N/A

Division Central Collecting Points

(b)(5)

Type	Location	Date	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
Assault	(b)(5)		Reopened	No	N/A	N/A
Assault			Closed	No	N/A	N/A
Assault			Open	Yes	Yes	N/A
Assault			Open	Yes	Yes	N/A
Assault			Open	Yes	Yes	N/A

Collecting Points

Type	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
Assault	Closed	No	N/A	N/A
Death	Open	Yes	Yes	N/A
Assault	Open	Yes	Yes	N/A
Assault	Open	Yes	Yes	N/A
Assault	Open	Yes	Yes	N/A
Assault	Open	Yes	Yes	N/A
Assault/Theft	Open	Yes	Yes	N/A
Assault	Open	Yes	Yes	N/A
Sex Assault	Open	Yes	Yes	N/A
Death	Closed	Yes	Yes	N/A
Assault	Closed	Yes	Yes	N/A
Assault	Open	Yes	Yes	N/A
Assault	Open	Yes	Yes	N/A
Assault	Open	Yes	Yes	N/A
Assault	Closed	Yes	Yes	N/A
Assault	Closed	Yes	Yes	N/A
Assault	Closed	No	No	N/A
Death	Closed	UNK	UNK	Unk Determination
Death	Closed	No	No	N/A

Point of Capture

(b)(5)	Type	(b)(5)	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
	Death		Closed	No	N/A	N/A
	Assault		Open	Yes	Yes	N/A
	Assault		Closed	No	No	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Open	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Death		Closed	Yes	Yes	N/A
	Death		Open	No	No	N/A
	Theft		Open	Yes	Yes	N/A
	Theft		Reopened	No	No	N/A
	Theft		Closed	Yes	Yes	N/A
	Assault		Open	Yes	Yes	N/A
	Theft/Assault		Open	Yes	Yes	N/A
	Death		Closed	Yes	Yes	N/A
	Death		Open	Yes	Yes	N/A
	Theft		Open	Yes	Yes	N/A
	Theft		Closed	Yes	Yes	N/A
	Theft		Closed	Yes	Yes	N/A
	Theft		Closed	Yes	Yes	N/A
	Theft		Closed	Yes	Yes	N/A
	Theft		Closed	Yes	Yes	N/A
	Theft		Open	Yes	Yes	N/A
	Theft		Open	Yes	Yes	N/A
	Theft		Open	Yes	Yes	N/A
	Theft/Assault		Closed	Yes	Yes	N/A
	Theft		Closed	Yes	Yes	N/A
	Theft/Assault		Open	Yes	Yes	N/A
	Theft		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Open	Yes	Yes	N/A
	Assault		Open	Yes	Yes	N/A
	Assault		Open	Yes	Yes	N/A
	Assault		Open	Yes	Yes	N/A
	Assault		Open	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Death		Closed	Yes	Yes	N/A
	Theft/Assault		Closed	Yes	Yes	N/A
	Death		Open	Yes	Yes	N/A
	Assault		Open	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	Yes	Yes	N/A
	Assault		Closed	No	No	Unk Determination
	Theft		Closed	Yes	Yes	N/A
	Assault		Closed	No	No	N/A
	Assault		Closed	Yes	Yes	N/A
	Sex Assault		Open	UNK	UNK	Unk Determination
	Theft		Closed	No	No	N/A

Unknown/Other Locations

Case ID	Inv Agency	Type	Location	Date	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
(b)(5)		Assault	(b)(5)		Closed	Yes	Yes	N/A
		Assault			Closed	Yes	Yes	N/A
		Assault			Closed	Yes	Yes	N/A
		Assault			Open	UNK	UNK	Unk Determination
		Theft			Closed	UNK	UNK	Unk Determination
		Assault			Open	UNK	UNK	Unk Determination
		Assault			Open	UNK	UNK	Unk Determination
		Assault			Open	UNK	UNK	Unk Determination
		Assault			Open	UNK	UNK	Unk Determination
		Assault			Closed	No	No	N/A
		Assault			Closed	No	No	N/A

Remarks
No substantiation of incident
Natural Causes
No Ident Suspects
No Ident Suspects
No Ident Suspects

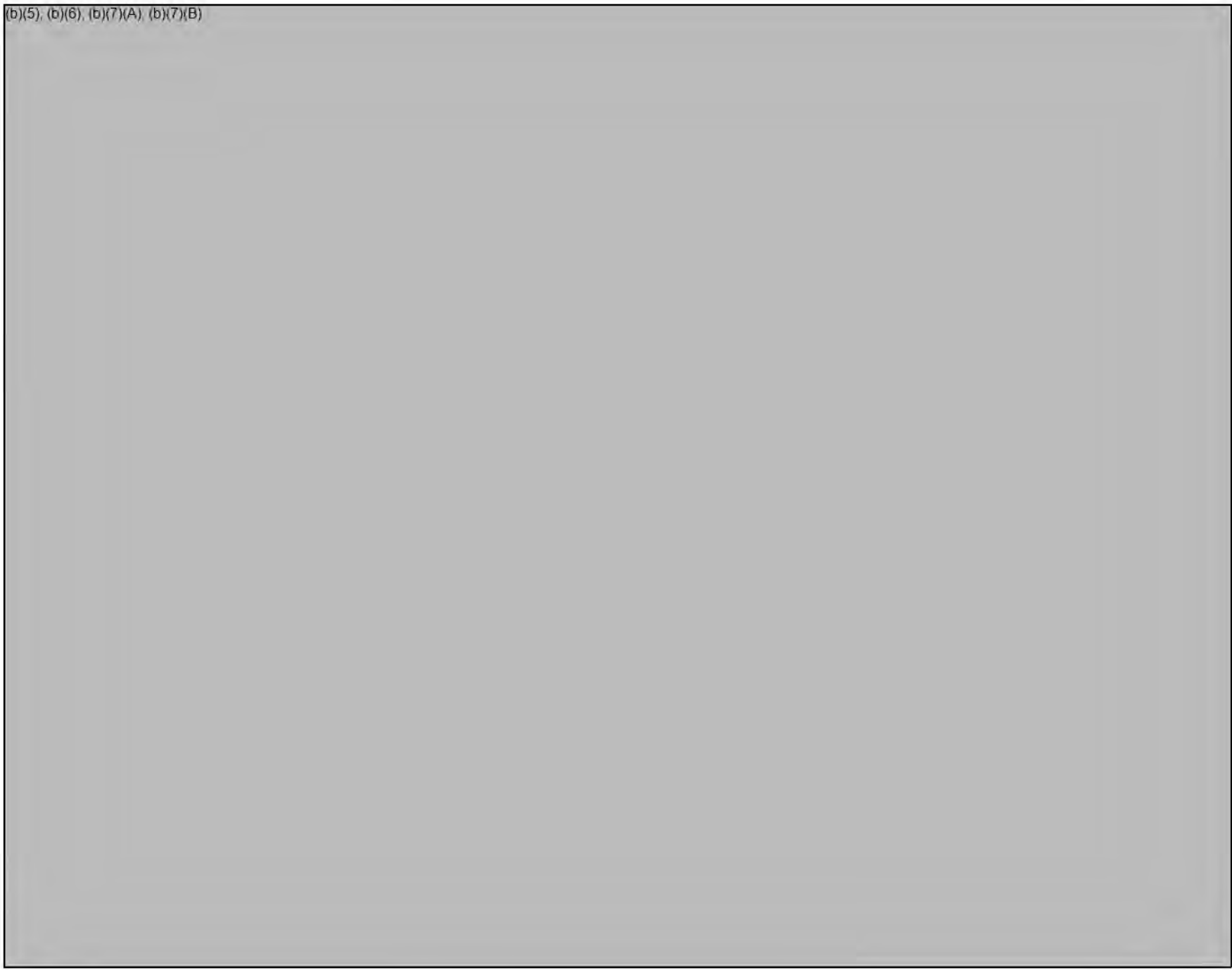
Remarks
Unsubstantiated Allegation
Navy Seals Suspected
No Ident Suspects
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No Ident Suspects
No Ident Suspects
No Ident Suspects
Navy Seals Suspected
ROE Violation
LTC Retired
Homicide/Vol Manslaughter
No Ident Suspects
Vol Manslaughter
FG NJP & Summary Art 15
GO memo of reprimand to WO
No abuse occurred
No Ident Suspects
No Sign of Abuse

Remarks
Accidental/Heat Injury
Harsh Interrogations
Accidental Discharge/No charges
2 FG NJP & 1 Summ Art 15
FG NJP for 3 Soldiers
AR 15-6 continues
Court Martial to 4 Soldiers
OGA IG/DOJ investigation continues
Justifiable Homicide
No Ident Suspects
2 FG NJP
Disciplinary Action Pending
No Ident Suspects
No Ident Suspects
GO Letter of Reprimand
Homicide (CPT)
C CO, 2-8 IN BN, 4th ID
Court Martial for 3 Soldiers
No Ident Suspects
Ch 10 Discharges
BCD Court Martial for 1 Soldier
FG NJP & Court Martials
C CO, 1-8 IN BN, 4th ID
Howitzer Battery, 2-3 ACR, 3 ACR
1-325 IN BN, 82d ABN
Court Martial for 3 Soldiers
Disciplinary Action Pending
Disciplinary Action Pending
Disciplinary Action Pending
Disciplinary Action Pending
2/5 CAV, 1CAV
No Ident Suspects
No Ident Suspects
Sum CM for 2 Soldiers
LT Resigned with OTH Discharge
FG NJP & Court Martials
FG NJP
Disciplinary Action Pending
Homicide, Awaiting Arraignment
BCD Special for 2 Soldiers
FG for 7 Soldiers, GCM for 2 Soldiers
2-325 IN BN, 82d ABN
Sum CM & GO NJP
CPT to receive GCM - 26 May 04
CPT CH 10 OTH Discharge Pending
5 received L of Rs, 2 received FG NJP
No Substantiated Abuse
Summ CM for 1 Soldier
NCO acquitted at BCD Special
FG NJP
No Ident Suspects
Lack of detainee cooperation

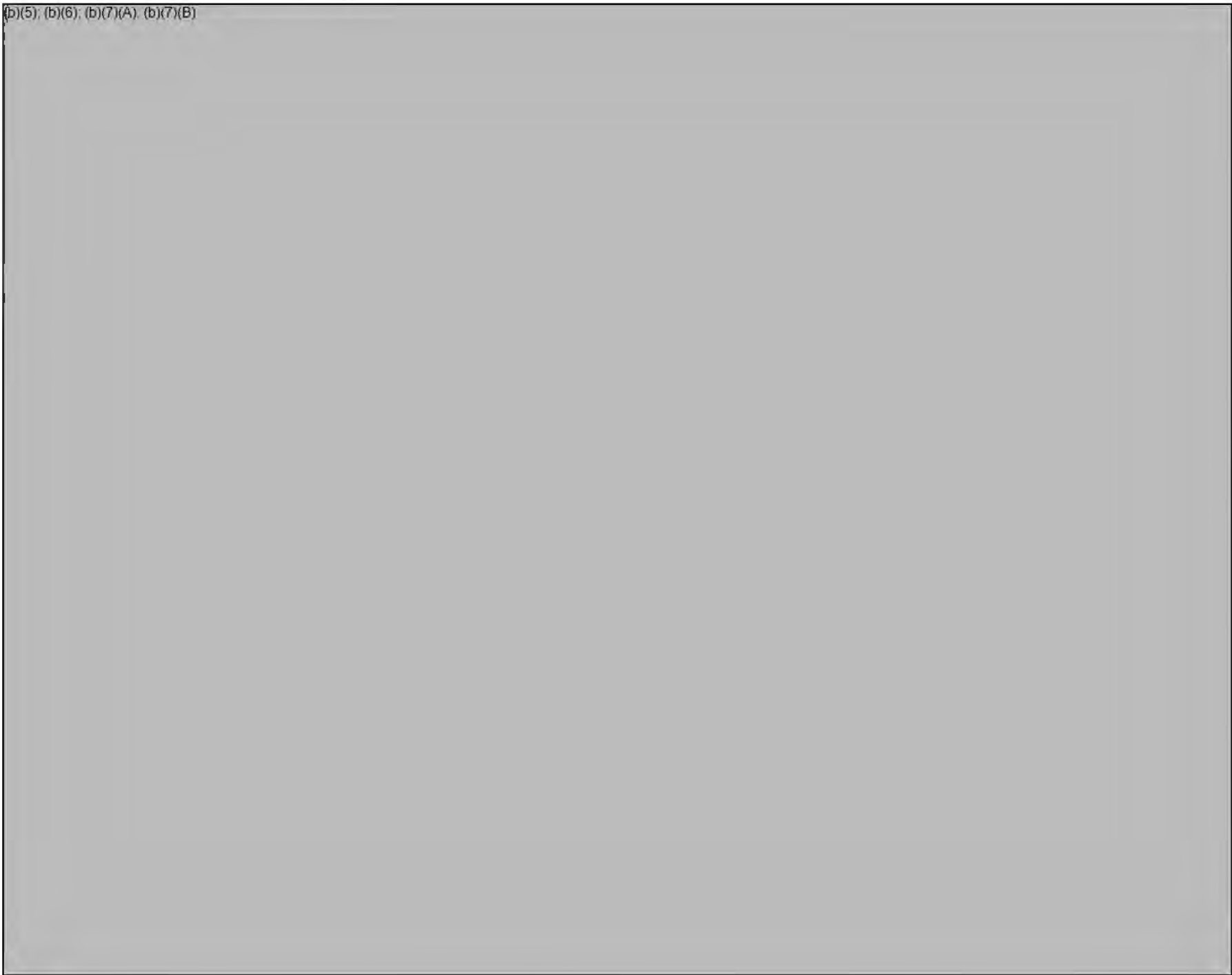
Remarks
CH 10 Discharge
CPT received GO NJP and relieved
LT received L of R, Civ terminated
Not sufficient credible info on abuse
No Suspects
No physical trauma found
No Ident Suspects or Location
No Ident Suspects or Location
No Ident Suspects or Location
Cdrs Inquiry--No violations
15-6--No Abuse

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)

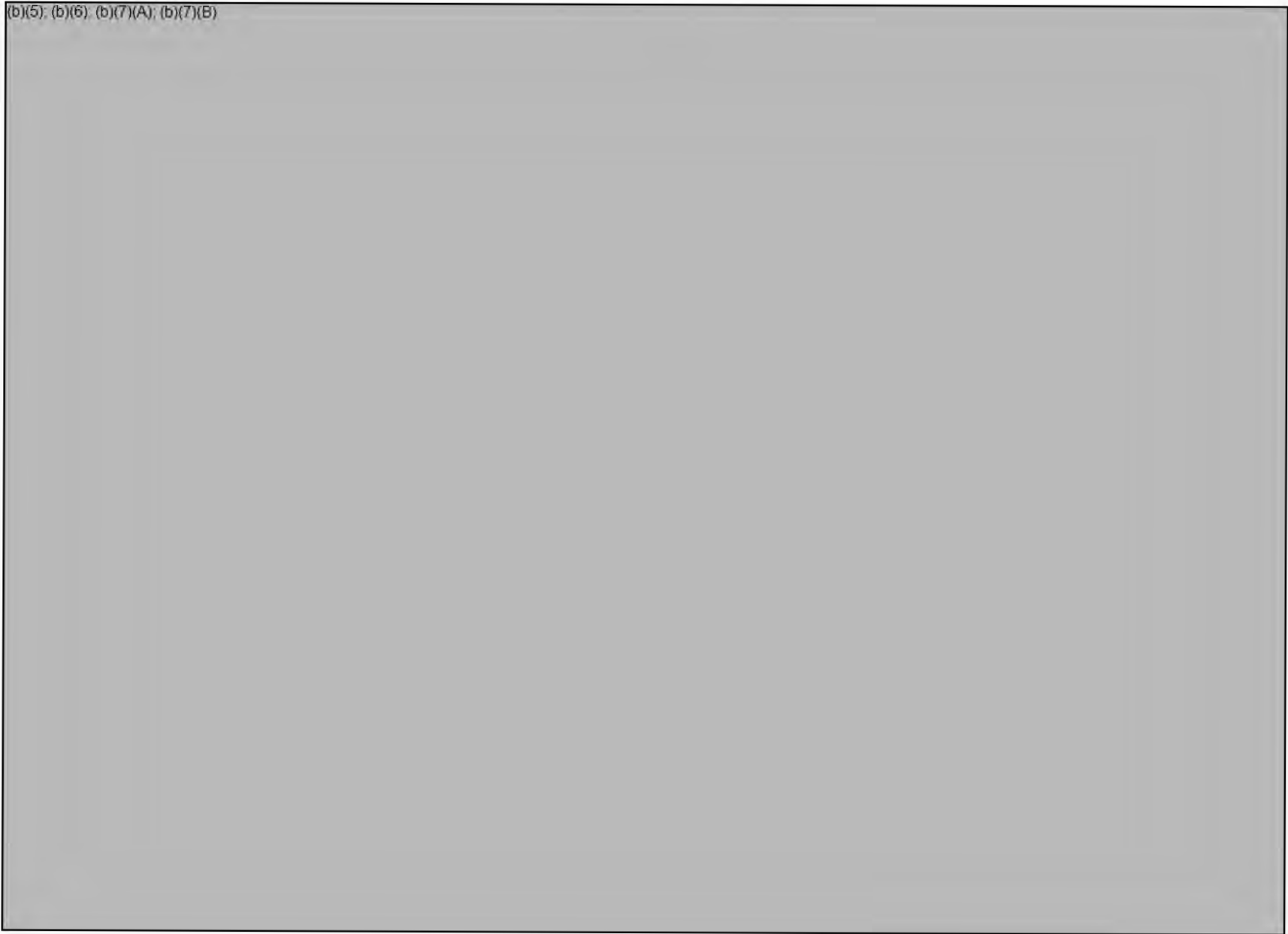
(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



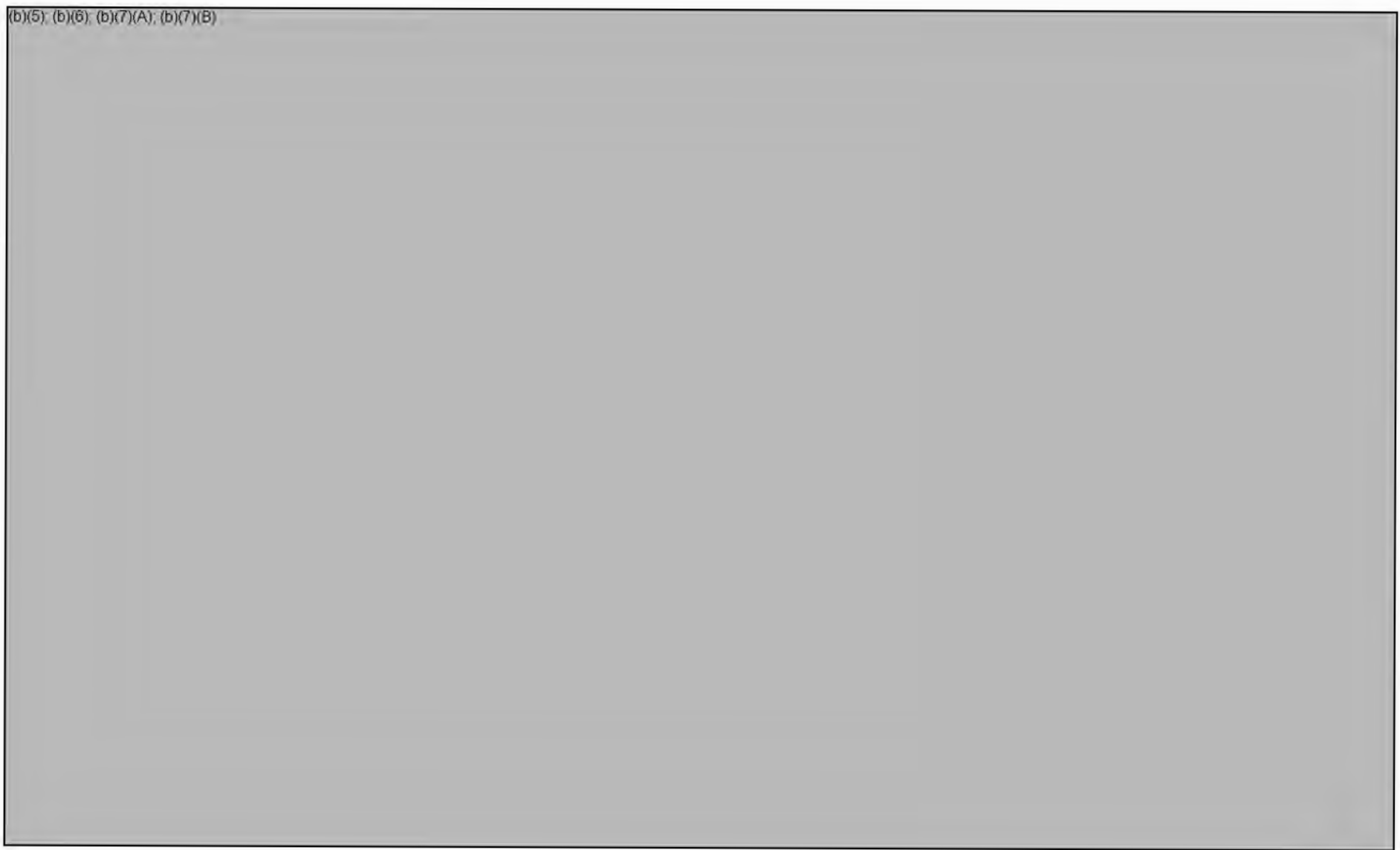
(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



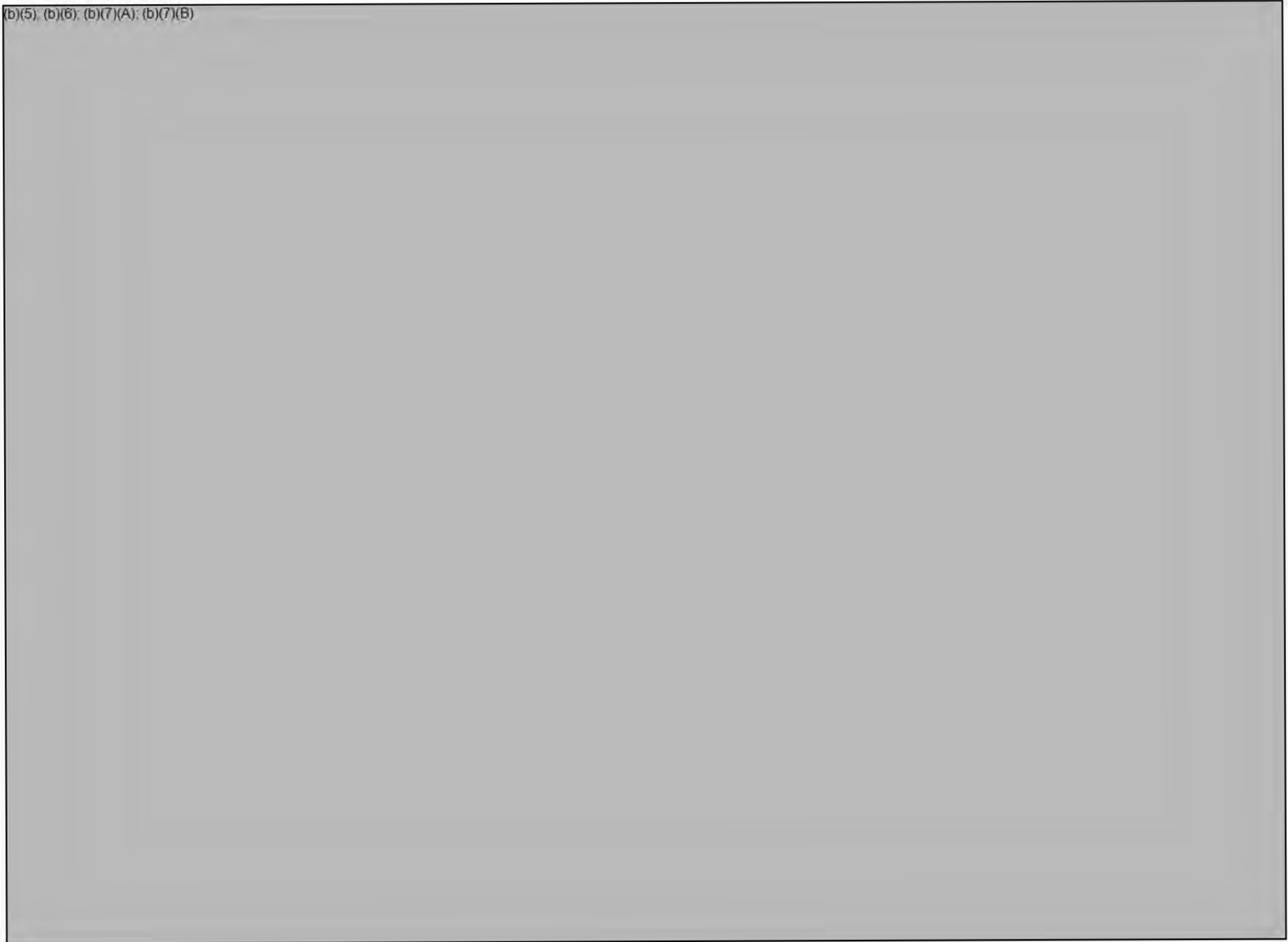
(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



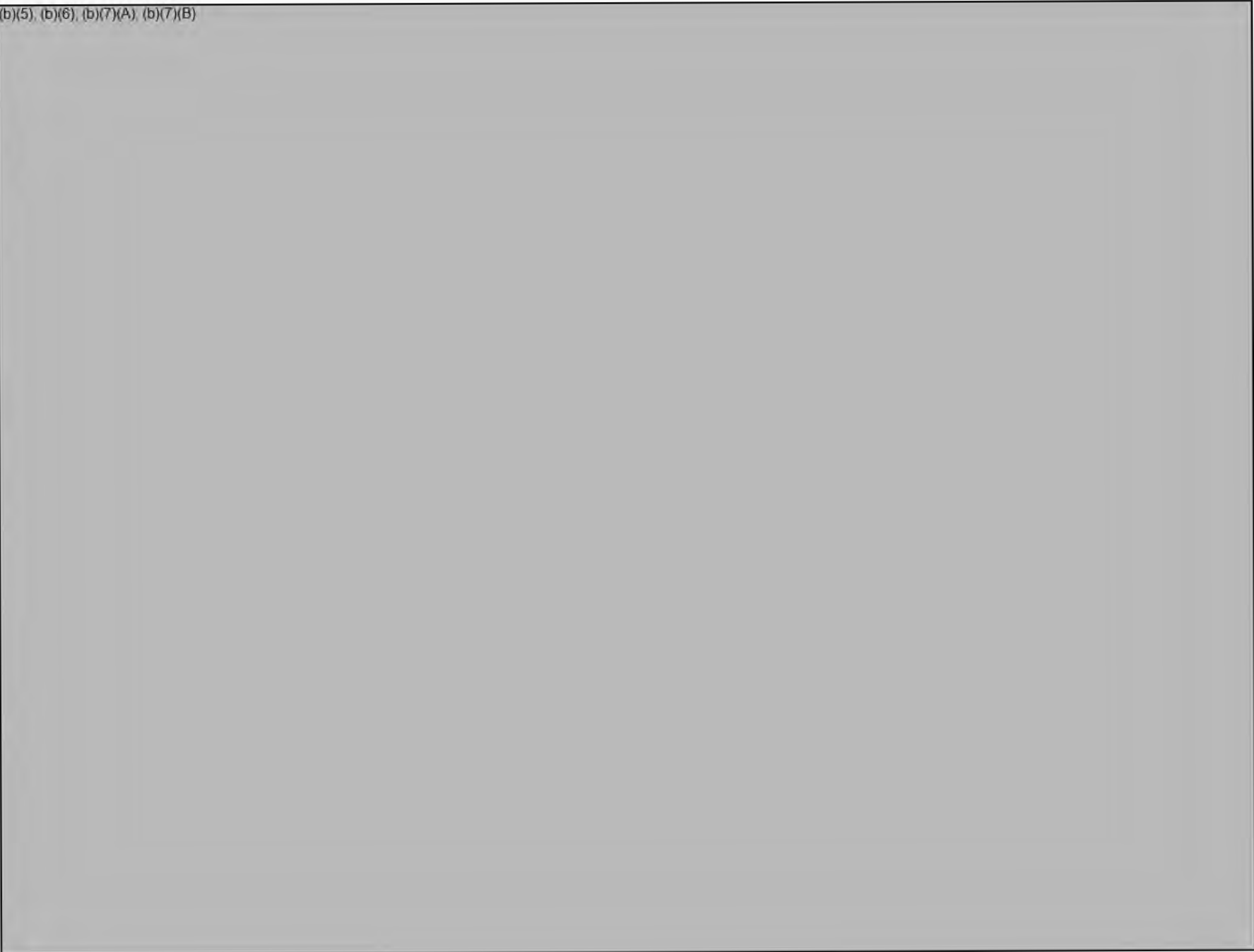
(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



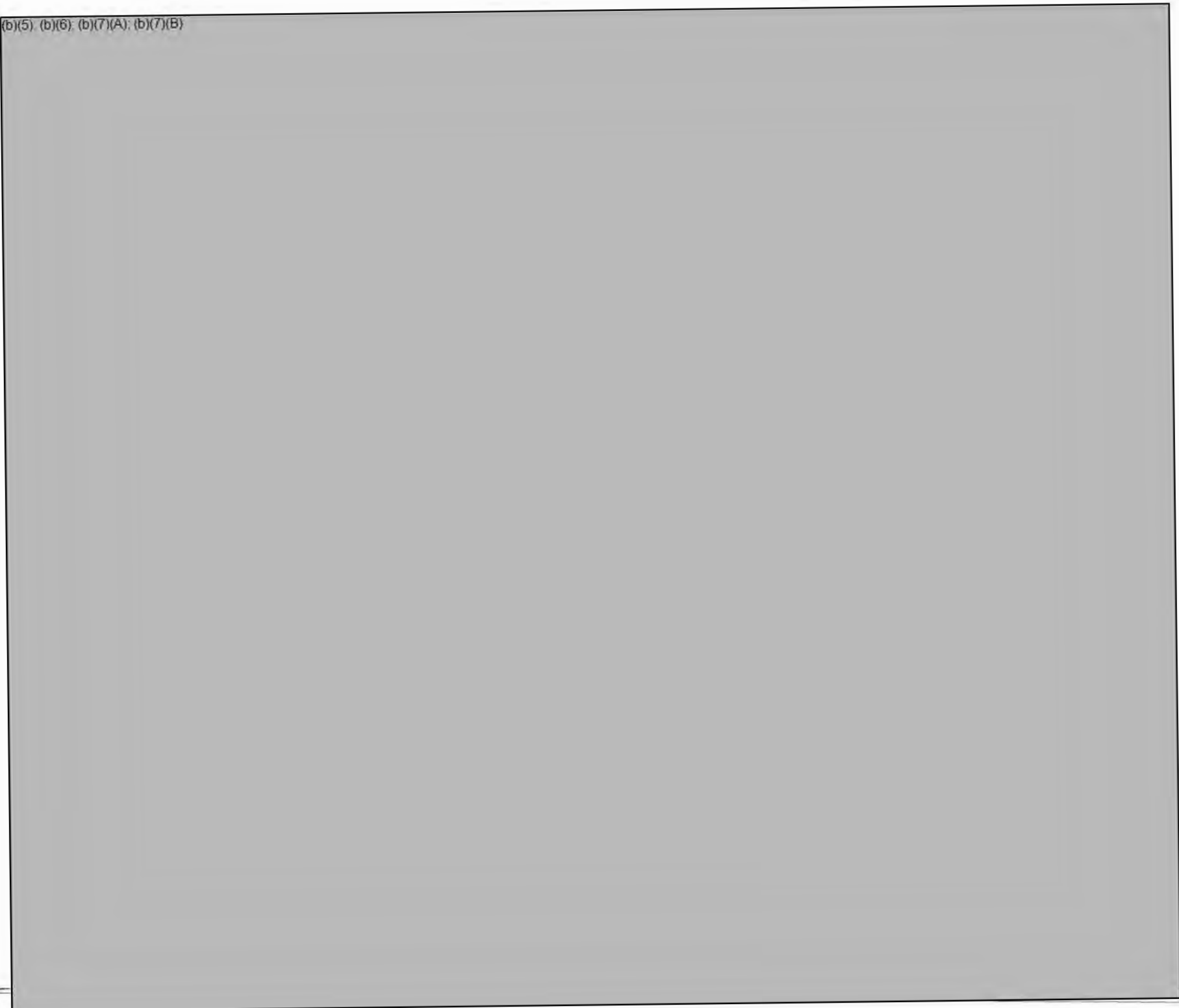
(b)(5), (b)(6); (b)(7)(A); (b)(7)(B)



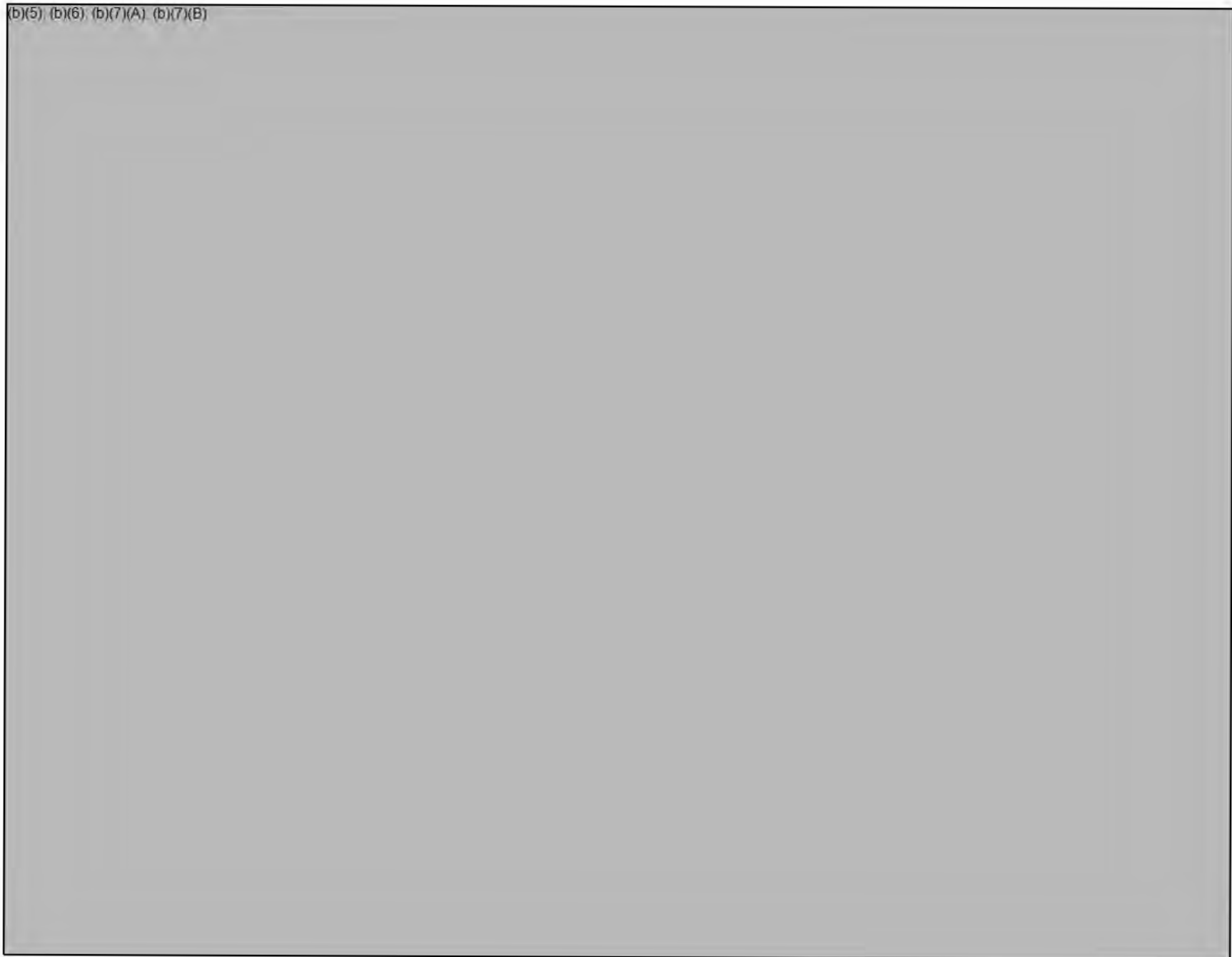
(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)




(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)




(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)




(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)




(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)



(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)




(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)




(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)

(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



(b)(5), (b)(6), (b)(7)(A), (b)(7)(B)



Case Number (CID/NCIS/Etc. if Assigned)	Data Source	Date of Incident		Country	City	Location (Ex. Abu Ghraib; Camp Cropper, etc.)
(b)(5)	OTJAG	1-Apr-03	ARMY	IRAQ	Unknown	Unknown
	OTJAG	2-Mar-04	ARMY	IRAQ	Unknown	Brigade Holding Facility
	OTJAG	19-Apr-04	KTR	IRAQ	Unknown	
	OTJAG	5-Feb-04	ARMY	IRAQ	Unknown	
	CID RPT	31-Dec-03	ARMY	IRAQ	Kalsu	Grid Coordinate
	OTJAG	25-Jul-03	ARMY	IRAQ	Unknown	
	OTJAG	1-Aug-03	ARMY	IRAQ	Unknown	
	OTJAG	17-Dec-03	ARMY	IRAQ	Unknown	Traffic Stop
	OTJAG	25-Oct-03	ARMY	IRAQ	Baghdad	Abu Ghraib
	OTJAG	1-Jul-03	ARMY	IRAQ	Unknown	Squadron Base Camp
	CID DATF	3-Jan-04	ARMY	IRAQ	Samarra	Unknown
	OTJAG	1-Nov-03	ARMY	IRAQ	Unknown	Unit Holding Facility
	OTJAG	1-Oct-03	ARMY	IRAQ	Unknown	
	OTJAG	13-Jul-03	ARMY	IRAQ	Unknown	Detainee Holding Facility
	OTJAG	22-Nov-03	ARMY	IRAQ	Unknown	Detention Facility
	OTJAG	15-Oct-03	ARMY	IRAQ	Unknown	Detention Facility
	OTJAG	24-Sep-03	ARMY	IRAQ	Unknown	
	OTJAG	2-Aug-03	ARMY	IRAQ	Unknown	
	OTJAG	10-Dec-03	ARMY	IRAQ	Unknown	2nd BDE Holding
	OTJAG	13-Aug-03	ARMY	IRAQ	Unknown	
	OTJAG	1-Aug-03	ARMY	IRAQ	Unknown	
	CID DATF	3-Aug-03	ARMY	IRAQ	Baghdad	Camp Cropper
	CID RPT	12-May-03	ARMY	IRAQ	Um Qasr	Camp Bucca
	CID RPT	12-May-03	ARMY	IRAQ	Um Qasr	Camp Bucca
	CID RPT	22-Jun-03	ARMY	IRAQ	Ghazalla	Ammo Factory Sector 45
	CID RPT	20-Jun-03	ARMY	IRAQ	Ghazalla	Ammo Factory Sector 45
	CID DATF	28-Feb-04	ARMY	IRAQ	Taalaljal	Grid Coordinate
	CID RPT	21-Jun-03	ARMY	IRAQ	Baghdad	Iraq Museum of Military History
	CID RPT	29-Jun-03	ARMY	IRAQ	Baghdad	Bus Stop
	CID RPT	1-Jun-03	ARMY	IRAQ	Baghdad	Grid Coordinate
	CID RPT	6-Jun-03	ARMY	IRAQ	Makhmour	Guwaire Patrol Compound
	CID RPT	7-Sep-03	ARMY	IRAQ	Lea Adder	Grid Coordinate
CID RPT	28-Aug-02	ARMY	AFGHANISTAN	EI Wara	FOB Lwara	
CID RPT	1-Sep-03	ARMY	IRAQ	Baghdad	Ammo Collection Point	
CID RPT	6-Apr-04	ARMY	IRAQ	Baghdad	Camp Nama THF	

Location Code (Ex. Detention Facility; High Value Detention; Temporary Holding Facility; Point of Capture; Other (Be Specific))	Did Offense Occur During and/or Result of Interrogation? (Ex. Yes or No)	Unit Involved (self-explanatory)
Unknown		
Point of Capture	No	1/37 AR
	Yes	TF 82nd
Point of Capture	Yes	310th MP BN
Point of Capture	Yes	300th MP CO
Point of Capture	No	607th MP BN
Point of Capture	No	40th Engineers
Point of Capture	No	40th Engineers
Point of Capture	No	1/41 INF
Point of Capture	No	84th Engineers/2 ACR
Point of Capture	No	A CO, 1/8 INF 4th ID
Temporary Holding Facility	No	2nd ACR
Point of Capture	Yes	1-4 ADA
Temporary Holding Facility	No	B CO 3-67 AR BN
Point of Capture	No	4th ID
Detention Facility	No	3-29 INF
Temporary Holding Facility	Yes	104th MI BN
		319th AFAR
	No	2nd BDE HF
		4th MP
		SOF
High Value Detention	No	N/A
Temporary Holding Facility	No	320th MP BN
Temporary Holding Facility	No	822nd MP CO
Point of Capture	No	B CO 307th Engineers
Point of Capture	No	A CO 1/13th Armor
Point of Capture	No	HHC 1/27 INBN, 25 ID
Point of Capture	Yes	B Battery, 4th BAT, 1st Field Art 1AD
Point of Capture	No	B CO 1/36th INF Reg 1st AD
Point of Capture	No	HHC 2/6 INF, Unit 23719
N/A	N/A	A CO 1/327th INF Regiment
N/A	N/A	19th Quartermaster CO 240th QM BN
Point of Capture	No	2/3rd Special Forces Goup
Point of Capture	No	C CO 2/8th INF (Camp Muleskinner)
Temporary Holding Facility	Yes	Task Force 6-26

Point of Capture	Yes	1/36th INF 1AD
Point of Capture	Unknown	Unknown
Detention Facility	Unknown	N/A
Point of Capture	No	A CO 2/5 CAV, 1 CD
Temporary Holding Facility	No	N/A
Temporary Holding Facility	No	D CO 4th FSB 4 ID
Temporary Holding Facility	Yes	2-20th FA BN
Detention Facility	Yes	519th MI BN
Detention Facility	Yes	372nd MP, 500th MI Group
Unknown	Unknown	4th ID
Point of Capture	Yes	Defense Support Liaison Activity
Unknown	No	3rd BN, 7th MAR, 1st MARDIV, 1MEF
Unknown	No	3rd BN, 5th MAR, 1st MARDIV, 1MEF
Unknown	Unknown	1st BN, 4th MAR, 1st MARDIV, 1MEF
Point of Capture	Unknown	3rd BN, 23rd MAR, 1st MARDIV, 1MEF
Temporary Holding Facility	No	4th LAR BN, 1st MARDIV, 1MEF
Unknown	Yes	Unknown
Unknown	Unknown	Unknown
Unknown	No	Unknown
Unknown	Unknown	Unknown
Point of Capture	Unknown	Special Forces
Unknown	Yes	ACM
Temporary Holding Facility	Yes	108th MP CO

Adjudication Range of Punishment (Ex: No Action Taken to Court Martial (Be Specific))	Cause of Death (Ex. Justifiable Homicide; Homicide; Natural; Undetermined; Pending; N/A; Other (Be Specific))	Offense Type (Ex: Assault/Death/Theft/Sexual Misconduct/Other (Be Specific))	Investigation Status (Ex. Open or Closed)
Pending		Assault	Closed
Pending		Assault	Closed
Pending		Assault	Closed
NJP		Assault	Closed
No Subject		Assault	Closed
CHAP 10 - GCM		Assault	Closed
Acquitted		Assault	Closed
NJP		Assault	Closed
NJP		Assault	Closed
NJP-SCM		Assault	Closed
NJP-GCM	Homicide	Death	Closed
NJP		Assault	Closed
DFC		Assault	Closed
No Action Taken		Assault	Closed
LOR-NJP		Assault	Closed
NJP-SCM		Assault	Closed
NJP		Assault	Closed
Pending		Assault	Closed
GOMOR		Assault	Closed
Pending		Assault	Closed
No Action Taken		Assault	Closed
No Subject	Undetermined	Death	Closed
Admin Discharge		Assault	Closed
Oral reprimand		Assault	Closed
Pending		Assault	Closed
OTH discharge		Assault	Closed
Pending	Homicide	Death	Closed
Art 15 - GCM		Assault	Closed
SCM		Assault	Closed
No action - SCM		Assault	Closed
3 GCM - chapter 10 disch		Assault	Closed
Pending		Assault	Closed
No action taken - GOLOR	Homicide	Death	Closed
SCM - SPCM		Assault	Closed
Pending		Assault	Closed

ART 15		Assault	Closed
		Assault	Closed
		Sexual Assault	Closed
		Assault	Closed
No Action Taken	Undetermined	Death	Closed
Admin Disch	Homicide	Death	Closed
NJP-DFC		Assault	Closed
ART 15		Sexual Assault	Closed
No Action Taken		Assault	Closed
NJP - CHAP 10		Assault	Closed
GOMOR		Assault	Closed
SCM-SPCM		Assault	Closed
SCM-SPCM		Assault	Closed
SPCM		Assault	Closed
NJP		Assault	Closed
SPCM		Assault	Closed
Reassignment		Assault	Closed
ART 15		Assault	Closed
MORs		Assault	Closed
LOR		Assault	Closed
No Action Taken		Assault	Closed
No Action Taken		Assault	Closed
No Action Taken		Assault	Closed

Case Number (CID/NCIB/Etc. If Assigned)	Data Source	Date of Incident		Country	City	Location (Ex. Abu Ghraib, Camp Cropper, etc.)
(b)(5)	CID RPT	10-Sep-03	ARMY	IRAQ	Baghdad	Abu Ghraib
	CID DATF	9-Jan-04	ARMY	IRAQ	Al Asad	FOB Rifles Base
	CID DATF	28-Jan-04	ARMY	IRAQ	Baghdad	Camp Cropper
	OTJAG	1-Nov-03	ARMY	IRAQ	Unknown	
	CID DATF	26-Nov-03	ARMY	IRAQ	Tiger	FOB Tiger
	CID RPT	29-Dec-03	ARMY	IRAQ	Baghdad	Unknown
	CID DATF	13-Jun-03	ARMY	IRAQ	Baghdad	Camp Cropper
	CID RPT	1-Jan-04	ARMY	IRAQ	Al Diwanlyah	Military Correctional Facility
	CID RPT	18-Dec-03	ARMY	IRAQ	Baghdad	Abu Ghraib
	CID DATF	2-Apr-04	NAVY	IRAQ	Mosul	LSA Diamondback
	CID RPT	1-Aug-03	NAVY	AFGHANISTAN	Gardez	KAF BAF
	CID RPT	2-Jan-02	ARMY	AFGHANISTAN	Bagram	Air Field Detainee Facility
	CID RPT	14-Jun-04	ARMY	IRAQ	Baghdad	Abu Ghraib
	CID RPT	26-Dec-01	ARMY	AFGHANISTAN	Kandahar	Kandahar Detainee Facility
	CID RPT	1-Feb-03	ARMY	AFGHANISTAN	Gardez	Detainee Facility
	CID RPT	14-May-04	ARMY	AFGHANISTAN	Grujaj	Unknown
	CID RPT	1-Jan-04	ARMY	IRAQ	Baghdad	Unknown
	CID RPT	1-Feb-04	ARMY	IRAQ	IVO Tall AFAR	Unknown
	CID RPT	10-Apr-04	ARMY	IRAQ	Kirkuk	Observation Point
	CID RPT	7-Sep-02	ARMY	AFGHANISTAN	Kandahar	Kandahar Detainee Facility
	CID RPT	11-Jan-04	ARMY	AFGHANISTAN	Unknown	Unknown
	CID RPT	3-Jun-04	ARMY	IRAQ	Um Qasr	Camp Bucca
	CID RPT	9-Apr-03	ARMY	IRAQ	Um Qasr	Camp Bucca
	CID RPT	21-Jun-03	OGA	AFGHANISTAN	Asadabad	Fire Base
	CID RPT	1-Aug-03	ARMY	IRAQ	Unknown	Unknown
	CID RPT	24-May-04	ARMY	IRAQ	Baghdad	Abu Ghraib
	CID RPT	19-Mar-03	ARMY	IRAQ	Unknown	Unknown
	CID RPT	21-Jul-03	ARMY	IRAQ	Tikrit	Detention Facility
	CID RPT	9-May-03	ARMY	IRAQ	Tikrit	1st ID AOR
	CID RPT	29-Nov-03	ARMY	IRAQ	Baghdad	Abu Ghraib
	CID RPT	13-Jan-04	ARMY	IRAQ	Baghdad	Camp Cropper
	CID RPT	Unknown	ARMY	IRAQ	Bayji	Unknown DTF
	CID RPT	24-Dec-03	ARMY	IRAQ	Baghdad	Ruthwanla Palace
CID RPT	4-Dec-02	ARMY	AFGHANISTAN	Bagram	Collection Point	

(b)(5)

CID RPT	9-Dec-02	ARMY	AFGHANISTAN	Bagram	Collection Point
CID RPT	17-Apr-04	ARMY	IRAQ	Ammaira	Unknown DTF
CID RPT	15-Apr-03	ARMY	IRAQ	Samarra	3rd BCT Detention Facility
CID RPT	27-Apr-04	ARMY	IRAQ	Tikrit	Khariolla Tolfah House
CID RPT	1-May-04	ARMY	IRAQ	Mosul	Unknown DTF
CID RPT	2-Apr-04	ARMY	IRAQ	Unknown	Unknown DTF
CID RPT	21-May-04	ARMY	IRAQ	An Najaf	Grid Coordinate
CID RPT	15-Apr-04	ARMY	IRAQ	Tikrit	Unknown DTF
CID RPT	12-Jan-04	ARMY	IRAQ	Balad	Unknown DTF
CID RPT	15-Dec-03	ARMY	IRAQ	Samarra	Unknown DTF
CID RPT	23-Apr-04	ARMY	IRAQ	Taji	Unknown
CID RPT	13-Jan-04	ARMY	IRAQ	Baghdad	Abu Ghraib
CID RPT	2-Jun-04	ARMY	IRAQ	Baghdad	Holding Facility
CID RPT	11-Apr-03	ARMY	IRAQ	Jordan Border	Hotel 3 Air Base
CID RPT	8-Sep-03	ARMY	IRAQ	Tikrit	Camp Ironhorse
CID RPT	6-Nov-03	ARMY	AFGHANISTAN	Gereshk	FOB Geresk
CID RPT	8-Mar-04	ARMY	IRAQ	Mosul	Airport
CID RPT	3-Jun-04	ARMY	IRAQ	Altafia	Unknown
CID RPT	Unknown	ARMY	IRAQ	Baghdad	Abu Ghraib
CID RPT	4-May-04	ARMY	IRAQ	Unknown	Unknown
CID RPT	1-Oct-03	ARMY	IRAQ	Baghdad	Abu Ghraib
CID RPT	15-Jun-04	ARMY	IRAQ	Baghdad	Camp Cropper
CID RPT	4-Mar-04	FBI	IRAQ	Baghdad	Camp Cropper
CID RPT	11-Apr-04	ARMY	IRAQ	Baghdad	Unknown
CID RPT	10-Apr-04	ARMY	IRAQ	Ramadi	Ramadi Palace
CID RPT	30-May-04	ARMY	IRAQ	Ramadi	Ramadi Palace
CID RPT	7-Oct-03	ARMY	IRAQ	Baghdad	Abu Ghraib
CID RPT	Unknown	ARMY	IRAQ	Unknown	Unknown
CID RPT	28-May-04	NAVY	GTMO	N/A	N/A
CID RPT	4-Nov-03	NAVY	IRAQ	Baghdad	Abu Ghraib
CID RPT	1/18/2004	ARMY	IRAQ	Balad	Camp Anaconda
CID RPT	22-Sep-03	ARMY	IRAQ	Um Qasr	Camp Bucca
CID RPT	21-Dec-03	ARMY	IRAQ	Unknown	Division Collection Point
CID RPT	1-Apr-03	ARMY	IRAQ	Baghdad	Warehouse
CID RPT	23-Aug-03	ARMY	IRAQ	Baghdad	Abu Ghraib
CID Sum	1-Dec-03	ARMY	IRAQ	Al Asad	Unknown
NCIS	6-Jun-03	MARINES	IRAQ	Al Nasiriyah	Camp Whitehorse
NCIS	1-Oct-03	NAVY	IRAQ	Unknown	Unknown
NCIS	13-Apr-04	MARINES	IRAQ	Fallujah	Fallujah
NCIS	15-Apr-04	MARINES	IRAQ	Mahmudiyah	Residence

(b)(5)

NCIS	1-Apr-04	KTR	IRAQ	Baghdad	Abu Ghraib
OTJAG	9-May-04	ARMY	IRAQ	Unknown	Unknown
OTJAG	3-Jun-04	ARMY	IRAQ	Unknown	Unknown
OTJAG	12-Apr-04	MARINES	Unknown	Unknown	Unknown
USMC JAG	1-Apr-04	MARINES	IRAQ	Unknown	Unknown
USMC JAG	13-Apr-04	MARINES	IRAQ	Al Mumudiyah	2-2 Holding Area
USMC JAG	1-Jul-04	MARINES	IRAQ	Fallujah	Unknown
MISSOCOMJAG	1-Jun-03	ARMY	IRAQ	Unknown	Unknown
CJTF 76	20-Mar-04	ARMY	Afghanistan	SHKIN	Unknown

Location Code (Ex. Detention Facility; High Value Detention; Temporary Holding Facility; Point of Capture; Other (Be Specific))	Did Offense Occur During and/or Result of Interrogation? (Ex. Yes or No)	Unit Involved (self-explanatory)
Detention Facility	Yes	3/72nd MP CO
Detention Facility	Yes	B CO, 1/5th SFG
High Value Detention	No	N/A
		SOF
Temporary Holding Facility	Yes	68th MI
Temporary Holding Facility	Yes	SOF / Polish Forces
High Value Detention	Unknown	Army Special Forces
Temporary Holding Facility	No	310th MP BN
Detention Facility	Yes	Unknown
Point of Capture	Yes	Seal Team 7
Temporary Holding Facility	Yes	Navy SF
Detention Facility	Yes	BCP MP/MI
Detention Facility	No	N/A
Temporary Holding Facility	No	Unknown
Detention Facility	Unknown	Unknown
Point of Capture	Yes	SOF
Unknown	No	443rd MP CO
Point of Capture	No	C CO 5/20th INF
Point of Capture	No	B CO 1/21st INF BN
Point of Capture	No	Unknown
Detention Facility	No	Unknown
Unknown	Unknown	B CO 2/22 INF BN
Temporary Holding Facility	No	106th MP BN
Temporary Holding Facility	Yes	Unknown
Temporary Holding Facility	Yes	OGA
Temporary Holding Facility	Unknown	C CO 2/14th INF BN, 10th MTN DIV
Detention Facility	No	1st Cavalry Division
Unknown	Unknown	89th Engineering BN
Detention Facility	No	Unknown
Temporary Holding Facility	Yes	Unknown
Detention Facility	Yes	Unknown
High Value Detention	No	Unknown
Temporary Holding Facility	Yes	B Battery, 1/33rd FA BN
Temporary Holding Facility	Yes	Unknown
Temporary Holding Facility	Yes	A CO, 518th MI BN, 525 MI BDE

Temporary Holding Facility	Yes	A CO, 519th MI BN, 525 MI BDE
Point of Capture	Unknown	Unknown
Temporary Holding Facility	Yes	223rd MI BN
Point of Capture	Yes	Unknown
Point of Capture	Yes	Unknown
Temporary Holding Facility	Yes	Unknown
Point of Capture	No	A CO 237 AR BN
Temporary Holding Facility	No	Unknown
Temporary Holding Facility	No	Unknown
Temporary Holding Facility	Yes	Unknown
Temporary Holding Facility	Yes	Unknown
Detention Facility	No	372nd MP CO
Temporary Holding Facility	Yes	Unknown
Temporary Holding Facility	Yes	Unknown
Temporary Holding Facility	No	4th ID
Temporary Holding Facility	Yes	3rd BN 3rd Special Forces Group
Temporary Holding Facility	No	Unknown
Point of Capture	No	Unknown
Detention Facility	Unknown	Unknown
Temporary Holding Facility	Yes	Unknown
Detention Facility	No	Unknown
High Value Detention	Yes	2nd BAT, 5th SFG
High Value Detention	Yes	FBI
Temporary Holding Facility	Yes	Unknown
Temporary Holding Facility	Unknown	Unknown
Temporary Holding Facility	Unknown	Unknown
Detention Facility	No	Unknown
Unknown	Yes	Unknown
Detention Facility	Unknown	Unknown
Detention Facility	Yes	Seal Team 7
N/A	No	Medical Unit
Temporary Holding Facility	No	822nd MP CO
Temporary Holding Facility	No	855th MP CO
Point of Capture	No	B CO 2/325th AIR, 82nd AD
Detention Facility	Yes	519th MI BN
Unknown	Yes	Unknown
Detention Facility	No	2nd BAT 25 MAR
Unknown	No	Seal Team 7
Point of Capture	No	3rd BN, 4th MAR, 1st MARDIV, 1 MEF
Point of Capture	No	2nd BN, 2nd MAR, 1st MARDIV, 1MEF

Detention Facility	Unknown	Unknown
Unknown	Unknown	ODA
Unknown	Unknown	1st ID
Unknown	Unknown	1 MEF
Unknown	Unknown	2nd BN, 2nd MAR, 1st MARDIV, 1MEF
Temporary Holding Facility	Unknown	2nd BN, 2nd MAR, 1st MARDIV, 1MEF
Unknown	Unknown	RCT 1, 1st MARDIV, 1MEF
Unknown	Unknown	Unknown
Point of Capture	No	1/87th INF

Adjudication Range of Punishment (Ex: No Action Taken to Court Martial (Be Specific))	Cause of Death (Ex. Justifiable Homicide; Homicide; Natural; Undetermined; Pending; N/A; Other (Be Specific))	Offense Type (Ex. Assault/Death/Theft/Sexual Misconduct/Other (Be Specific))	Investigation Status (Ex. Open or Closed)
		Sexual Assault	Open
	Homicide	Death	Open
	Undetermined	Death	Open
		Assault	Open
	Homicide	Death	Open
		Assault	Open
	Homicide	Death	Open
		Assault	Open
		Assault	Open
	Homicide	Death	Open
		Sexual Assault	Open
		Assault	Open
	Undetermined	Death	Open
		Assault	Open
	Undetermined	Death	Open
		Assault	Open
		Assault	Open
		Assault	Open
	Justifiable Homicide	Death	Open
	Justifiable Homicide	Death	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
	Homicide	Death	Open
		Assault	Open
	Undetermined	Death	Open
		Other	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
	Homicide	Death	Open

	Homicide	Death	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
	Undetermined	Death	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
	Homicide	Death	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Sexual Assault	Open
		Sexual Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
	Homicide	Death	Open
		Other	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
	Undetermined	Death	Open
	Homicide	Death	Open
		Assault	Open
	Pending	Death	Open
	Pending	Death	Open

		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
		Assault	Open
	Homicide	Death	Open
		Assault	Open

(b)(5)

CID RPT	31-Aug-02	ARMY	IRAQ	Baghdad	Grid Coordinate
CID RPT	11-May-04	ARMY	IRAQ	Baghdad	Unknown DTF
CID RPT	3-Oct-03	KTR	IRAQ	Baghdad	Abu Ghraib
CID RPT	7-May-04	ARMY	IRAQ	Baghdad	Btwn Camp War Eagle & Camp Cuervo
CID RPT	9-Dec-03	ARMY	IRAQ	Mosul	2nd BDE Holding Area
CID RPT	11-Sep-03	ARMY	IRAQ	Tikrit	FOB Packhorse
CID RPT	20-Aug-03	ARMY	IRAQ	Taji	FOB Gunner
CID RPT	7-Oct-03	ARMY	IRAQ	Baghdad	Abu Ghraib
CID RPT	22-Nov-03	ARMY	IRAQ	Baghdad	Abu Ghraib
OTJAG	2-Aug-03	ARMY	IRAQ	Unknown	Unknown
CJTF 180	18-Mar-04	ARMY	AFGHANISTAN	Miam Do	Village
USMC JAG	15-May-03	MARINES	IRAQ	Carbala	Logistics Base
USMC JAG	1-Jun-03	MARINES	IRAQ	Adiwanlyah	Squadron Base Camp
USMC JAG	2-Jun-03	MARINES	IRAQ	Unknown	Unknown
USMC JAG	23-Jun-03	MARINES	IRAQ	Al Kut	Ammo Supply Point
USMC JAG	3-Aug-03	MARINES	IRAQ	Al Mumudiyah	LSA Dog Wood
USSOCOMJAG	1-Jan-04	ARMY	IRAQ	Unknown	Unknown
USSOCOMJAG	1-Feb-04	ARMY	IRAQ	Unknown	Unknown
USSOCOMJAG	1-Apr-04	ARMY	IRAQ	Unknown	Unknown
USSOCOMJAG	1-Apr-04	ARMY	IRAQ	Unknown	Unknown
CJTF 76	18-Jul-03	ARMY	Afghanistan	Khowst	Unknown
CJTF 76	20-Apr-04	ARMY	Afghanistan	Unknown	Unknown
CJTF 76	4-Mar-02	ARMY	Afghanistan	Baghram	Airfield

Month	Year	Country	Offense Type	Investigation Status
Jan	2004	Afgh	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Closed
Jan	2004	Iraq	Death	Open
Jan	2004	Iraq	Death	Closed
Jan	2004	Iraq	Death	Open
Jan	2004	Iraq	Other	Open
Feb	2004	Iraq	Assault	Closed
Feb	2004	Iraq	Assault	Closed
Feb	2004	Iraq	Assault	Open
Feb	2004	Iraq	Assault	Closed
Mar	2004	Afgh	Assault	Closed
Mar	2004	Afgh	Assault	Open
Mar	2004	Iraq	Assault	Closed
Mar	2004	Iraq	Assault	Open
Mar	2004	Iraq	Assault	Open
Apr	2004	Afgh	Assault	Closed
Apr	2004	Iraq	Assault	Closed
Apr	2004	Iraq	Assault	Closed
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Closed
Apr	2004	Iraq	Assault	Closed
Apr	2004	UNK	Assault	Open
Apr	2004	Iraq	Death	Open
Apr	2004	Iraq	Death	Open
Apr	2004	Iraq	Theft	Open
May	2003	Iraq	Assault	Closed
May	2003	Iraq	Assault	Closed
May	2003	Iraq	Assault	Closed
May	2003	Iraq	Assault	Open
May	2003	Iraq	Assault	Closed
May	2003	Iraq	Death	Closed
May	2003	Iraq	Theft	Closed
May	2003	Iraq	Theft	Closed
May	2004	Afgh	Assault	Open
May	2004	GTMO	Assault	Open

Jan 04
 7 AS (1AF, 6IR)
 3 Dea (3IR)
 1 OTH (IR)

Feb 04 4 AS (1ra)
 Mar 04 5 AS (2A, 3I)

Apr 04 16 AS (1AF, 15/IR)
 2 Dea (1ra)
 1 TH (IR)

May 03 6 AS (IR)
 1 De (IR)
 2 TH (IR)

May	2004	Iraq	Assault	Open
May	2004	Iraq	Assault	Closed
May	2004	Iraq	Assault	Closed
May	2004	Iraq	Assault	Open
May	2004	Iraq	Assault	Open
May	2004	Iraq	Assault	Open
May	2004	Iraq	Death	Open
May	2004	Iraq	Death	Open
May	2004	Iraq	Sexual Assault	Open
Jun	2003	Iraq	Assault	Open
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Afgh	Death	Open
Jun	2003	Iraq	Death	Closed
Jun	2003	Iraq	Death	Open
Jun	2003	Iraq	Death	Open
Jun	2003	Iraq	Sexual Assault	Closed
Jun	2003	Iraq	Theft	Open
Jun	2003	Iraq	Theft	Open
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Theft	Closed
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Death	Open
Jul	2003	Afgh	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Open
Jul	2003	Iraq	Theft	Closed
Jul	2003	Iraq	Theft	Closed
Jul	2003	Iraq	Theft	Closed
Jul	2004	Iraq	Assault	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Death	Closed

May 04
 AS 8 (Ir)
 De 2 (Ir)
 SIA 1 (Ir)

Jun 03
 4 Dea (3 Ir, 1 Af)
 SA - 1 (Ir)
 Th - 6 (Ir)

Jun 04
 AS 5 (Ir)
 De 1 (Ir)

Jul 03
 5 AS (1 Af, 4 Ir)
 3 Th (Ir)

Jul 04
 AS - 1

Aug 03
 9 AS, Ir
 1 Dea, Ir
 1 Th - Af

Aug	2003 Afgh	Theft	Open
Sep	2003 Iraq	Assault	Closed
Sep	2003 Iraq	Assault	Closed
Sep	2003 Iraq	Assault	Closed
Sep	2003 Iraq	Assault	Open
Sep	2003 Iraq	Assault	Open
Sep	2003 Iraq	Death	Closed
Sep	2003 Iraq	Sexual Assault	Open
Oct	2003 Iraq	Assault	Closed
Oct	2003 Iraq	Assault	Closed
Oct	2003 Iraq	Assault	Closed
Oct	2003 Iraq	Assault	Open
Oct	2003 Iraq	Assault	Open
Oct	2003 Iraq	Sexual Assault	Closed
Oct	2003 Iraq	Sexual Assault	Open
Oct	2003 Iraq	Sexual Assault	Closed
Nov	2003 Iraq	Assault	Closed
Nov	2003 Iraq	Assault	Closed
Nov	2003 Iraq	Assault	Open
Nov	2003 Iraq	Assault	Open
Nov	2003 Iraq	Assault	Closed
Nov	2003 Afgh	Death	Open
Nov	2003 Iraq	Death	Open
Nov	2003 Iraq	Death	Open
Dec	2003 Iraq	Assault	Closed
Dec	2003 Iraq	Assault	Closed
Dec	2003 Iraq	Assault	Closed
Dec	2003 Iraq	Assault	Open
Dec	2003 Iraq	Assault	Open
Dec	2003 Iraq	Assault	Open
Dec	2003 Iraq	Assault	Open
Dec	2003 Iraq	Assault	Open
Dec	2003 Iraq	Death	Open
Dec	2003 Iraq	Death	Closed
Dec	2003 Iraq	Death	Open
Dec	2003 Iraq	Theft	Closed

03 5 AS
 Sep 1 death
 1 SA
 IR

Oct 05
 5 AS
 3 SA
 IR

Nov 03 AS 5 IR
 Dec 3 (1 AF, 2 IR)

Dec 03
 7 AS
 3 Dec
 1 Theft
 IR

Month	Year	Country	Offense Type	Investigation Status
Aug	2003	Afgh	Theft	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Death	Closed
Aug	2003	Iraq	Assault	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Dec	2003	Iraq	Assault	Closed
Dec	2003	Iraq	Assault	Closed
Dec	2003	Iraq	Assault	Closed
Dec	2003	Iraq	Assault	Open
Dec	2003	Iraq	Death	Open
Dec	2003	Iraq	Assault	Open
Dec	2003	Iraq	Death	Closed
Dec	2003	Iraq	Assault	Open
Dec	2003	Iraq	Theft	Closed
Dec	2003	Iraq	Assault	Open
Dec	2003	Iraq	Death	Open
Jul	2003	Afgh	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jui	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Theft	Closed
Jul	2003	Iraq	Theft	Closed
Jul	2003	Iraq	Theft	Closed
Jul	2003	Iraq	Assault	Open
Jun	2003	Afgh	Death	Open
Jun	2003	Iraq	Theft	Open
Jun	2003	Iraq	Theft	Open
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Assault	Open
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Death	Closed
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Sexual Assault	Closed
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Death	Open
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Death	Open
May	2003	Iraq	Theft	Closed
May	2003	Iraq	Death	Closed
May	2003	Iraq	Assault	Closed

May	2003 Iraq	Assault	Closed
May	2003 Iraq	Assault	Closed
May	2003 Iraq	Assault	
May	2003 Iraq	Assault	Open
May	2003 Iraq	Theft	Closed
May	2003 Iraq	Assault	Closed
Nov	2003 Afgh	Death	Open
Nov	2003 Iraq	Assault	Closed
Nov	2003 Iraq	Assault	Closed
Nov	2003 Iraq	Death	Open
Nov	2003 Iraq	Assault	Open
Nov	2003 Iraq	Assault	Open
Nov	2003 Iraq	Death	Open
Nov	2003 Iraq	Assault	Closed
Oct	2003 Iraq	Assault	Closed
Oct	2003 Iraq	Assault	Closed
Oct	2003 Iraq	Assault	Closed
Oct	2003 Iraq	Sexual Assault	Closed
Oct	2003 Iraq	Sexual Assault	Open
Oct	2003 Iraq	Assault	Open
Oct	2003 Iraq	Sexual Assault	Closed
Oct	2003 Iraq	Assault	Open
Sep	2003 Iraq	Sexual Assault	Open
Sep	2003 Iraq	Assault	Closed
Sep	2003 Iraq	Assault	Closed
Sep	2003 Iraq	Assault	Closed
Sep	2003 Iraq	Death	Closed
Sep	2003 Iraq	Assault	Open
Sep	2003 Iraq	Assault	Open
Apr	2004 Afgh	Assault	Closed
Apr	2004 Iraq	Assault	Closed
Apr	2004 Iraq	Theft	Open
Apr	2004 Iraq	Assault	Closed
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Death	Open
Apr	2004 Iraq	Death	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Open
Apr	2004 Iraq	Assault	Closed
Apr	2004 Iraq	Assault	Closed
Apr	2004 UNK	Assault	Open
Feb	2004 Iraq	Assault	Closed
Feb	2004 Iraq	Assault	Closed
Feb	2004 Iraq	Assault	Open

Feb	2004	Iraq	Assault	Closed
Jan	2004	Afgh	Assault	Open
Jan	2004	Iraq	Death	Open
Jan	2004	Iraq	Death	Closed
Jan	2004	Iraq	Death	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Other	Open
Jan	2004	Iraq	Assault	Closed
Jul	2004	Iraq	Assault	Open
Jun	2004	Iraq	Death	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Mar	2004	Afgh	Assault	Closed
Mar	2004	Afgh	Assault	Open
Mar	2004	Iraq	Assault	Closed
Mar	2004	Iraq	Assault	Open
Mar	2004	Iraq	Assault	Open
May	2004	Afgh	Assault	Open
May	2004	GTMO	Assault	Open
May	2004	Iraq	Assault	Open
May	2004	Iraq	Death	Open
May	2004	Iraq	Assault	Closed
May	2004	Iraq	Assault	Closed
May	2004	Iraq	Assault	Open
May	2004	Iraq	Death	Open
May	2004	Iraq	Sexual Assault	Open
May	2004	Iraq	Assault	Open
May	2004	Iraq	Assault	Open

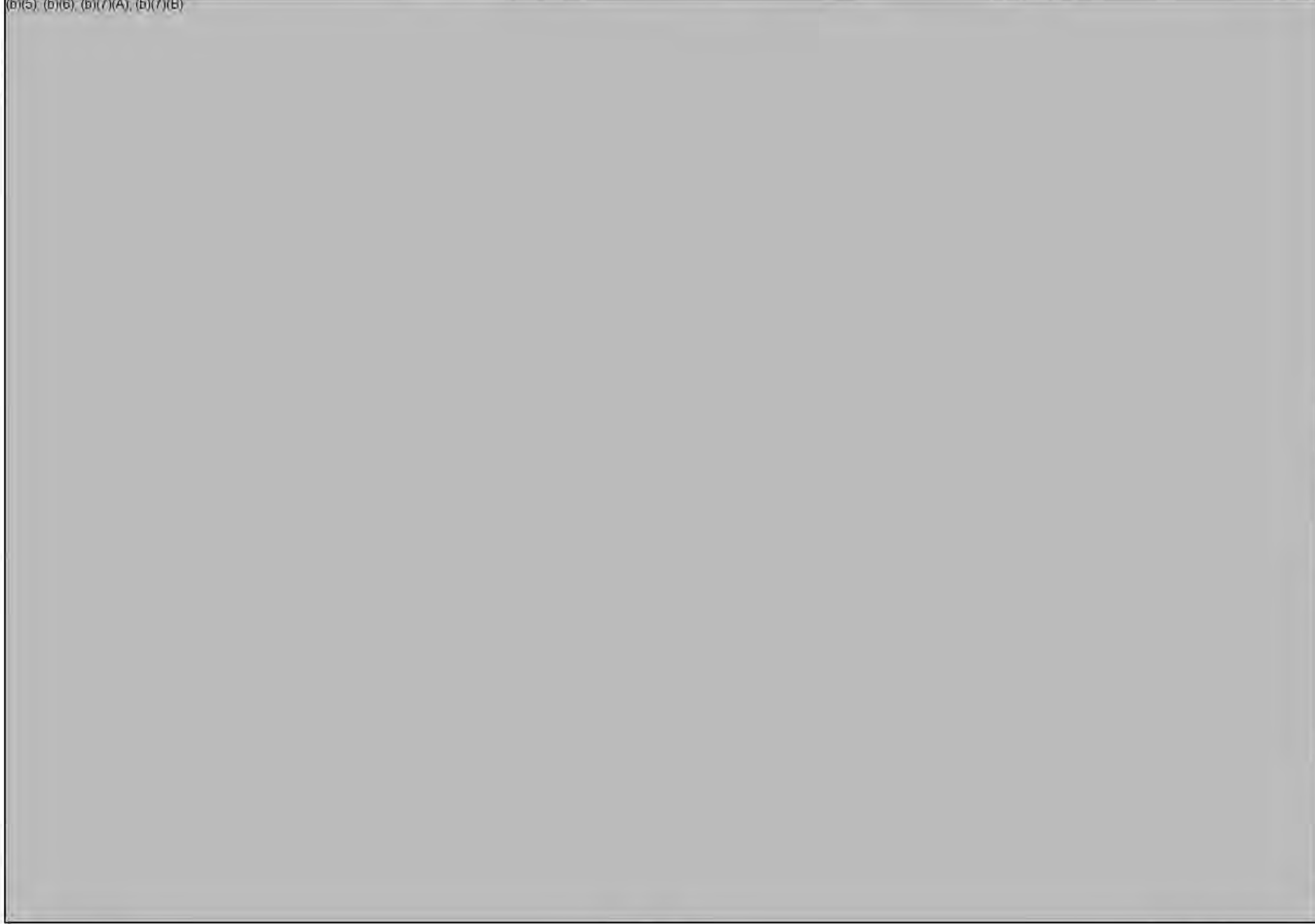
Month	Year	Country	Offense Type	Investigation Status
Jul	2003	Afgh	Assault	Closed
Jan	2004	Afgh	Assault	Open
Mar	2004	Afgh	Assault	Closed
Mar	2004	Afgh	Assault	Open
Apr	2004	Afgh	Assault	Closed
May	2004	Afgh	Assault	Open
Jun	2003	Afgh	Death	Open
Nov	2003	Afgh	Death	Open
Aug	2003	Afgh	Theft	Open
May	2004	GTMO	Assault	Open
May	2003	Iraq	Assault	Closed
May	2003	Iraq	Assault	Closed
May	2003	Iraq	Assault	Closed
May	2003	Iraq	Assault	Closed
May	2003	Iraq	Assault	Open
May	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Open
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jun	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Closed
Jul	2003	Iraq	Assault	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Open
Aug	2003	Iraq	Assault	Closed
Aug	2003	Iraq	Assault	Closed
Sep	2003	Iraq	Assault	Closed
Sep	2003	Iraq	Assault	Closed
Sep	2003	Iraq	Assault	Closed
Sep	2003	Iraq	Assault	Open
Sep	2003	Iraq	Assault	Open
Oct	2003	Iraq	Assault	Closed
Oct	2003	Iraq	Assault	Closed
Oct	2003	Iraq	Assault	Closed
Oct	2003	Iraq	Assault	Open
Oct	2003	Iraq	Assault	Open
Nov	2003	Iraq	Assault	Closed
Nov	2003	Iraq	Assault	Closed
Nov	2003	Iraq	Assault	Open
Nov	2003	Iraq	Assault	Open
Nov	2003	Iraq	Assault	Closed

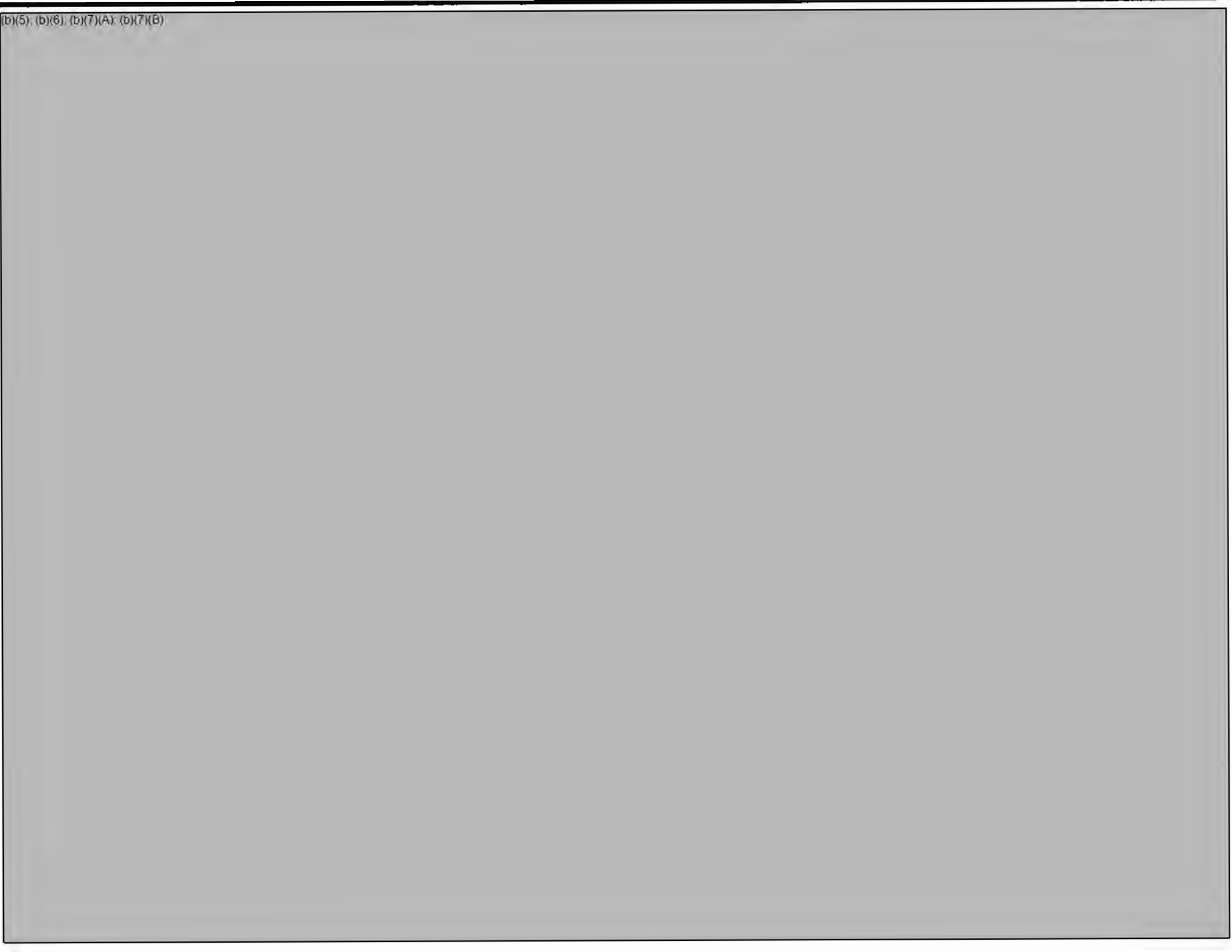
11/10/07

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Dec	2003	Iraq	Assault	Closed
Dec	2003	Iraq	Assault	Closed
Dec	2003	Iraq	Assault	Closed
Dec	2003	Iraq	Assault	Open
Dec	2003	Iraq	Assault	Open
Dec	2003	Iraq	Assault	Open
Dec	2003	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Open
Jan	2004	Iraq	Assault	Closed
Feb	2004	Iraq	Assault	Closed
Feb	2004	Iraq	Assault	Closed
Feb	2004	Iraq	Assault	Open
Feb	2004	Iraq	Assault	Closed
Mar	2004	Iraq	Assault	Closed
Mar	2004	Iraq	Assault	Open
Mar	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Closed
Apr	2004	Iraq	Assault	Closed
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Open
Apr	2004	Iraq	Assault	Closed
Apr	2004	Iraq	Assault	Closed
May	2004	Iraq	Assault	Open
May	2004	Iraq	Assault	Closed
May	2004	Iraq	Assault	Closed
May	2004	Iraq	Assault	Open
May	2004	Iraq	Assault	Open
May	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jun	2004	Iraq	Assault	Open
Jul	2004	Iraq	Assault	Open
May	2003	Iraq	Death	Closed
Jun	2003	Iraq	Death	Closed
Jun	2003	Iraq	Death	Open
Jun	2003	Iraq	Death	Open
Aug	2003	Iraq	Death	Closed

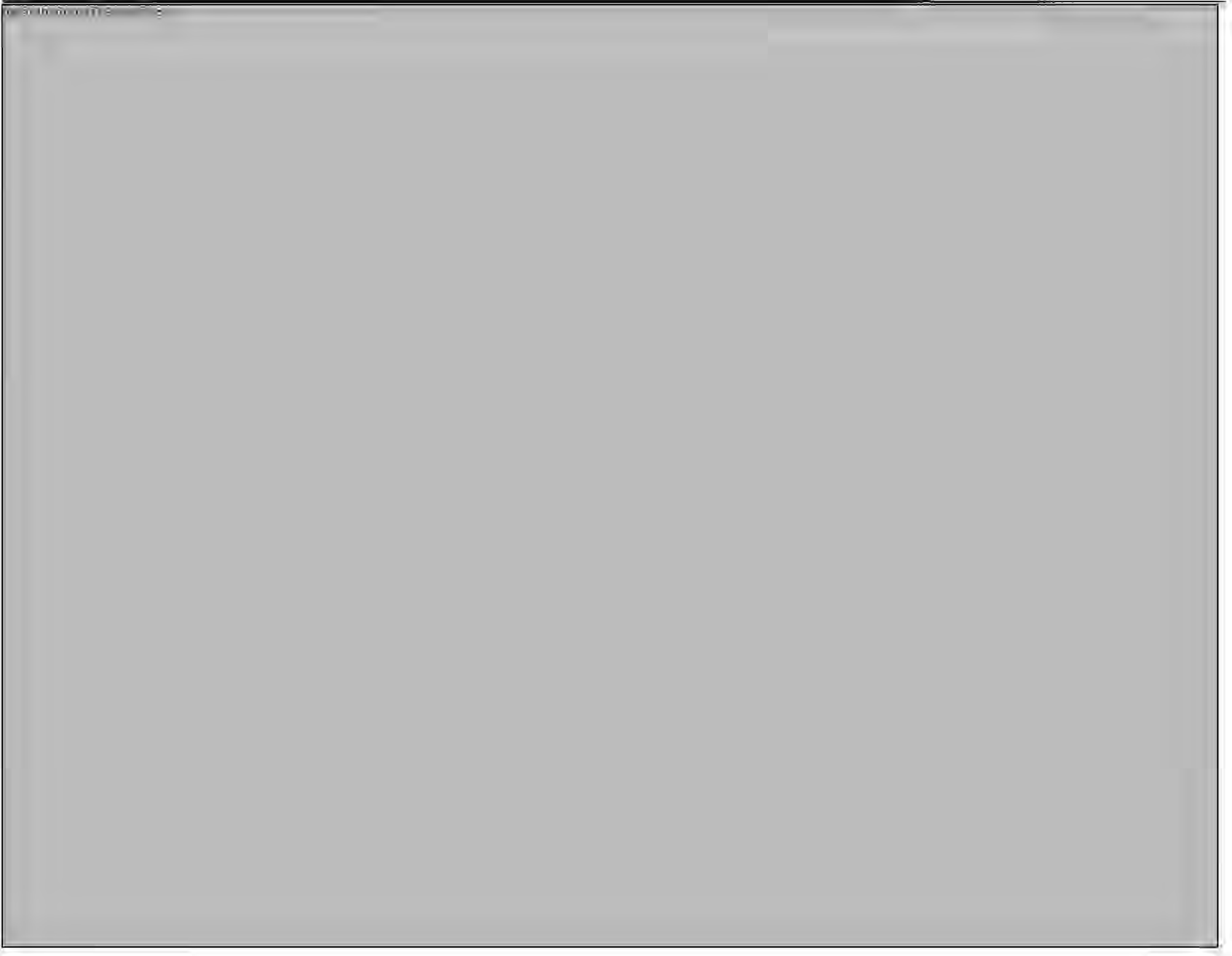
Sep	2003	Iraq	Death	Closed
Nov	2003	Iraq	Death	Open
Nov	2003	Iraq	Death	Open
Dec	2003	Iraq	Death	Open
Dec	2003	Iraq	Death	Closed
Dec	2003	Iraq	Death	Open
Jan	2004	Iraq	Death	Open
Jan	2004	Iraq	Death	Closed
Jan	2004	Iraq	Death	Open
Apr	2004	Iraq	Death	Open
Apr	2004	Iraq	Death	Open
May	2004	Iraq	Death	Open
May	2004	Iraq	Death	Open
Jun	2004	Iraq	Death	Open
Jan	2004	Iraq	Other	Open
Jun	2003	Iraq	Sexual Assault	Closed
Sep	2003	Iraq	Sexual Assault	Open
Oct	2003	Iraq	Sexual Assault	Closed
Oct	2003	Iraq	Sexual Assault	Open
Oct	2003	Iraq	Sexual Assault	Closed
May	2004	Iraq	Sexual Assault	Open
May	2003	Iraq	Theft	Closed
May	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Theft	Open
Jun	2003	Iraq	Theft	Open
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Theft	Closed
Jun	2003	Iraq	Theft	Closed
Jul	2003	Iraq	Theft	Closed
Jul	2003	Iraq	Theft	Closed
Jui	2003	Iraq	Theft	
Dec	2003	Iraq	Theft	Closed
Apr	2004	Iraq	Theft	Open
Apr	2004	UNK	Assault	Open





(b)(5); (b)(6); (b)(7)(A); (b)(7)(B)







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1P1-081

Reports of U.S. Army Abuse of Detainees

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The U.S. Army has a long experience in dealing with detainees and prisoners of war with an equally long experience of accusations (and sometimes the reality) of abuse or mishandling of those people. While not occurring systematically or officially sanctioned, and often either in the immediate aftermath of combat, it is hard to escape the fact that such abuses have occurred despite policy prohibitions. However, it is another matter to try and gain any empirical sense of exactly how many accusations of abuse or mishandling of detainees or POWs are based in fact and how are based in rumor, innuendo, or to achieve a political or propaganda goal.

Civil War.

The greatest test of the Army's ability to deal with prisoners of war and detainees in the 19th century was, of course during the Civil War. Nearly 214,865 Confederates were confined in Union prison camps by the end of the Civil War and about Union soldiers were imprisoned by the Confederacy. Of those held by the Union, for which we have the best statistics, approximately 25,976, or 12.1 percent, died in captivity from a variety of causes. Most of the deaths occurred between 1863 and 1865, and the vast majority were not caused by brutality or conscious neglect but by sheer numbers. The federal prisoner-of-war system was never structured to handle hundreds of thousands of long-term prisoners. During the first two years of the war, most captured soldiers were paroled or exchanged, often within a week of their capture. As a result, the early prisoner camps were large holding pens created to facilitate the imprisonment of enemy troops for less than thirty days. The problems in the prison system began on 22 May 1863, when all official paroles and exchanges ended. The recognition by the North that the parole system only served to benefit the numerically inferior Rebels led to the cessation of prisoner exchanges and the resulting influx of long-term prisoners that followed overwhelmed the POW handling system. As far as we can tell from the evidence, overcrowding, poor sanitation, lack of potable water, nineteenth-century health care practices, and the fact that many Southern prisoners were unaccustomed to the Northern climate caused the

1P1-081

death rate, not abuse at the hands of the Northern guards. The nearest we come to accusations of abuse occurred in late 1864 when a number of extremely ill and starved Union soldiers were returned to the North from Andersonville prison. In retaliation, Secretary of War Edwin M. Stanton cut rations to Confederate prisoners. Some critics point to this action as proof that the Union systematically abused southern prisoners but cutting rations, while difficult to defend, was not the same as sanctioning physical abuse.

The death rate in southern prison camps was considerably worse, although hard figures are difficult to come by, with the best-documented case being at the notorious Andersonville prison. There a combination of overcrowding, lack of sanitation, poor water supplies and predatory prisoners certainly caused most of the 13,000 deaths (out of 45,000 prisoners) but abuse, brutality and even murder by the guards of prisoners had its place. The abuses were so extreme that the commandant of the camp, Swiss-born Henri Wirz, was tried and executed for his role in the camp in November 1865.

In order to create a code of conduct to govern the actions of Union forces during the war, President Abraham Lincoln commissioned Prussian-born legal scholar Francis Lieber to write the Federal Army's laws of war, which were published on 24 April 1863 as General Orders No. 100 (G.O. 100). The orders, also known as the Lieber Codes, included legal guarantees to prisoners. While there is some anecdotal evidence suggesting that individual guards beat, humiliated, or even killed prisoners, conduct of the sort was probably unusual.

The Lieber Codes did not, however, protect the rights of nonuniformed irregulars and insurgents who fell into union hands. The codes differentiated between enemy soldiers who wore uniforms and were entitled to legal protection and those who engaged in guerilla warfare and were not so entitled. Guerillas were treated as common highway robbers and subject to summary punishment. Even J.S. Mosby's partisan rangers were threatened on more than one occasion with summary execution when captured even though they were a recognized unit in the Army of Northern Virginia and often fought in uniform. Guerrillas were also more likely to be physically abused during attempts to extract information. Such detainees often faced brutality such as physical violence, threats against their families, and promises of painful executions. The need for information and the less than clear cut legal protection for irregulars doubtless led to instances of abuse and death. Overall, however, the Lieber Codes generally proved effective in protecting uniformed Confederate prisoners from abuse and brutality although there were doubtless some instances of mistreatment by individual prison guards.

Indian Wars

In discussing the Indian Wars, it is necessary to limit ones scope to focus only on incidents in which the regular army played a part, as enumerated in

Francis B. Heitman's *Historical Register and Dictionary of the United States Army*,¹ and ignored actions that involved only Civil War volunteer regiments, or paramilitary organizations like the Texas Rangers. This rules out many sensational episodes, such as the Sand Creek Massacre of 1864, perpetrated by the 3d Colorado Volunteer Cavalry, which prompted a Congressional investigation; the Minnesota Sioux outbreak of 1862, which ended in the greatest mass execution in United States history and an even greater exercise of executive clemency²; and the Long Walk of the Navajos, a tribe that has been described as "those Athapaskan-speakers who Kit Carson was able to catch in 1864." Each of these incidents has been the subject of several books. Similarly, army supervision of the removal of eastern Indians to new homes west of the Mississippi during the 1830s is outside the scope of this review. Except for the Seminoles, mentioned briefly below, the eastern tribes moved without hostilities: hence there were no prisoners of war.

At first, from the time when President George Washington organized his cabinet, the Secretary of War had made decisions about Indian affairs. In 1834, an act of Congress created the Office of Indian Affairs (OIA) as a civilian agency within the Department of War. After the OIA moved to the newly created Department of the Interior in 1849, many decisions about Indian affairs involved two cabinet-level departments, and sometimes the Attorney General contributed an opinion, adding another high-ranking player to the game. (One reviewer remarked about Robert Wooster's *The Military and United States Indian Policy*³ that the book's second half is a standard chronicle of campaigns because the first half proves that the army didn't have much to do with making Indian policy.) Furthermore, Indian prisoners of war came from a dozen or more tribes, from the forested banks of the Wabash River to the arid mountains of Arizona, during a period of eighty years. On that account, the reader should not expect cultural, geographical or generational consistency in military-Indian relations.

The U.S. Army's first Indian campaigns were against tribes of the old Northwest Territory, between 1790 and 1794. In the early battles, the Indians

¹(2 vols., Washington:GPO, 1903), vol. 2, pp. 391-449.

²Gary C. Anderson, *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862* (St. Paul: Minnesota Historical Society Press, 1997), pp. 276-78; Micheal [sic] Clodfelter, *The Dakota War: The United States Army Versus the Sioux, 1862-1865* (Jefferson, N.C.: McFarland, 1998), pp. 57-59. "A 'military commission' of dubious legality," according to the historian Robert M. Utley, condemned more than 300 Sioux to hang; President Lincoln commuted all but forty of the sentences. Utley, *Frontiersmen in Blue: The United States Army and the Indian, 1846-1865* (New York: Macmillan, 1967), p. 269.

³Robert Wooster, *The Military and United States Indian Policy, 1865-1903* (New Haven: Yale University Press, 1988).

defeated the army. When Maj. Gen. Anthony Wayne's troops finally beat them at Fallen Timbers in August 1794, they ran, and Wayne's army retired to a camp some distance from the British garrison at Detroit in order to avoid an international incident.⁴ None of these battles, therefore, left Indian prisoners of war in the hands of the army.

The first instance of American soldiers taking Indian prisoners of war occurred at the battle of Tippecanoe in 1811. Soldiers found two wounded Indians on the battlefield. One was killed (for unknown reasons, apparently by a Kentucky militiaman), but the other was treated and left in the care of an old woman who was found in a nearby village, the only inhabitant too feeble to run away from the soldiers.⁵ What became of her and the wounded combatant is not clear, but the fact that soldiers killed one captive and treated the wounds of the other indicates the lack of uniformity that characterized the treatment of Indian captives throughout the nineteenth century.

South of the Ohio River, troops commanded by Maj. Gen. Andrew Jackson defeated a belligerent faction of the Creek tribe in March 1814. The Creeks had been engaged in what amounted to an intratribal civil war, and Jackson's force was aided by about 100 Creek and 500 Cherokee allies. After the battle, the general released about 350 women and children prisoners to the Creeks and Cherokees who had aided him. Whether the Indian allies enslaved the captives, adopted them, or even, in the case of the allied Creeks, recognized them as clan relatives is unknown. What is important is that Jackson acted in accord with a custom that stretched back more than a century to the colonial wars on the eastern seaboard. Later, during his campaign in Florida in 1817, most of his Indian opponents eluded him, but he captured two British subjects in what was then Spanish territory, convened a court martial and executed both for aiding the enemy. At that time, he also executed two Indian leaders whom he termed "prime instigators of the war."⁶

The next encounter that yielded prisoners of war took place in August 1832, on the upper Mississippi River. Government attempts to move the Sac

⁴Wiley Sword, *President Washington's Indian War: The Struggle for the Old Northwest, 1790-1795* (Norman: University of Oklahoma Press, 1985), p. 300.

⁵R. David Edmunds, *The Shawnee Prophet* (Lincoln: University of Nebraska Press, 1983), p. 114.

⁶Frank L. Owsley, Jr., *Struggle for the Gulf Borderlands: The Creek War and the Battle of New Orleans, 1812-1815* (Gainesville: University Presses of Florida, 1981), pp. 79-82; Francis P. Prucha, *The Sword of the Republic: The United States Army on the Frontier, 1783-1846* (New York: Macmillan, 1969), pp. 114-17, 132; Virginia B. Peters, *The Florida Wars* (Hamden, Conn.: Archon Books, 1979), pp. 53-54.

and Fox Indians west of the river had led to the Black Hawk War, named after a leading Sac and Fox opponent of the move. The army soon released the 39 Sac and Fox women and children it captured after the climactic battle. Days later, neighboring Winnebago Indians captured Black Hawk and brought him to their agency. He and a handful of his relatives and confederates went under military guard to Jefferson Barracks, near St. Louis, and later to Fort Monroe, Virginia, to continue their confinement. En route, the captives stopped in Washington for an audience with President Andrew Jackson. When they reached Fort Monroe, they "had the freedom of the post." In the end, Secretary of War Lewis Cass directed that the captives be returned to their tribal homeland by way of the great eastern cities--Baltimore, Philadelphia, New York--and westward via the Erie Canal and the Great Lakes.⁷ Prominent Indians (not prisoners of war) had been visiting Washington since the Jefferson administration. In the decades after Black Hawk, the chief's eastern tour would become a fixture of U.S. Indian policy, with railroads replacing the Erie Canal as the mode of travel.

By the 1830s, the federal government had settled on a policy of forcing eastern Indian tribes to move west of the Mississippi River. The Seminoles' situation was complicated by their alliance and intermarriage with escaped black slaves, which dated from the time when Florida was Spanish territory. The United States government did not begin to make headway in resolving its differences with the Seminoles and ending the war of 1835-1842 until it agreed that most of the allied and intermarried blacks could move west with the tribe. The army, for its part, took steps to keep its black prisoners out of the hands of slave-catchers from neighboring states. By 1842, more than 2800 Seminoles had moved west, with only about 240 hiding in the Everglades. Col. William J. Worth declared an end to military operations against them. "Further pursuit of these miserable beings by a large military force seems to be as injudicious as it is unavailing," he wrote. The descendants of the 240 holdouts are today's Florida Seminoles.⁸

In September 1855, troops led by Col. William Harney attacked a Sioux Indian village on a tributary of the Platte River in western Nebraska, retaliating for a Sioux slaughter of soldiers the year before. Marching on to Fort Laramie, Harney demanded the surrender of several Indians who had waylaid a mail coach the previous autumn; five warriors gave themselves up, expecting to die (Harney wanted them hanged). Instead, the U.S. Indian agent interceded for the prisoners, who were taken to Fort Leavenworth, where they spent the winter

⁷William T. Hagan, *The Sac and Fox Indians* (Norman: University of Oklahoma Press, 1958), 190-200.

⁸Edwin C. McReynolds, *The Seminoles* (Norman: University of Oklahoma Press, 1954), p. 220; Peters, *Florida Wars*, pp. 144-46; Francis P. Prucha, *The Great Father: The United States Government and the American Indians* (Lincoln: University of Nebraska Press, 1984), p. 233 (quotation).

before receiving pardons the next year and returning to the plains. One of them, Spotted Tail, was so impressed by what he had seen that he urged peace with the whites. He became a prominent chief of the Brulé Sioux and made several trips to Washington in the 1870s.⁹

During Maj. Gen. Philip Sheridan's campaign against the Cheyennes in late 1868, troops attacked a village on the Washita River in what is now Oklahoma, capturing 53 women and children. Although army officers managed to save women and children who did not threaten the troops, the force's Osage scouts killed several. Following standard procedure, the troops meanwhile killed any wounded Cheyenne men they came across. There seems little doubt, according to the latest study of the campaign, that officers of the command subjected the captive women to concubinage for the rest of the winter. Some of the women later served as interpreters during army attempts to induce other Cheyennes to surrender.¹⁰

Hide-hunters pushed the buffalo to the brink of extinction in the southern plains during the early 1870s, provoking raids in response by tribes that depended on the buffalo for food and shelter. Harassed by army columns moving against them from Texas, New Mexico and Kansas, most of those Indians returned to their agencies. When the Attorney General overruled a plan by Maj. Gen. Sheridan to try Indian leaders by special military commission, seventy-four were "capriciously chosen" in 1874 for imprisonment at Fort Marion, Florida, a walled coastal artillery post. There they stayed until 1878. Some of the prisoners were among the Carlisle Indian School's first students.¹¹

Among the southern plains tribes who resisted the white advance into their country, the Kiowas were notorious both for their raiding and for boasting about it afterwards at their agency near Fort Sill. In 1871, the U.S. Indian agent there asked for the arrest of the most prominent raiders, who were then taken to Jacksboro, Texas, for trial on state murder charges. One of the Kiowas managed to loosen his bonds and attack his soldier guard, who shot him dead.

⁹George E. Hyde, *Spotted Tail's Folk: A History of the Brulé Sioux* (Norman: University of Oklahoma Press, 1961), pp. 67-82, 170-85; Utley, *Frontiersmen in Blue*, pp. 112-20.

¹⁰Jerome A. Greene, *Washita: The U.S. Army and the Southern Cheyennes, 1867-1869* (Norman: University of Oklahoma Press, 2004), pp. 119-20, 169, 190.

¹¹Robert M. Utley, *Frontier Regulars: The United States Army and the Indian, 1866-1891* (New York: Macmillan, 1973), pp. 229-33; quotation, p. 233. Herman J. Viola alleges that eighteen Cheyennes--exactly one quarter of the Indians who went to Florida--were picked arbitrarily by "a drunken Army officer," but does not cite a source. Viola, *Warrior Artists: Historic Cheyenne and Kiowa Indian Ledger Art* (Washington, D.C.: National Geographic Society, 1998), p. 6.

A Texas court condemned the other two to hang, but the governor commuted the sentences to life imprisonment.¹²

Towards the end of the summer campaign against the Sioux in 1876, Brig. Gen. George Crook's troops attacked a village in what is now South Dakota and captured 23 Indians, two of them men. Crook's force had to move on the next day, and released the captives. "Some of the women and children voluntarily left the command," writes the historian Jerome A. Greene, "though . . . a few decided to stay with Crook until they reached an agency. One of the male prisoners cast his lot with the general and later became an army scout." Decades later, a veteran of the campaign alleged that Crook's soldiers had shot captured Indian warriors after the battle, but there is no credible evidence of this.¹³

Col. Nelson Miles's infantry continued to hunt the hostiles after Crook's men went into winter quarters. The next spring, more than 300 Cheyennes arrived at his camp on the Yellowstone River to surrender. Miles enlisted many of the men as scouts and continued his campaign. Descendants of those Cheyennes still live on a reservation upstream from what is now Miles City, Montana. According to the tribal historian, old people he talked to said the captives "were well treated" by Miles and his soldiers.¹⁴

Later in 1877, more than 400 Nez Perce fugitives surrendered to troops who had caught them just short of the Canadian border. Although Miles and Brig. Gen. O.O. Howard had agreed that the Nez Percés would winter at Miles's camp and return to their old home in Idaho the next year, Gen. William T. Sherman directed that they be settled permanently in Indian Territory (now Oklahoma). "When will these white chiefs tell the truth?" the Nez Perce leader asked. More than 100 of the prisoners died during their first few months in the new reservation. Not until 1885, with Sherman retired and Miles promoted to brigadier general commanding the Department of the Columbia, did the Nez Percés return to the Pacific Northwest.¹⁵

The surrender of Sitting Bull and his followers, who numbered fewer than

¹²Utley, *Frontier Regulars*, pp. 216-19.

¹³Jerome A. Greene, *Slim Buttes, 1876: An Episode of the Great Sioux War* (Norman: University of Oklahoma Press, 1982), pp. 76-92; quotation, p. 92.

¹⁴John Stands in Timber and Margot Liberty, *Cheyenne Memories* (New Haven: Yale University Press, 1967), p. 222; Robert Wooster, *Nelson Miles and the Twilight of the Frontier Army* (Lincoln: University of Nebraska Press, 1993), p. 92.

¹⁵Jerome A. Greene, *Nez Perce Summer, 1877: The U.S. Army and the Nee-me-poo Crisis* (Helena: Montana Historical Society Press, 2000), pp. 312-14, 332-37; quotation, p. 336.

200 in all, marked the end of an era on the northern plains. Leaving Fort Buford by steamboat in July 1881, the Sioux stopped in Bismarck, where the Nez Perce had been fêted four years earlier, for a banquet and "autograph session." Like the Nez Perce leader Joseph, Sitting Bull was a celebrity, although during the period of active military operations a few years earlier newspaper writers had described him in terms they had used for Jefferson Davis, and would again for the Kaiser and Saddam Hussein. The prisoners spent a few weeks at Fort Yates, the military post at Standing Rock Agency, where their kinsmen received rations and annuity goods. Then the Secretary of War decided to move them much farther down river, to Fort Randall, near the Nebraska state line. There they remained until 1883, when they returned to Standing Rock.¹⁶

As had other American Indian tribes, the Apaches of Arizona and New Mexico found their way of life threatened by encroaching white settlement. Because the Apaches had been raiding more sedentary tribes for centuries, not to mention Spanish and Mexican settlements, they were especially implacable foes and harried the Anglo invaders off and on from the time the United States seized the Southwest from Mexico in 1849. In the 1880s, the war leader Geronimo and his small band continually eluded pursuit on both sides of the border, so Brig. Gen. Nelson A. Miles decided to cut off all support for them by imprisoning and then shipping nearly 400 of their relatives and other tribesmen by rail to Florida. Within weeks, Geronimo surrendered and went to join them. Since the officers who negotiated the surrender had promised that the Apaches' lives would be spared, President Grover Cleveland refused to turn them over to an Arizona jury for a certain death sentence. In 1888, the Apaches were allowed to move to Mount Vernon Barracks, Alabama, a more healthful spot than the coastal lowlands of Florida; and in 1894, to Fort Sill. In 1913, nearly 200 of the survivors (some of whom had, since 1885, been born into prisoner of war status) were allowed to return to the Southwest while others chose to stay in Oklahoma. This was the longest detention of American Indian prisoners by the U.S. Army on record, an episode that still evokes fierce emotion.¹⁷

The last and one of the most sensational incidents in the history of the army's relations with American Indians came in December 1890, in the midst of a religious disturbance on the Sioux reservations in North and South Dakota. The "Ghost Dance," an intertribal movement that promised a revival of old native

¹⁶Greene, *Nez Perce Summer*, pp. 335-36; Robert M. Utley, *The Lance and the Shield: The Life and Times of Sitting Bull* (New York: Henry Holt, 1993), pp. 231-47; quotation, p. 237.

¹⁷Utley, *Frontier Regulars*, pp. 398-401. John A. Turcheneske, Jr., *The Chiricahua Apache Prisoners of War: Fort Sill, 1894-1914* (Niwot: University Press of Colorado, 1997) is a well-researched account, but the reader must wade through a lot of impassioned verbiage: "callously and cynically . . . egregious . . . reprehensible," all on p. xi.

ways of life, took a particularly militant form among the Sioux, who had suffered repeated disappointments and misfortunes during the 1880s. One band of Sioux strayed from its appointed reservation, Cheyenne River, to Pine Ridge. There, on Wounded Knee Creek, eight companies of the Seventh U.S. Cavalry and a battery of one-inch Hotchkiss quick-firing cannon arrested the Sioux and arranged to disarm them. The commanding officer, a man with little western experience who had spent most of his post-Civil War career on staff duty, deployed the troops poorly before demanding that the Sioux turn in whatever firearms they had. One of the Sioux fired on the dismounted troopers, who replied with shots that undoubtedly went into other companies of the Seventh as well as the Sioux village. Meanwhile, the Hotchkiss guns on a nearby knoll shelled the village and, inevitably, the cavalry. It was the first time in twenty-five years that U.S. troops had come under artillery fire. Sioux men, women and children fled into the surrounding gulleys, where the troops pursued them. When the shooting was over, more than 150 Indians of all ages and sexes lay dead, with another fifty wounded. Army casualties amounted to 25 killed and 39 wounded. Maj. Gen. Nelson Miles relieved the Seventh's commander, Col. James W. Forsyth, and ordered a court of inquiry, which cleared Forsyth of responsibility for the deaths of noncombatants and of inept placement of his troops. According to soldiers' testimony, the troops had made reasonable efforts to distinguish Sioux women and children from adult males. Forsyth was restored to command of the regiment.¹⁸

No discussion of army treatment of Indian prisoners would be complete without mention of officers' adoption of orphans whose parents they had slain. One of the most famous instances involved an Apache named Mike Burns, after his adoptive father, Capt. James Burns, 5th Cavalry, who attacked his parents' village in December 1872, when the child was six or seven years old. "Our captives were nearly all wounded, more or less severely, but by good fortune we succeeded in bringing them off in safety," 2d Lt. John G. Bourke wrote in his diary.¹⁹

Treatment of American Indian prisoners of war must be considered in light of four factors outside the regular army itself. In order of importance, those are: responsibility of multiple cabinet-level agencies (War, Interior, and sometimes the Department of Justice) for Indian affairs; federalism, both in the form of state militia and volunteers, and sometimes—as in the case of the Kiowas in the 1870s—state courts; the erratic performance of short-enlistment state troops, whether they perpetrated atrocities or simply decided to go home before any real

¹⁸Utley, *Frontier Regulars*, pp. 400-9.

¹⁹Sherry L. Smith, *The View From Officers' Row: Army Perceptions of Western Indians* (Tucson: University of Arizona Press, 1990), pp. 71-74; Dan L. Thrapp, *The Conquest of Apacheria* (Norman: University of Oklahoma Press, 1967), pp. 125-30; quotation, p. 129.

fighting started; and the presence of Indian allies, who might take captives as slaves (as Jackson's Cherokee allies did in 1814), or take scalps instead (as the Osage scouts did at the Washita in 1868). The first two factors— multiple federal entities responsible for Indian affairs, and shared (and disputed) state-federal authority—continue to bedevil American Indians today.

Philippine War

During the Philippine War American forces tortured and abused captives for the purpose of extracting information. Soldiers also abused and killed prisoners as revenge for guerrilla actions. The number of such incidents is unknown.

From the start of the conflict, senior officers repeatedly reminded their subordinates that they were to treat Filipinos humanely. This approach accorded with Army regulations, particularly General Orders (GO) 100 of 1863 (reissued in 1898), which governed the conduct of American forces in the field. GO 100 demanded that legitimate combatants be treated as prisoners of war if captured, and proscribed "the intentional infliction of any suffering, or disgrace, by cruel imprisonment, want of food, by mutilation, death, or any other barbarity." It also banned violence to extort information.

There was, however, a significant loophole in GO 100. According to the regulation, only legitimate combatants were entitled to prisoner of war privileges. Irregulars who operated without uniforms and who pretended to be peaceful citizens to escape capture, people who took up arms against an occupying army, spies, and anyone living in an occupied area who assisted the enemy, were not deemed to be legitimate combatants and hence were not entitled to prisoner of war status. The regulations also permitted retaliation against prisoners.

As the war dragged on, many soldiers became convinced that coercion was necessary to gain the type of information needed to break the insurgency— an insurgency waged by people who were not legitimate combatants in the minds of many Americans. For the most part, senior officers turned a blind eye to prisoner abuse when that abuse was authorized by a local commander for the purpose of obtaining information. Only late in the war, when public revelations of atrocities created controversy at home, did the Army begin to prosecute soldiers for interrogation-related abuses. It did so reluctantly, as the commander in the Philippines, Maj. Gen. Adna R. Chaffee, complained that such prosecutions had a "chilling" effect on the Army's information gathering capabilities. In the end only a few soldiers were prosecuted and even fewer were convicted, as military courts were loath to punish officers for abusing prisoners. The courts even exonerated several who admitted to having employed the water cure. Most of those who were convicted received exceedingly light punishments. Although the War Department rejected several of the acquittals, no effort was made to retry those cases, and several admitted torturers went on to have distinguished careers in

the Army in the fields military law and intelligence. The uneven results left the question of detainee treatment during an insurgency unresolved. While it was clear to everyone that both the public and Army regulations frowned on abuse, the exact boundaries remained unclear and many officers continued to believe that prisoner coercion was a necessary, if unpleasant, component to successful counterinsurgency operations.

World War I

Between 1907 and 1913, the Army incorporated into its *Rules of Land Warfare* and *Field Service Regulations* the provisions of the Hague Convention of 1907 concerning the capture and treatment of enemy soldiers. The War Department General Staff, the Judge Advocate General, and the Adjutant General all studied this issue between 1913 and 1916, and draft general orders were prepared for issue should the nation go to war. In March 1917, Special Regulation No. 62, "Custody of Prisoners of War, 1917," a set of general guidelines based on the Hague Convention of 1907, was published.

War Prisoners and War-Prison Barracks

During World War I, the U.S. Army used the term "war prisoner" to refer to the approximately 5,000 enemy military personnel and civilians interned in the United States after the declaration of war. The military personnel were the crews of German auxiliary cruisers in American ports at the declaration of war. These men were classified as prisoners-of-war. The civilian war prisoners were the crews of enemy merchant ships in American ports in April 1917, illegal immigrants from enemy nations, and citizens of enemy nations legally in the United States but arrested by the Department of Justice under a provision of the declaration of war. War prisoners were treated in accordance with the provisions of the Hague Convention. Rosters of war prisoners were turned over to the Red Cross.

In May 1917, the War Department established war-prison barracks at Ft. McPherson, Georgia, Ft. Oglethorpe, Georgia, and Ft. Douglas, Utah. These facilities were built using a mix of contract labor and those war prisoners physically able to do such work. Each barracks had a guard company of 150 enlisted men modeled on the guard companies at the U.S. Disciplinary Barracks, and cadre drawn from those companies at Ft. Leavenworth and Alcatraz were used in organizing the war-prison barracks guard companies. The War Department ordered retired Army officers back to active duty to command the war-prison barracks. The War Department Inspector General conducted regular checks of these facilities. War prisoners were released following the ratification of the peace treaty.

Prisoners-of-War in France

Between the declaration of war and June 1918, the Chief of Staff, Army, and the State Department argued that treaty obligations required that the U.S. ship all German POWs to the continental United States. The War Department General Staff favored this option as well, concerned that caring for the POWs in France would impose too great a strain on the logistical system. Additionally, there was great public pressure to move POWs to the continental United States on the grounds that POWs could be used to relieve the labor shortage, to serve as hostages to insure the good treatment of Americans taken prisoner by Germany, and to deter submarine attacks on U.S. ships.

General John J. Pershing, Commander-in-Chief of the AEF, recommended retaining German POWs in France. Under the Hague Convention, German enlisted POWs could be put to work supporting the AEF's logistical system as long as they were not forced to perform work directly connected to military operations and were not exposed to artillery fire. The AEF had to construct its logistical system from scratch, and soon after arriving in France, Pershing had requested the Allies supply him some of the German POWs they held to assist in this work. The need for POW labor, and the desire to avoid an embarrassing confrontation with the Allies, led the Chief of Staff in June 1918 to reverse his position and authorize Pershing to retain in France all POWs taken by the AEF. The Chief of Staff further directed that no POWs taken by the AEF would be turned over to the Allies.

The AEF began planning in April 1918 for POW operations, took its first significant numbers of Germans prisoner in June 1918, and by the end of the war had approximately 48,000 POWs. In July 1918, an AEF general order made the AEF Provost Marshal General responsible for the treatment of POWs from the time the capturing unit delivered them to the division POW enclosures. After interrogation by intelligence personnel at the division enclosure, MPs escorted POWs through the POW processing system. This processing included compiling information about the POW for submission to the Red Cross, allowing the POW to send a post card to his family, a bath, a medical examination, and the issue of renovated U.S. Army clothing that identified them as POWs. After processing, officers were sent to a separate camp since the Hague Convention prohibited their use as laborers. Junior enlisted men were interviewed as to their occupational history and assigned to a POW labor company.

By April 1919, there were 76 stockades for POW labor companies, each guarded by a MP escort company. These labor companies engaged in a wide variety of activities, including salvage, baking, warehouses, road repair, laundry, carpentry, quarries, wood cutting, and machine shop work. Sergeants did not perform manual labor; instead, they engaged in administrative work or supervised the work of junior enlisted men. Enlisted men were paid for their work in French currency, but POWs received no actual currency. Their pay went into accounts, which they could draw on to purchase items at the camp canteen. Conditions in enlisted POW facilities were generally good: the food, quarters,

clothing, and medical care were the same as that provided American soldiers, and POWs received various recreational equipment.

At the start of the war, the only American soldiers with experience in long-term custody work were the guard companies at the disciplinary barracks, and they were needed to staff these facilities and provide cadre for the war-prison barracks. To staff its POW system, the AEF organized in France escort guard companies of three officers and 100 enlisted men. The AEF gave these companies a low priority for manpower, and they thus were filled almost entirely with soldiers "considered unfit for combatant service." Training for these duties was entirely on-the-job. The AEF Provost Marshal General compensated for the low quality of these personnel with frequent inspections of POW facilities, and Pershing himself inspected several POW enclosures during the war. A postwar AEF study, however, concluded that the most important reason for the success of this POW system was that "our prisoners were particularly well disciplined soldiers, easily controlled by their non-commissioned officers."

The armistice agreement stipulated that German POWs would remain in Allied hands until the ratification of a peace treaty. The AEF continued to use POW labor companies during this period, and the Provost Marshal General replaced the soldiers in guard companies "as rapidly as possible" with higher quality officers and enlisted men. Following the ratification of the peace treaty in January 1920, the POWs were quickly repatriated to Germany.

World War II

For World War II, the relevant Army doctrinal statement for the prevention of detainee abuse is Field Manual (FM) 19-5, "Military Police." The June 1944 edition of FM 19-5 provides that treatment of prisoners will be governed by the 1929 Geneva Prisoners of War Convention, which defines prisoners of war as "primarily all persons, whether combatants or noncombatants, belonging to the armed forces of a belligerent nation, when captured by the enemy in the course of operations." In line with Geneva, the manual enjoins military personnel to treat prisoners humanely and to protect them especially against violence, insults, or public curiosity. Immediately upon capture, personnel are to disarm prisoners, search them for concealed weapons, and segregate them; they search for documents under the supervision of interrogation teams where attached or an intelligence officer where such a team is not attached. Interrogators may not use coercion, threats, insults, or unnecessary unpleasant treatment of any kind to obtain information. Officers are responsible for safeguarding the personal effects on the person of each prisoner. FM 19-5 stresses that all military personnel must be fully informed of the provisions of this convention and the Red Cross Convention of the same year because violation of the provisions is not only a violation of the laws of the United States but might result in retaliation by the enemy against American prisoners of war and "may subject this nation to unfavorable criticism in the eyes of the world." The manual calls for a course of

instruction for all officers whose command may have responsibility for the treatment of prisoners of war.²⁰

At first, Axis prisoners fared well at the hands of American captors. Although the Axis troops captured in North Africa certainly experienced hunger and lack of shelter while transferring from camp to camp in the desert, those in American custody were shipped to the United States, where they lived in Army camps, ate well, and worked mostly as agricultural laborers, leading to complaints from labor unions and some press accusations that the Army was "coddling" the Nazis. From the Normandy invasion to early April 1945, except for a suspension from October 1944 to February 1945, Supreme Headquarters, Allied Expeditionary Force (SHAEF) shipped large contingents of prisoners of war to the United States. In all, the Army's ~~Provost Marshal General supervised the internment of 500,000 Axis prisoners within the United States during World War II, and many prisoners enjoyed their stay to the point that they wanted to remain and become American citizens.~~²¹

As the Nazi armies disintegrated in the final weeks of the war in Europe, however, the number of German prisoners in Europe became unmanageable as the temporary, caged, open enclosures used to house them became overcrowded. Anticipating huge food deficiencies in Central Europe and unable to provide for German prisoners on the scale mandated by the Geneva Conventions, General Dwight D. Eisenhower changed the designation of prisoners to "disarmed enemy

²⁰ U.S. War Department, *Field Manual (FM) 19-5: Military Police* (Washington: War Department, 14 June 1944), pp. 161-163. See also *Prisoners of War: Convention Between the United States of America and Other Powers* (Washington: Government Printing Office, 1932), in U.S. Army, Provost Marshal General's Office, Prisoner of War Operations Division, "Prisoner of War Operations, Tabs 1-10," unpublished manuscript, 4-4.3 AA v. 2, CMH Library; interrogation SOPs and other documents in Box 24, 383.6 Prisoners of War, and Box 25, 385.91 Interrogation Procedure and Policy, and Reports, in U.S. Army, European Theater of Operations, G-2 Section, Military Intelligence Service, Decimal File, 1943-1949, Boxes 24-25, National Archives and Records Administration, College Park, Maryland.

²¹ Gunter Bischof and Stephen E. Ambrose, *Eisenhower and the German POWs: Facts Against Falsehood* (Baton Rouge: Louisiana State University Press, 1992), pp. 8-9; Stephen E. Ambrose, *Citizen Soldiers: The U.S. Army from the Normandy Beaches to the Bulge to the Surrender of Germany, June 7, 1944-May 7, 1945* (New York: Simon and Schuster, 1997), pp. 361-363; Gregory Kupsky, "What, No Swimming Pool?: Coddling and the German Prisoner of War," and Paul Springer, "Kriegies vs. Unions: The Fight Over Prisoner of War Labor During World War II," papers presented at the annual meeting of the Society for Military History, Bethesda, Maryland, 21 May 2004. There is an extensive literature on Axis prisoners of war in America; see especially Arnold Krammer, *Nazi Prisoners of War in America* (New York: Stein and Day, 1979).

forces," enabling Allied commanders in Europe to feed their charges at a lower level. This decision, coupled with general chaos in defeated Germany and the punitive mindset among many American soldiers, meant that German prisoners often experienced extreme privation. Lacking tents in the enclosures, the prisoners had to dig into the saturated ground to find protection from rain; with no food, they boiled grass in water, producing widespread dysentery that killed several. Many German prisoners suffocated to death while being transported in defective railroad boxcars before theater authorities discovered the problem. Yet, postwar accounts—notably James Bacque's *Other Losses*--of a premeditated, systematic effort to murder German prisoners en masse are unfounded. About 56,000 German prisoners died, slightly over 1% of the estimated total of five million German prisoners in the West. Compared to other fronts in World War II, the German prisoner in Western Europe fared rather well.²²

Ironically, the biggest problem the Americans encountered with respect to treatment of German prisoners involved the French. As early as January 1944, Allied Force Headquarters in Algiers reported that French treatment of Axis prisoners handed over to them during 1943 was "far from satisfactory," and warned of negative repercussions on Allied prisoners of war in Germany.²³ Then, in late September 1945, the War Department requested General Eisenhower to investigate Red Cross reports that German prisoners transferred from American to French custody for use in labor detachments had undergone prolonged malnourishment. In response, General Eisenhower directed the suspension of further deliveries of prisoners of war to the French, requested the prompt return of about 200,000 unable to perform useful labor, and requested the French authorities to provide the remaining prisoners with enough food to maintain living standards. The American theater command also took steps to deliver to the Red Cross enough food and medical stocks to help those prisoners suffering from malnutrition. The French complained that many of the prisoners handed over to them by the Americans were already in poor condition and unable to work when they arrived, and that the German prisoners were receiving the same ration as French workers. In early November 1945, the War Department

²² Bischof and Ambrose, *Eisenhower and the German POWs*, pp. 1-25; James Bacque, *Other Losses: An Investigation into the Mass Deaths of German Prisoners at the Hands of the French and Americans After World War II* (Toronto, 1989). On the boxcar problem, see U.S. Army, European Theater of Operations, Adjutant General Section, Administrative Branch, General Correspondence, 1944-1945, RG 498, NARA, Box 200, 383.6, IV Prisoners of War, Axis, 1945; and reports in U.S. Army, European Theater of Operations, Inspector General, Report of Investigations of Deaths of Prisoners of War, Box 1, NARA.

²³ Cable, Allied Force Headquarters, Algiers, to War Department, War Office, 12 June 1944, 383.6/2 Axis Prisoners, Vol. I, U.S. Army, European Theater of Operations, Adjutant General Section, Administrative Branch, General Correspondence, 1944-1945, RG 498, NARA.

approved resumption of prisoner transfers to the French provided that the theater was convinced the French could care for them.²⁴

Notwithstanding the Geneva Conventions and Army doctrinal literature, the harsh treatment of prisoners by American troops during the course of World War II did occur but was not necessarily widespread. Despite the injunctions against the shooting of unarmed prisoners, American troops often did so, particularly in cases where the enemy attempted to surrender at the last moment, but the evidence is largely anecdotal and hard to pin down.²⁵ A postwar study by the European theater on the treatment of prisoners of war by American forces noted instances of murder of prisoners after surrender, and more commonly thievery of personal property, by troops in the field but found that "the number of major violations disclosed is, considering the enormous scope of operations in this theater, relatively small." In the case of the shooting of SS guards at the concentration camp at Dachau, the study wryly noted, "In light of the conditions which greeted the eyes of the first combat troops to reach Dachau, it is not believed that justice or equity demand that the difficult and perhaps impossible task of fixing individual responsibility now be undertaken."²⁶ Likewise, "Prisoners of War," a postwar study published by Georgetown University's Institute of World Polity, found "isolated incidents" where prisoners who refused to answer questions were threatened, slapped, shouted at, hit, humiliated, or otherwise physically abused, but it claimed interrogators used no torture.²⁷

In Europe, the Pacific, and the United States, the Army encountered problems with guards. All types of units, hastily organized as the situation arose, without specific organization or technical training, performed military police duties in the United States Army during World War II. The scarce military police units that existed

²⁴ Documents in 383.6/1 Employment of PW's by the French, 1945, Box 50, and 383.6/10 Treatment of Military Prisoners of War Held by Allies, Box 51, in U.S. Army, European Theater of Operations, Records of the Secretary, General Staff, Classified General Correspondence, 1944-1945, RG 498, NARA.

²⁵ Ambrose, *Citizen Soldiers*, pp. 351-357, 450; Lee Kennett, *GI: The American Soldier in World War II* (New York: Charles Scribner's Sons, 1987), pp. 160-165.

²⁶ Rpt, Col. C.B. Mickelwait, Acting Theater Judge Advocate,, Subject: Investigation of Treatment of Prisoners of War by U.S. Forces, 31 December 1945, with inclosures, in 383.6/10 Treatment of Military Prisoners of War Held by Allies, Box 51, U.S. Army, European Theater of Operations, Records of the Secretary, General Staff, Classified General Correspondence, 1944-1945, RG 498, NARA.

²⁷ *Prisoners of War* (Washington: Institute of World Polity, Georgetown University, 1948), p. 27.

had many missions other than guarding prisoners of war, a task that had a low priority in their training. Around the globe, prisoner guards often were undesirables provided by other units when the calls for personnel came. Of prisoners of war shot by guards, the Provost Marshal's history admitted that, while some were trying to escape, others were killed without justification, and, "in the latter type of instance, the guard usually proved to be a person of inferior caliber."²⁸ The worst incident took place in Utah, where a soldier on guard duty in a watchtower suddenly sprayed tents with machine gun fire, killing nine prisoners.²⁹ In Europe, guards of prisoner enclosures at the end of the war often tended to be young, recently arrived recruits who had not been in combat against the German Army and were looking for ways to show their toughness. Although some Jewish officers running camps took the opportunity for revenge, the desire for revenge was fairly widespread among GIs, particularly those who visited concentration camps and were already angry at the unnecessary loss of lives at the hands of a nation that refused to admit its defeat.³⁰

In the Pacific, treatment of prisoners of war appears to have been even harsher, not surprising given the "knife to the hilt" character of much of the fighting. Citing enemy atrocities and treachery, including feigned surrenders and booby traps, soldiers made it common practice to shoot any Japanese soldier encountered, whether armed or not. Some massacres of surrendered Japanese were directed by superiors or at least received tacit support after the event.³¹ As John Dower observes, "the kill-or-be-killed psychology became a vicious circle, and this should be kept in mind when considering one of the most potent beliefs of the war years: that Japanese fighting men did not surrender."³² Where the Army did capture prisoners, it often treated them poorly, largely because of lack of planning and other necessary support.³³

The Army's treatment of prisoners during World War II united the ideals of the official doctrine with the frequent ugly realities at the front and the prisoner of war

²⁸ Quote in Rpt, U.S. Army, Office of the Provost Marshal, World War II, A Brief History, CMH Library, p. 513; see also pp. 514, 592-639.

²⁹ Allen V. Koop, *Stark Decency: German Prisoners of War in a New England Village* (Hanover: University Press of New England, 1988), p. 42.

³⁰ Bischof and Ambrose, *Eisenhower and the German POWs*, pp. 13, 16.

³¹ Kennett, *GI*, pp. 162-165; John W. Dower, *War Without Mercy: Race and Power in the Pacific War* (New York: Pantheon, 1986), pp. 60-71.

³² Dower, *War Without Mercy*, p. 67.

³³ "History of USASOS and AFWESPAC, Finschafen, New Guinea Since Activation 1943 Until April 1944," section on Corps of Military Police, in unpublished manuscript, 8-5.8 AA, v. 20, CMH Library.

enclosures. Incidents of maltreatment of prisoners contrary to the Geneva Convention certainly occurred. Yet, given available evidence, the extent of such violations is hard to judge. In general, it is clear that Axis prisoners preferred to be captured by the Western Allies as opposed to the Soviets.

Korean War

There were two very different phases in the treatment of detainees during the Korean War, and in each phase detainees set the defining characteristics of the phase. The first phase ran from the start of the war to the summer of 1951, and was characterized by generally well-behaved detainees who accepted their status as non-combatants. For the U.S. Army, the major problem was securing sufficient resources to expand the detainee camp system after defeating the Korean People's Army (KPA) in September 1950. The second phase saw detainee camps become a three-sided battlefield of the war, with the U.S. Army, communist detainees, and anti-communist detainees struggling for control of the camps and seeking to shape public perceptions around the world, particularly in order to influence the armistice negotiations. This phase had many violent incidents and forced the U.S. Army to devote significant resources to controlling the camps.

Doctrine

When the war began, the United States had signed, but not yet ratified, the Geneva Convention of 1949. Ratification did not occur until after the war, but with the exception of repatriation of detainees, the American government and the U.S. Army followed the provisions of the Convention. Doctrine for the treatment of detainees was based on Field Manual 27-10, *Rules of Land Warfare* (1 October 1940), which remained in effect for the duration of the Korean War. Technical Manual 19-500, *Enemy Prisoners of War* (5 October 1944), which covered the construction and operation of camps for detainees, remained in effect during the period in which Eighth Army established its detainee camp system in Korea. Two other important doctrinal sources had two editions during the war: Field Manual 30-15, *Examination of Personnel and Documents* (11 June 1945 and 27 September 1951) and Field Manual 19-5, *Military Police* (14 June 1944 and 14 September 1950). In November 1952, the Army published Field Manual 19-40, *Handling Prisoners of War*. The service's first doctrinal source specifically addressing this subject, the manual covered treatment of POWs on the battlefield, internment facilities, and the role of military police units.

All these publications noted the importance of treating detainees in accordance with international agreements and Army policy. The 1950 edition of FM 19-5 warned that prisoners of war "must at all time be humanely treated and protected, particularly against acts of violence, insults and public curiosity. Prisoners of war have the right to have their person and their honor respected." In regards to interrogation, the 1951 edition of FM 30-15 stated that "[N]o

physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind." In 1952, FM 19-40 made it clear that interrogation of prisoners "is a function of the intelligence officer who is assisted by prisoner-of-war interrogation teams and in some instances, by psychological warfare officers." Military police were to interrogate POWs only when "necessary for the administration, movement, control, and processing of prisoners."

July 1950--January 1951

In mid-July 1950, Eighth Army and the Republic of Korea Army (ROKA) established separate prisoner-of-war facilities in the Pusan area, but the following month, Eighth Army consolidated all prisoners into one new camp, also in the Pusan area. The new camp housed POWs in tents, with the perimeter enclosed by a barbed wire fence, and by early September it held about 2,200 KPA prisoners. Delegates from the International Committee of the Red Cross (ICRC) visited the camp and evaluated conditions there as "extremely good."

The United States government, in its role as the UN's executive agent for the war in Korea, assumed sole responsibility for detainee camps in Korea in August 1950. The nations providing units to the UN Command had differing standards for the treatment of detainees--by assuming responsibility for the camps, the U.S. would ensure the proper treatment of detainees in compliance with international agreements. Of particular concern to American officers was the ROKA, which was in effect fighting a bitter civil war against the invading KPA; ROKA units had shown a tendency to mistreat and kill captured KPA soldiers.

Under this new policy, which remained in effect for the rest of the war, non-American units were allowed to interrogate captured personnel for intelligence of immediate tactical value, but they were then to turn over POWs to US military police units. (Eighth Army's G-2 placed a military intelligence detachment in the main detainee camp at Pusan to conduct interrogations for intelligence that was not of immediate tactical value.) American units would then move prisoners through a POW system controlled by American officers to a camp commanded by an American officer, where they would remain for the rest of the war. Sick and wounded prisoners would be treated at US military medical facilities and units in Korea, and in Japan if the needed care could not be provided in Korea. Prisoners did not receive US Army rations since this diet resulted in many cases of diarrhea and other gastrointestinal disorders. Instead, the Army purchased rice, vegetables, and fish in South Korea and abroad, and issued them to the prisoners, who did their own cooking. The detainee camps would cooperate fully with ICRC delegates.

Four factors added to Eighth Army's difficulties in operating a detainee system in 1950. First, few KPA soldiers carried identification papers, making it

very difficult to compile an accurate list of prisoners. Second, the KPA during the summer of 1950 had impressed thousands of South Korean men to replace its casualties. Many of these men had eagerly surrendered to UN forces after the KPA had collapsed in September, but without proof of their impressments, Eighth Army could not release them, fearing that many either were actually North Koreans or South Koreans who had been members of communist guerrilla units. Third, the collapse of the KPA left most prisoners malnourished and many ill by the time of their capture---dysentery and tuberculosis became major health problems. Eighth Army devoted substantial medical resources to treating POWs, but some prisoners arrived at detainee camps in an advanced stage of illness and could not be saved. Fourth, the great majority of Koreans did not know "the rudimentary sanitary measures" necessary for living in close quarters and often refused to follow them after they were instructed on such measures.

While American officers controlled the POW system, Eighth Army could not staff the system solely with American personnel. Few Americans spoke Korean, and those that did were needed for intelligence work and to liaison with the ROKA, so Americans had to hire Koreans to work as interpreters. The Department of the Army in 1950 was hard-pressed to find enough men to replace casualties in Korea, let alone support a detainee system that expanded greatly after UN forces defeated the KPA in September 1950 and forced it to retreat from South Korea. This victory created a huge increase in the number of KPA prisoners; by 31 October, there were 116,822, and Eighth Army had to open additional POW camps that month. Eighth Army naturally gave combat units first priority for replacements, and thus had to assign ROKA MP units, supervised by American personnel, to provide the bulk of the guard force. Almost all American enlisted men and junior officers assigned to the camps had no formal training on the skills required in such an assignment, and there were never enough assigned to properly supervise the ROKA MPs. Still, this system worked well enough until the end of November 1950---that month, the ICRC rated the camp at Pusan as "excellent." Success depended in large part on the docility of almost all captured KPA personnel, the widespread belief among ROKA and American soldiers that the war would soon be over, and careful supervision of operations by American officers commanding the detainee camps.

Civilian Internees

In November 1950, Far East Command allowed the ROK government to begin screening those KPA prisoners who claimed that they were impressed South Koreans in order to determine which were loyal to the ROK and could be released, and which were either North Koreans or disloyal South Koreans. This screening cleared about 41,000 prisoners for release. Far East Command refused to release them until after the end of hostilities on the grounds that the ROK government could not guarantee that none of these men were actually KPA soldiers or disloyal South Koreans who would join one of the many guerrilla bands operating in South Korea. Throughout the spring and summer of 1951,

the ROK government requested that these prisoners be released. Eighth Army concurred in these requests, but Far East Command continued to reject them.

In October 1951, after repeated violent clashes between communist and non-communist POWs, Far East Command directed that those prisoners earlier identified as eligible for release be screened again by ROK civilian and military agencies and American counterintelligence detachments. Those who passed this second screening (about 37,000) were reclassified as civilian internees, and Eighth Army then established separate compounds for the internees. Internees had the same rights and privileges as POWs, including ICRC visits to their compounds, and were subject to the same disciplinary standards as POWs.

Koje-do

The entry of the People's Republic of China into the war, and its victory over UN forces in North Korea, led to major changes in the handling of detainees. By the end of December 1950, Chinese forces had invaded South Korea and captured Seoul, forcing Eighth Army to transfer all its prisoners to camps around Pusan. The presence of so many detainees---approximately 137,000 by 31 December---in the Pusan area became a matter of great concern. The transfer of POWs from other camps led to significant overcrowding; an Eighth Army Provost Marshal inspection in late December found that facilities "were deficient to maintain the desired standards of personal hygiene, mess sanitation and personal cleanliness." (An ICRC visit at the same time noted that given the situation of Eighth Army, the treatment of POWs was "fair and correct.") Another source of concern was that Pusan and its port was the heart of the UN's logistical system. Eighth Army could not spare the manpower to properly guard this number of prisoners; if the POWs became belligerent, they could overwhelm the existing guard force and pose a significant threat to logistical installations.

In early January 1951, Eighth Army began transferring the majority of its detainees to Kojedo, an island about 40 miles southwest of Pusan, in a hasty and poorly prepared operation that established UN POW Camp Number One. Both Eighth Army and 2nd Logistical Command, its major subordinate element directly responsible for detainee camp operations, were not much interested in such matters and provided little command supervision. They also provided an inadequate amount of material and engineer support for the move. Prisoners built much of the camp's compounds and infrastructure; living quarters were a mix of tents and one-story buildings. The inadequate material support forced the construction of compounds too close to each other, allowing prisoners to easily communicate. The pressure to move prisoners quickly led to significant overcrowding in the compounds, which were segregated by nationality (Korean or Chinese) and by status (POW or civilian internee). This pressure also led to placing the camp in narrow valleys already heavily populated by many of the 118,000 natives and 100,000 refugees living on the island; in some cases, compound perimeter fences bordered on villages.

Eighth Army continued to provide a guard force inadequate in quality and quantity. Inspections of Camp Number One before May 1952 found numerous administrative and security lapses, but Eighth Army regarded the POW system as a low-priority backwater. Camp Number One had nine commanders between January 1951 and February 1952. The troop ceiling imposed on Eighth Army led it to short Camp Number One in the number of American personnel assigned: by May 1952, the camp had only about half the guard force called for by doctrine. Few American soldiers assigned to MP units on the island were trained for this type of duty, and a disproportionate number of these soldiers were of low quality--many had been cast-off by other Eighth Army units for incompetence or chronic failures of discipline. Two ROKA MP battalions, under the operational control of US MP battalions, served on the island, but they were a liability instead of an asset. The inadequate number of Americans prevented effective supervision of ROKA units. A US MP battalion commander in April 1952 recommended the replacement of all ROKA troops with US personnel: ROKA guards provoked incidents with KPA prisoners "almost daily," and "[M]any of the ROKA officers are incompetent and unsuitable for this type of assignment." (The ROKA's mistreatment and killing of POWs, on the battlefield and in POW camps, remained a problem for Eighth Army throughout the war.) ROKA guards also assisted anti-communist POWs in escaping from the camp and in their battles against communist POWs for control of the compounds.

While the American approach to POWs rested on the traditional concerns of safeguarding and providing adequate shelter, food, and medical care, the intense ideological environment of the early Cold War led Far East Command and Eighth Army to begin psychological operations in POW camps. After pilot programs in 1950 and early 1951, a large-scale Civil Information and Education (CI&E) program began in June 1951. The program combined literacy training, basic education, vocational training, athletics, and various hobby activities. Included in with these activities was psychological operations material designed to create a favorable impression of "the political, social, and economic objectives of the United Nations." The CI&E program used a mix of American military and civilian personnel, South Korean civilians, and Korean POWs who had volunteered to serve as teachers. In late 1951 and early 1952, ROKA soldiers serving in American units joined the CI&E program. For Chinese POWs, the program hired Chinese civilian teachers from Taiwan, but while these men often were good teachers, a number of them also functioned as agents of the Chinese Nationalist government. The CI&E program was superimposed on the POW system, and generally operated independently of POW camp commanders and staffs. The custodial personnel grew to resent the CI&E program, and argued that it was a major source of the unrest that roiled POW camps from the autumn of 1951 to the end of the war.

POW Camps Become a Battlefield of the War

The issue of repatriation of prisoners of war deadlocked the armistice negotiations from December 1951 to June 1953, and was the major reason for POW camps becoming another battlefield in the war. The Geneva Convention of 1949 prescribed quick and compulsory repatriation after a war. The UN POW camps in Korea, however, contained tens of thousands of Koreans and Chinese who did not want repatriation to North Korea or China after the war. Most of these Koreans were South Koreans who had been impressed by the KPA. Those Chinese POWs who preferred repatriation to Taiwan were mainly Nationalist veterans of the Chinese Civil War drafted into the People's Liberation Army after the communists' victory. The US government adopted the cause of these POWs for two reasons. First, there was the moral issue of involuntarily repatriating POWs to a communist nation. In this regard, the forcible repatriation in 1945 to the USSR of Soviet soldiers captured by the Germans and liberated by the U.S. was a major influence---many of these Soviet soldiers had been imprisoned or murdered upon their return to the USSR. Second, that tens of thousands of Korean and Chinese POWs opposed involuntary repatriation to North Korea or China was a potent weapon for the West in the Cold War, and some psychological warfare specialists argued that promising that repatriation would be voluntary might encourage KPA and PLA soldiers to surrender. In April 1952, US and ROK personnel began screening all POWs and civilian internees to determine which ones would refuse repatriation to North Korea or China.

Even before the issue of repatriation deadlocked the armistice negotiations, the communists sought to make the POW camps another battlefield. Communists and anti-communists battled for control of compounds, fashioning weapons from material used in the CI&E program and gasoline from stoves. These battles frequently left prisoners from both sides badly injured or dead. Communists conducted numerous propaganda actions, obstructed the CI&E program, and began making numerous complaints to visiting ICRC delegates, some of which were true---such as mistreatment by ROKA guards---and some of which were false. In this effort, they were helped by the poor design of POW Camp Number One on Koje-do and the inadequate guard force there. It proved very easy to pass messages into and out of the camp, using agents in the island's civilian population. The communists also infiltrated specially trained cadre into the camps at Pusan and on Koje-do to direct this effort; posing as ordinary soldiers, they allowed themselves to be captured by UN units. The communists intensified their efforts once the issue of repatriation became the key point in armistice negotiations, and it became clear that tens of thousands of Koreans and Chinese prisoners and civilian internees would refuse repatriation to North Korea or China.

The increasing violence in the camps led Eighth Army in September 1951 to request relief from the responsibility of guarding POWs, arguing that the long-term custody of POWs was not a proper mission for a field army, and that if it was not relieved of the mission, that it receive additional manpower for the mission. Far East Command, citing the troop ceiling placed on it and believing

that the armistice negotiations might soon bring an end to the war, refused the first request, and authorized only a slight increase in American personnel assigned to POW duties. To assist the MPs on Koje-do, Eighth Army in autumn 1951 began assigning an American infantry regiment to temporary duty on the island. This regiment (taken from a division in reserve on the mainland) would serve a tour of several months, with the primary missions of securing the perimeter of Camp Number One and reinforcing the MPs if a major disturbance occurred in a compound. In February 1952, an infantry battalion supporting a screening operation in one compound was attacked by between 1,000 and 1,500 KPA prisoners; the battle left 77 POWs and 1 American soldier dead. The ICRC deplored the use of deadly force against POWs, but it also noted in January 1952 that "[M]ost of the incidents which have occurred so far were activated by purely political motives."

The violence on Koje-do reached a climax during May and June. In May, KPA prisoners, seeking to frustrate the repatriation screenings and embarrass UN forces, captured and then released the camp commander after receiving a statement from the senior American officer on the island that admitted to mistreatment of prisoners. In response, Far East Command finally relieved Eighth Army of the POW custody mission. As part of a broader reorganization that also relieved Eighth Army of the rear-area logistics mission in Korea by creating the Korean Communications Zone, Far East Command in August 1952 established the Prisoner of War Command (PWC) under the Korean Communications Zone. To take command of the POW system, General Mark W. Clark, Commander-in-Chief, Far East Command, personally selected Brig. Gen. Haydon L. Boatner, an assistant division commander in Korea.

Boatner, an "old China hand," immediately requested a JAG officer with extensive international law experience to ensure compliance with the Geneva Convention. Upon his arrival on Koje-do, Boatner fired incompetent commanders and staff officers, and immediately moved to improve the discipline of American units. To reestablish control of POW compounds on Koje-do, Eighth Army in May developed a plan to disperse POWs and civilian internees to 500-man compounds on Koje-do, the mainland, and the island of Cheju. To support this operation, it deployed US engineer units to build the new compounds, and Far East Command deployed the 187th Airborne Regimental Combat Team from Japan to Koje-do. Boatner used these and other reinforcements to remove ROKA MPs from duty as compound guards until after the dispersal operation was completed. After careful preparation, Boatner on 10 June ordered the dispersal of the compound whose KPA prisoners had taken the camp commander hostage in May. The POWs, armed with homemade weapons and gasoline bombs, refused to comply with this order, and Boatner ordered paratroopers supported by tanks to enter the compound to force compliance with his order. Tear gas and concussion grenades did not end the resistance, and the resulting battle left one American and 31 POWs dead. This action, however, broke the back of POW resistance to the dispersal program, and there were not

further incidents during the operation. The ICRC made a strong protest to the US Army about these tactics, and the withholding of food and water to end riots at the Pusan POW enclosure in May.

After Koje-do

In June 1952, the Department of the Army authorized Eighth Army to release the 27,000 civilian internees who had convinced screening teams that they would resist repatriation to North Korea. By the end of September 1952, the last of these internees had been released. About 9,600 internees stated that they would not resist repatriation, and they remained in custody until the end of the war. Also in September, the Department of the Army authorized the release of almost 11,000 more Korean POWs who had convinced screening teams that they were South Koreans who had been impressed into the KPA.

For the remainder of the war, North Korean and Chinese POWs who desired repatriation continued to act as belligerents, and violence continued to occur in their compounds as they sought to embarrass UN forces. In response, Prisoner of War Command directed that the first priority of US and ROKA security forces was maintaining control of POW compounds. While non-lethal force (primarily riot-control chemical agents, bayonets, and rifle butts) was to be used first, PWC authorized security forces to use lethal force to restore order in compounds, when attacked by POWs, or to prevent mass breakout attempts. In October 1952, restoring order in a Chinese POW compound left 56 prisoners dead, and several incidents in various camps left 99 POWs dead in December. Belligerent actions by communist POWs continued for the rest of the war, often rising and falling in intensity on orders smuggled into the camps.

The ICRC in December 1952 protested to Far East Command that PWC had adopted "overly strict" control measures and that in addition to these major incidents, there had been a number of instances of guards mistreating POWs. In response, General Clark vigorously defended the responsibility of UN forces to maintain control, and pointedly noted that those POWs desiring repatriation refused to act in accordance with their status as non-combatants under the Geneva Convention. He also noted that he had directed PWC always to use non-lethal measures before resorting to lethal force. That month, in a message to all camp commanders, PWC reminded them that while Far East Command had directed that control of the camps must be maintained, "care must be taken by all concerned that this power is not abused at any time."

To ensure compliance with this guidance, Far East Command and PWC conducted frequent checks and inspections. These efforts revealed that this guidance often was not fully complied with at lower echelons. Security personnel at compounds containing communist POWs were, in effect, fighting a counter-

insurgency campaign against the POWs, with all the dangers and frustrations of such a campaign. Prisoner of War Command, however, continued to receive a disproportionate share of low-quality American personnel, and training in the skills needed to serve at a POW camp continued to be largely on-the-job. A study by PWC soon after the armistice concluded: "Officers and enlisted men have been assigned to this duty with little background experience or understanding of the responsibilities of their mission." Under these conditions, it was not surprising that Gen. Clark reported in January 1953 to the Chief of Staff, Army, that "isolated incidents can be expected" of guards mistreating prisoners.

The bitter conflict between the two competing Korean regimes continued to motivate mistreatment of communist POWs by ROKA units assigned to PWC. It also led ROKA units to enter into a conspiracy with ROK President Syngman Rhee in June 1953. Displeased that the UN was close to signing an armistice with the communists, Rhee ordered ROKA units assigned to PWC to release those Koreans still being held who had refused repatriation to North Korea. Approximately 26,000 Koreans escaped from PWC camps between 17 and 19 June as a result of this conspiracy, and relatively few were recaptured. At one camp where the American commander learned of a planned escape, he replaced his ROKA security forces with U.S. Marines. When the prisoners made their breakout attempt, they attacked the marines, who responded with bayonets and gunfire that killed 44 POWs. Now unable to trust the PWC's ROKA security force, and fearing that communist POWs would take advantage of this situation, Far East Command deployed an American infantry regimental combat team and three additional infantry battalions from Japan to support PWC. The remaining Korean and Chinese prisoners who had refused repatriation were consolidated in PWC's most secure camps, and Far East Command authorized the use of lethal force against another escape attempt by these prisoners.

Vietnam War

During the Vietnam War, the United States based its official policy regarding Viet Cong and North Vietnamese prisoners of war (POWs) on the 1949 Geneva Convention and on U.S. military tradition that encouraged a humane standard of treatment for war captives. The South Vietnamese government at first treated captured Viet Cong soldiers as traitors and criminals but by 1964, under strong U.S. pressure, it adopted a more benevolent policy. In August 1965, the United States and South Vietnam notified the Red Cross that their armed forces were abiding by and would continue to abide by the Geneva Convention.

The Military Assistance Command, Vietnam, (MACV), took a variety of steps to disseminate to U.S. troops the rules governing the treatment of POWs. In October 1965, American soldiers in Vietnam began receiving three-by-five cards and other training aids explaining prisoner of war treatment under the Geneva Convention. Army Regulation 350-216 of 19 December 1965 called for all soldiers in the Army to receive instruction on the convention. The MACV

commander, General William C. Westmoreland, vigorously and repeatedly stressed to his subordinate commanders the need to abide by the Geneva Convention. Information bulletins from MACV headquarters reinforced this message, insisting that all prisoners be protected from torture, humiliation, degrading treatment, reprisals, or any act of violence. One such was MACV Directive 20-4, dated 18 May 1968, that called attention to Army Field Manual 27-10, The Law of Land Warfare, July 1956. According to the directive,

A grave breach of the Geneva Conventions is the most serious type of war crime. Examples of grave breaches are: willful killing, torture or inhumane treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, taking of hostages, compelling a prisoner of war to serve in the forces of the hostile power.³⁴

All suspected guerrillas captured by U.S. combat units were to be treated initially as POWs and were to be held by that unit only long enough to be interrogated for tactical intelligence. Thereafter, they were sent to a combined U.S.-Vietnamese center for final classification and further processing by the South Vietnamese. Tribunals composed of three or more officers determined the POW status of detainees who were not obviously enemy combatants (these included many Viet Cong, who rarely wore uniforms and sometimes were captured without their weapons). Even though U.S. combat units turned over all POWs they had captured to the South Vietnamese, under the Geneva Convention the United States retained responsibility for treatment of its captives, even after their transfer. MACV lawyers and the MACV provost marshal office helped to design and to implement a program to make Vietnamese POW camps comply with international law. Representatives from the Red Cross visited detention centers, hospitals, and POW camps to verify compliance.³⁵

Despite MACV's efforts to ensure South Vietnamese compliance with the Geneva Conventions, once enemy prisoners passed into South Vietnamese custody they were likely to experience substandard living conditions and face some degree of physical and/or verbal abuse. South Vietnamese troops frequently tortured or executed POWs in order to obtain intelligence or to exact revenge. This abuse sometimes happened in the presence of American advisers who, according to numerous accounts, usually turned a blind eye because they tacitly approved of the brutality or else felt powerless to stop it. To make matters worse, Vietnamese civilian prisons were typically overcrowded, food and other basic necessities were in short supply, and there was a chronic shortage of qualified administrative and security personnel to manage the captive population. Starting in early 1966 the South Vietnamese government built six large military

³⁴ Maj. Gen. George S. Prugh, *Law at War: Vietnam, 1964-1973*, Vietnam Studies (Washington, D.C.: Department of the Army, 1975), p. 136.

³⁵ Prugh, *Law at War*, pp. 61-78; Frederic L. Borch, *Judge Advocates in Combat: Army Lawyers in Military Operations from Vietnam to Haiti* (Washington D.C.: Center of Military History, 2001), pp. 11-13, 19-22.

prisons to house the POW population and to separate more effectively the hard core Viet Cong from the civilian criminal population. Not counting those enemy combatants still held in civilian jails, the POW population in the military prisons expanded from 12,000 in March 1968 to over 35,000 in December 1971.³⁶ Even with the added capacity, many Viet Cong prisoners were eventually freed for no better reason than that the South Vietnamese government lacked the means to keep them in confinement under humane conditions.

The war's most notorious example of enemy POW abuse came at the hands of the South Vietnamese and occurred at the Con Son prison, a detention facility located on an island 30 miles west of the Mekong Delta and 10 miles south of Cambodia. In July 1970, freelance reporter Don Luce and congressional aid (later Senator) Thomas R. Harkin revealed that the South Vietnamese government was mistreating Viet Cong sympathizers imprisoned at Con Son, a facility supported by U.S. financial aid. The prisoners claimed that when they were disobedient, the guards sprinkled them with powdered lime that burned their flesh and eyes. The camp's commandant denied the allegation, asserting that the lime in evidence on the site was only used to whitewash walls. The Chief of the Public Safety Directorate of CORDS, who was present, later contradicted the assertion, observing that powdered lime was evident on top of the grillwork that covered the cages that enclosed the prisoners. The State Department also acknowledged that American advisers had been aware of the cages and had discussed the problem with the South Vietnamese. In all between four and five hundred hard core Communist civilian prisoners, 350 of them females, appeared to occupy the cells. From nine to ten thousand prisoners were present in the camp. Senator Harkin retains photographs of the cages and their inmates to this day and loans them out free for publication when called upon to do so.³⁷

While American troops generally treated Communist POWs better than did the South Vietnamese, the U.S. record was far from spotless. Despite the measures MACV put in place to ensure compliance with the Geneva Convention, some U.S. troops in Vietnam violated the rights of detainees and prisoners of war. The most common type of violation was for an individual or a small group to rough up a captured enemy soldier, usually to obtain intelligence or to vent their anger, before the prisoner was transferred to the rear.³⁸ Less often, U.S. units

³⁶ Fact Sheet, MACV Civil Operations and Revolutionary Development Support (CORDS), 4 Apr 68, sub: Civilian Prison and Detention Facility Problems in Vietnam, annex (map: Confinement Facilities), copy in U.S. Army Center of Military History (CMH) files, Washington D.C.; Prugh, *Law at War*, p. 67.

³⁷ William M. Hammond, *Public Affairs: The Military and the Media, 1968-1975*, United States Army in Vietnam (Washington D.C.: Center of Military History, 1996), pp. 360-67.

would kill a POW in the field after the person had been interrogated and then claim the death as a battle casualty to increase the unit's body count.³⁹ At least a few U.S. units apparently had an unofficial policy of finishing off wounded enemy soldiers to avoid the risks associated with transferring a prisoner from the field to a rear area.⁴⁰ It is impossible to determine how many troops committed such acts and impossible to determine the number of violations that occurred. In all likelihood only a small percentage of U.S. troops committed war crimes against POWs. Anecdotal evidence and the rather thin documentary record suggest that American troops in the field—often operating in small groups and under conditions of great stress—did sometimes abuse prisoners and on occasion resorted to torture or execution. The same body of evidence suggests that Americans rarely mistreated Communist POWs once they had been transferred to a secure rear area.

The most complete collection of war crime allegations that the Army investigated between 1965 and 1975 can be found at the National Archives and Records Administration, College Park, Maryland, in Record Group 319 (Records of the Army Staff) under the sub-heading Records of the Vietnam War Crimes Working Group.⁴¹ In the wake of the 1969 revelations of the massacre of civilians at My Lai the previous year, and amidst a growing chorus of anti-war Vietnam veterans who publicly described alleged atrocities they or others had committed, the Department of the Army organized a War Crimes Working Group in 1971 to collect and investigate the various accusations. The group eventually collected information on 243 separate cases where U.S. troops had allegedly committed war crimes (excluding My Lai). Of that number, a total of 76 cases, or 31%, involved the criminal mistreatment of detainees and POWs. Fourteen of the cases were proven to be true and resulted in some kind of punishment for the accused individuals. In the remaining 62 cases there was not enough information to substantiate the charges or else the allegations were shown to be false.

Of those 76 cases, 42 alleged that U.S. troops had physically abused or tortured enemy POWs and/or detainees (people suspected of being Viet Cong). Of those 42 cases, six were proven to be true and resulted in reprimands or

³⁸ James R. Ebert, *A Life in a Year: The American Infantryman in Vietnam, 1965-1972* (Novato: Presidio Press, 1993), pp. 284-85.

³⁹ James William Gibson, *The Perfect War: Technowar in Vietnam* (Boston: The Atlantic Monthly Press, 1986), p. 186.


⁴⁰ Ebert, *A Life in a Year*, p. 281.

⁴¹ Working Crimes Allegations Case Summaries, Records of the Vietnam War Crimes Working Group, Office of the Deputy Chief of Staff for Personnel, Department of the Army, RG 319, National Archives and Records Administration (NARA), College Park, Maryland. Copies in Historians files, CMH.

administrative punishment for the offenders. Six other cases led to courts-martial and five of those resulted in guilty verdicts.

While many of the 42 abuse cases did not specify the nature of the abuse, some explicitly mentioned methods of torture such as electrical devices to inflict pain or the 'water cure' to make a prisoner think he was drowning. Torture was banned under U.S. military policy but anecdotal evidence indicates that some military intelligence specialists did use torture on occasion. While the formal, written course material at military intelligence schools emphasized the legal and moral barriers against abuse, in private conversation some instructors taught their students how to use torture to get information. Peter Martinsen, a former POW interrogator with the 11th Armored Cavalry Regiment, recalled being shown how to use electrical telephone wires attached to a prisoner's genitals and a generator to wring a confession from a suspect if he proved to be stubborn.⁴² An unidentified soldier recounted to journalist Mark Baker in the book *Nam* how he had routinely used a field telephone to torture Viet Cong suspects, a method he called the "Bell Telephone Hour."⁴³ In May 1971, the Army Judge Advocate General reported that an investigation had confirmed that "on occasion electrical devices" had been used to extract information from Vietnamese during interrogations.⁴⁴ Of the 41 cases, one that involved the use of an electrical generator resulted in three guilty verdicts and a second case that involved water torture resulted in one guilty verdict.

Of the 76 cases involving war crimes against POWs, 41 alleged that U.S. troops had murdered enemy prisoners. Six cases resulted in a court-martial and of those, three returned guilty verdicts.⁴⁵

One particularly lurid accusation that surfaced in at least seven of the cases, and has often appeared in works of fiction and non-fiction about the war, was the claim that American troops regularly pushed POWs out of helicopters in order to intimidate other prisoners into talking. In Baker's *Nam*, one soldier described an incident where American troops took three Vietnamese detainees on a helicopter ride to intimidate them into giving information. When all of them refused to talk the Americans pushed one out of the door to his death. When the remaining two still refused to talk a second detainee was pushed to his death. 

⁴² Gibson, *The Perfect War*, pp. 183-84.

⁴³ Mark Baker, *Nam: The Vietnam War in the Words of the Men and Women Who Fought There* (New York: William Morrow, 1981), p. 214.

⁴⁴ Guenter Lewy, *America in Vietnam* (New York: Oxford University Press, 1978), p. 329.

⁴⁵ Seven of the 76 cases contained allegations of both abuse and of murder, hence the figures given of 42 cases of abuse and 41 cases of murder.

The third prisoner, now terrified beyond reason, began talking as fast as he could. When the interrogators felt they had gotten all the useful information out of him that they could, they pushed the third man to his death so he would not reveal what had happened on the helicopter ride.⁴⁶ Of the seven cases that the Army formally investigated, it found that only one could be proven true, and in that one case the American flight crew had ejected a corpse—not a living prisoner—from their aircraft while it was in flight.

The 76 prisoner abuse cases that the Army Staff investigated, most of which came to light during the 1969-1971 period when the anti-war movement had reached its apex, do not of course represent the actual number of incidents that took place during the war. That number, while probably quite small relative to the number of U.S. troops that participated in the war, can never be known. The official files also lack sufficient data to build a reliable and comprehensive picture of POW abuse, broken down by unit and by region, over the course of the Vietnam War. Nonetheless, the 76 cases stand as valuable reminders that during wartime American troops will be tempted, at least on occasion, to bend if not break the laws governing the treatment of enemy POWs.

As a final word, it must be noted that of the 243 cases of alleged war crimes that the Army Staff investigated during the Vietnam War, a majority came from veterans who made the accusations months or years after they had returned from Vietnam and who were prominent in various anti-war organizations such as the National Citizen's Commission of Inquiry on U.S. War Crimes in Vietnam, the Winter Soldiers Investigations, and the Vietnam Veterans Against the War. In many instances the person making the accusation did so in a public forum such as an anti-war rally and when contacted by the Army for more details refused to give specifics about the alleged war crime. Therefore, it is difficult to tell how many accusations may have been motivated more by a desire to end the war by any means necessary than by a desire to tell unpleasant truths. While it is incontestable that at least a small number of U.S. troops in Vietnam abused enemy POWs, the full extent of the problem will never be known.

Conclusions

American soldiers have certainly been guilty in the past of abuse and even murder of detainees and prisoners contrary to their orders and the laws of land warfare. In some instances, such practices, especially immediately upon an enemy's surrender or during initial field interrogation, were even condoned by the chain of command. Elements of revenge seem to be involved with many instances of outright murder right after the heat of battle. Most often, though, calculated abuse and excesses during interrogation seem to occur more frequently in insurgencies and guerrilla wars when the status of the detainee is uncertain under the laws of land warfare. The Geneva conventions do not extend the same measure of protection to insurgents and rebels not in uniform

⁴⁶ Baker, *Nam*, pp. 205-06.

and violence is thus often easier to justify legally and easier for the common soldier to rationalize. In these instances, well-trained and disciplined soldiers under the strict and conscientious control of officers and NCOs will generally refrain from prohibited abuse and violence. When that discipline breaks down or the chain of command "turns a blind eye" to marginal practices, that can and often does lead to abuses.

More unusual are documented instances of systematic abuse, even during interrogation, far from the pressures of battle in the relative security of a prison environment. In these cases, prisoner abuse seems to result from the "routine" sense of power held by the guards over their helpless charges or from some extreme measures taken to gain or regain control over prisoners. Prison guards were also almost uniformly poorly trained for their role, in short supply, and haphazardly supervised. Prison camps were almost always a low priority in a theater of war and received few resources, materiel or personnel. It was often only after major incidents or obvious breakdowns of control in a prison that appropriate command supervision and resources were made available.

If there is any consolation to be gained from examining the historical past in light of recent events in Iraq, it is that in most instances in the past the Army only reluctantly acted upon charges of abuse of prisoners when others brought such charges to light. This does not appear to have been the case in Iraq and it is hoped that a clear investigation can reveal what did and did not happen and how to keep it from happening again.

INFORMATION PAPER

DAMH-HD
4 May 2004

SUBJECT: U.S. Army Mechanisms for Controlling Abuse of Detainees

1. **Purpose.** To provide information on mechanisms that the Army has used in the past to control abuse of detainees.

2. **Facts.**

a. **Civil War.** Nearly 214,865 Confederates were confined in Union prison camps by the end of the Civil War. Of these, approximately 25,976, or 12.1 percent, died in captivity. Most of the deaths occurred between 1863 and 1865, and the vast majority were not caused by brutality or conscious neglect. The federal prisoner-of-war system was never structured to handle hundreds of thousands of long-term prisoners. During the first two years of the war, most captured soldiers were paroled or exchanged, often within a week of their capture. As a result, the early prisoner camps were large holding pens created to facilitate the imprisonment of enemy troops for less than thirty days. The problems in the prison system began on 22 May 1863, when all official paroles and exchanges ended. The Confederacy's insistence that captured black troops be returned to slavery and that their white officers faced summary capital punishment, along with the recognition by a growing number of Union generals that the parole system benefitted the numerically inferior Rebels, led to the cessation of prisoner exchanges. The influx of long-term prisoners that followed overwhelmed the federal system. Not malicious intent, but overcrowding, poor sanitation, lack of potable water, nineteenth-century health care practices, and the fact that many Southern prisoners were unaccustomed to the Northern climate caused the death rate.

b. In order to create a code of conduct to govern the actions of Union forces during the war, President Abraham Lincoln commissioned Prussian-born legal scholar Francis Lieber to write the Federal Army's laws of war, which were published on 24 April 1863 as General Orders No. 100 (G.O. 100). The orders, also known as the Lieber Codes, included legal guarantees to prisoners. While there is some anecdotal evidence suggesting that individual guards beat, humiliated, or even killed prisoners, conduct of the sort was unusual. After a number of extremely ill and starved Union soldiers were returned to the North from Andersonville prison in late 1864, however, Secretary of War Edwin M. Stanton retaliated by cutting rations to Confederate prisoners. Some critics point to this action as proof that the Union systematically abused southern prisoners.

c. The Lieber Codes did not protect the rights of nonuniformed irregulars and insurgents who fell into union hands. The codes differentiated between enemy soldiers who wore uniforms and were entitled to legal protection and those who engaged in guerilla warfare and were not so entitled. Guerillas were treated as common highway robbers and subject to summary punishment. In an attempt to extract information,

these detainees often faced abuses and brutality such as physical violence, threats against their families, and promises of painful executions.

d. Overall, the Lieber Codes proved effective in protecting uniformed Confederate prisoners from abuse and brutality. Instances of such mistreatment appear to have been individual crimes committed by prison guards or in regions where partisan warfare was common. The codes were so successful that they became the blueprint for the 1907 Hague Convention and the 1949 Geneva Convention.

e. **Philippine War, 1899-1902.** During the Philippine War, American forces tortured and abused captives for the purpose of extracting information. Soldiers also abused and killed prisoners as revenge for guerrilla actions. The number of such incidents is unknown.

f. From the start of the conflict, senior officers repeatedly reminded their subordinates that they were to treat Filipinos humanely. This approach accorded with Army regulations, particularly G.O. 100 (reissued in 1898), which governed the conduct of American forces in the field. G.O. 100 demanded that legitimate combatants be treated as prisoners of war if captured and proscribed the intentional infliction of any suffering, or disgrace, by cruel imprisonment, want of food, by mutilation, death, or any other barbarity. It also banned violence to extort information.

g. There was, however, a significant loophole in GO 100. According to the regulation, only legitimate combatants were entitled to prisoner of war privileges. Irregulars who operated without uniforms and who pretended to be peaceful citizens to escape capture, people who took up arms against an occupying army, spies, and anyone living in an occupied area who assisted the enemy were not deemed to be legitimate combatants and hence were not entitled to prisoner of war status. The regulations also permitted retaliation against prisoners.

h. As the war dragged on, many soldiers became convinced that coercion was necessary to gain the type of information needed to break the insurgency--an insurgency waged by people who were not legitimate combatants in the minds of many Americans. For the most part, senior officers turned a blind eye to prisoner abuse when a local commander, for the purpose of obtaining information, authorized that abuse. Only late in the war, when public revelations of atrocities created controversy at home, did the Army begin to prosecute soldiers for interrogation-related abuses. It did so reluctantly, since the commander in the Philippines, Maj. Gen. Adna R. Chaffee, complained that such prosecutions had a "chilling" effect on the Army's gathering of information. In the end only a few soldiers were prosecuted, and even fewer were convicted, as military courts were loath to punish officers for abusing prisoners. The courts even exonerated several who admitted to having employed the "water cure." Most of those who were convicted received exceedingly light punishments. Although the War Department rejected several of the acquittals, no effort was made to retry

those cases, and several admitted torturers went on to have distinguished careers in the Army in the fields of military law and intelligence. The uneven results left the question of detainee treatment during an insurgency unresolved. While it was clear to everyone that both the public and Army regulations frowned on abuse, the exact boundaries remained unclear, and many officers continued to believe that prisoner coercion was a necessary, if unpleasant, component to successful counterinsurgency operations.

i. **World War I.** During World War I, the War Department operated four detainee camps in the United States, two for alien enemies arrested by the civilian authorities, one for German naval officers and sailors from warships held in U.S. harbors, and one for German merchant crewmen. The population of the four camps totaled approximately four thousand. Generally, the U.S. government lived up to the prisoner of war provisions of the Hague Convention, providing adequate food, clothing, quarters, medical care, and recreational and educational facilities. At first, however, control of the camps was too decentralized, and some early camp commanders subjected detainees to some mistreatment, such as prolonged periods of standing at attention or reduced rations. Conditions improved when these men were replaced. Still, inadequacies in the quality of guards and too much time on the hands of detainees kept tensions in the camps high for the remainder of the war.

j. The situation in the U.S. camps might have been much worse if POWs held by U.S. forces in Europe had been sent to the United States. But the Commander of the American Expeditionary Forces, General John J. Pershing, insisted that they be retained in his command. There is virtually no information readily available on treatment of the scores of thousands of POWs in AEF custody.

k. **World War II.** For World War II, the relevant Army doctrinal statement for the prevention of detainee abuse was Field Manual (FM) 19-5, *Military Police*. The June 1944 edition of FM 19-5 provided that treatment of prisoners would be governed by the 1929 Geneva Prisoners of War Convention, which defined prisoners of war as primarily all persons, whether combatants or noncombatants, belonging to the armed forces of a belligerent nation, when captured by the enemy in the course of operations.^e In line with that convention, the manual enjoined military personnel to treat prisoners humanely and to protect them especially against violence, insults, or public curiosity. Immediately upon capture, personnel were to disarm prisoners, search them for concealed weapons, and segregate them; they were to search for documents under the supervision of interrogation teams where attached or an intelligence officer where such a team was not attached. Interrogators were not to use coercion, threats, insults, or unnecessary^e unpleasant treatment of any kind to obtain information. Officers were responsible for safeguarding the personal effects on the person of each prisoner. FM 19-5 stressed the importance of all military personnel being fully informed of the provisions of POW convention and the Red Cross Convention of 1929, because violation of the provisions not only violated the laws of the United States but might result

in retaliation by the enemy against American prisoners of war and might subject this nation to unfavorable criticism in the eyes of the world. The manual called for a course of instruction for all officers whose command might have responsibility for the treatment of prisoners of war.

l. In practice, not surprisingly, the treatment of prisoners did not always meet this standard. A *Prisoners of War*, a postwar study published by Georgetown University's Institute of World Polity, found isolated incidents where prisoners who refused to answer questions were threatened, slapped, shouted at, hit, humiliated, or pushed around, but the study claimed that interrogators took no steps to carry out the threats and certainly used no torture. The study noted the general trend toward brutalization in twentieth-century warfare and stressed the need to indoctrinate guards in the provisions of the Geneva Convention. It appears clear that, in the field, prisoners were often shot after surrender, particularly in the knife to the hilt type of warfare that characterized Pacific combat. German and Italian prisoners shipped to the United States according to evacuation policy up to April 1945 apparently received every privilege of the Geneva Convention, eating well and working mostly as agricultural laborers. Recent allegations of the deliberate starving of German prisoners of war in the spring and summer of 1945 by General Eisenhower's headquarters have little basis in evidence, but the huge numbers of prisoners at the end of the war, the general European shortage of food, the status of many guards as young, newly arrived recruits eager to prove their toughness, and the desire for revenge among some guards led to instances of neglect and even brutality in postwar prisoner of war enclosures. Out of perhaps five million German prisoners of war in the early summer of 1945, about 56,000 died from various causes.

m. **Korean War.** By the beginning of the Korean War, the United States had signed but had not ratified the 1949 Geneva Convention Relative to the Treatment of Prisoners of War. Nevertheless, the United States volunteered to observe the instrument's provisions. There seems to have been in place at the war's start no Army doctrinal publication devoted strictly to treatment of POWs. But FM 27-10, *Rules of Land Warfare* (1 October 1940), incorporated provisions of the 1929 Geneva Convention Relative to the Treatment of Prisoners of War when it forbade the use of coercion, threats, insults, or exposure to unpleasant or disadvantageous treatment of any kind in examining prisoners. FM 30-15, *Examination of Enemy Personnel, Repatriates, Documents, and Materiel* (11 June 1945), which was in force at the start of the war, was not available for review for this paper. Its predecessor, however, FM 30-15 of 22 July 1940, incorporated the same provisions of the 1929 Geneva Convention as did FM 27-10. The 1940 edition of FM 30-15 observed that

coercion is not the most effective method of obtaining information from prisoners. If an examiner fails to obtain information by such means, as is generally the case, he immediately finds himself in a condition of moral inferiority with respect to the prisoner. . . . Resort to third degree or torture generally indicates that the examiner either lacks aptitude and training or is too indifferent and lazy to apply

sound methods of interrogation.

n. DA Pam 20-150, issued in October 1950, contained the full text of the 1949 convention on POWs. FM 30-15, *Examination of Personnel and Documents* (September 1951) prohibited the infliction of physical or mental torture or any other form of coercion on prisoners to secure from them information of any kind whatever. Not until November 1952 did the Army publish FM 19-40, *Handling Prisoners of War*. This manual repeated the prohibitions stated in the 1940 edition of FM 30-15 and, more broadly, mandated humane treatment and protection, particularly against acts of violence or intimidation and against insults and public curiosity. FM 19-40 also prohibited measures of reprisal against prisoners.

o. Available histories of the handling of POWs and the problems of intelligence during the Korean War are vague as to how the prohibitions against mistreatment of prisoners were disseminated and applied. Late in July 1950, judge advocate officers of Eighth U.S. Army Korea found that North Korean prisoners in one U.S.-run camp were being provided proper feeding, processing, requirements for hygiene, and medical facilities. The U.S.-led United Nations Command sought to place U.S. personnel in charge of all POWs as soon as possible after capture in order to ensure compliance with the Geneva Convention, particularly in view of the tendency of Republic of Korea Army (ROKA) forces to mistreat or kill POWs with even slight provocation. But to reduce the number of U.S. troops assigned to POW duties, ROKA troops, under close supervision by U.S. personnel, were used to the maximum possible extent. Sufficient U.S. and ROKA personnel were not available to handle the large number of prisoners taken after the Inchon landing in September 1950. This made essential on-the-job training for guards difficult. Under these conditions, communist leaders within POW camps were able to engineer incidents of mass, violent defiance that resulted in the deaths of scores of POWs. In the most infamous incident, in May 1952, prisoners seized and held for several days the U.S. Army brigadier general commanding the largest camp, at Koje-do.

p. **Vietnam War.** During the Vietnam War, the United States developed its policy regarding Viet Cong and North Vietnamese POWs based on the 1949 Geneva Convention and on U.S. military tradition that encouraged a humane standard of treatment for war captives. In August 1965 the United States and South Vietnam notified the Red Cross that their armed forces were abiding by and would continue to abide by the Geneva Convention. In October, American soldiers in Vietnam began receiving three-by-five cards and other training aids explaining prisoner of war treatment under the Geneva Convention. Army Regulation 350-216 of 19 December 1965 called for all soldiers in the Army to receive instruction on the convention. The Commander, U.S. Military Assistance Command, Vietnam (MACV), General William C. Westmoreland, vigorously and repeatedly stressed to his subordinate commanders the need to abide by the Geneva Convention. Information bulletins from MACV headquarters reinforced this message, insisting that all prisoners be protected from torture, humiliation, degrading treatment, reprisals, or any act of violence. All suspected

guerrillas captured by U.S. combat units were to be treated initially as POWs and were to be held by that unit only long enough to be interrogated for tactical intelligence. Thereafter, they were sent to a combined U.S.-Vietnamese center for classification and further processing by the South Vietnamese. So-called Article 5 Tribunals, composed of three or more officers, determined the POW status of detainees who were not obviously enemy combatants (these included many Viet Cong, who rarely wore uniforms and sometimes were captured without their weapons).

q. Even though U.S. combat units turned over all POWs they had captured to the South Vietnamese, under Article 12 of the Geneva Convention the United States retained responsibility for treatment of its captives, even after their transfer. MACV lawyers helped to design and to implement a program to make Vietnamese POW camps comply with international law. Representatives from the Red Cross visited detention centers, hospitals, and prisoner of war camps to verify compliance. Even so, problems persisted throughout the war. The Vietnamese prisons were typically overcrowded, food and other basic necessities were in short supply, and there was a chronic shortage of qualified administrative and security personnel to manage the POW population. Many Viet Cong prisoners were freed during the war for no better reason than that the South Vietnamese government lacked the means to keep them in confinement under humane conditions.

(b)(6)

Approved: _____

A Short Study of U.S. Army Handling of Detainees and POWs

The U.S. Army has a long experience in dealing with detainees and prisoners of war with an equally long experience of accusations (and sometimes the reality) of abuse or mishandling of those people. While not occurring systematically or officially sanctioned, and often in the immediate aftermath of combat, it is hard to escape the fact that such abuses have occurred despite policy prohibitions. However, it is another matter to try and gain any empirical sense of exactly how many accusations of abuse or mishandling of detainees or POWs are based in fact and how many are based in rumor, innuendo, or to achieve a political or propaganda goal.

Indian Wars

Although the U.S. Army has often been accused of systematic abuse of American Indian detainees during the centuries long Indian wars, the truth is more complex. The most egregious massacres and abuse of Indians have, for the most part, been conducted by paramilitary organizations, such as the Texas Rangers, or state volunteer units not under federal control, such as 3d Colorado Volunteer Cavalry that perpetrated the Sand Creek Massacre of 1864.

Warfare on the Great Plains in the later half of the 19th century was certainly brutal but detainee and prisoner abuse seemed to be only episodic. In September 1855, troops led by Col. William Harney attacked a Sioux Indian village on a tributary of the Platte River in western Nebraska, retaliating for a Sioux slaughter of soldiers the year before. Marching on to Fort Laramie, Harney demanded the surrender of several Indians who had waylaid a mail coach the previous autumn; five warriors gave themselves up, expecting to die. Instead, the U.S. Indian agent interceded for the prisoners, who were taken to Fort Leavenworth, where they spent the winter before receiving pardons the next year and returning to the plains.

Towards the end of the summer campaign against the Sioux in 1876, Brig. Gen. George Crook's troops attacked a village in what is now South Dakota and captured 23 Indians, two of them men. Crook's force had to move on the next day, and thus released the captives. Decades later, a veteran of the campaign alleged that Crook's soldiers had shot captured Indian warriors after the battle, but there is no credible evidence of this.

The last and perhaps one of the most sensational incidents in the history of the army's relations with American Indians came in December 1890, in the midst of the "Ghost Dance" religious disturbance on the Sioux reservations in North and South Dakota. One band of Sioux strayed from its appointed reservation to Pine Ridge. There, on Wounded Knee Creek, eight companies of the Seventh U.S. Cavalry arrested the Sioux and arranged to disarm them. While under official U.S. Army detention, although obviously not yet under

control, one of the Sioux fired on the dismounted troopers, who replied with a flurry of shots. When the shooting was over, more than 150 Indians of all ages and sexes lay dead, with another fifty wounded. Army casualties amounted to 25 killed and 39 wounded. Maj. Gen. Nelson Miles relieved the Seventh's commander, Col. James W. Forsyth, and ordered a court of inquiry, which cleared Forsyth of responsibility for the deaths of noncombatants. According to soldiers' testimony, the troops had made reasonable efforts to distinguish Sioux women and children from adult males.

Philippine War

During the Philippine War (1899-1902) there were a number of documented instances where American forces tortured and abused captives for the purpose of extracting information or simply in revenge for guerrilla actions. However, the exact number of such incidents is unknown. While not overtly sanctioned by the chain of command, it appears that many such instances occurred with the full knowledge of a unit's officers who turned a "blind eye" to the practice.

From the start of the conflict, senior officers repeatedly reminded their subordinates that they were to treat Filipinos humanely. This approach accorded with Army regulations, particularly General Orders (GO) 100 of 1863 (reissued in 1898), which governed the conduct of American forces in the field. GO 100 demanded that legitimate combatants be treated as prisoners of war if captured, and proscribed "the intentional infliction of any suffering, or disgrace, by cruel imprisonment, want of food, by mutilation, death, or any other barbarity." It also banned violence to extort information.

There was, however, a significant loophole in GO 100. According to the regulation, only legitimate combatants were entitled to prisoner of war privileges. Irregulars who operated without uniforms and who pretended to be peaceful citizens to escape capture, people who took up arms against an occupying army, spies, and anyone living in an occupied area who assisted the enemy, were not deemed to be legitimate combatants and hence were not entitled to prisoner of war status. The regulations also permitted retaliation against prisoners.

As the war dragged on, many soldiers became convinced that coercion was necessary to gain the type of information needed to break the insurgency—an insurgency waged by people who were not legitimate combatants in the minds of many Americans. For the most part, senior officers tended to permit detainee abuse when that abuse was authorized by a local commander for the purpose of obtaining information. Only late in the war, when public revelations of atrocities created controversy at home, did the Army begin to prosecute soldiers for interrogation-related abuses. It did so reluctantly, as the commander in the Philippines, Maj. Gen. Adna R. Chaffee, complained that such prosecutions had a "chilling" effect on the Army's information gathering capabilities. In the end only

a few soldiers were prosecuted and even fewer were convicted, as military courts were loath to punish officers for abusing prisoners. The courts even exonerated several who admitted to having employed the water cure (repeatedly forcing water into a prisoner's stomach to distend it). Most of those who were convicted received exceedingly light punishments. Although the War Department rejected several of the acquittals, no effort was made to retry those cases, and several admitted torturers went on to have distinguished careers in the Army in the fields of military law and intelligence. The uneven results left the question of detainee treatment during an insurgency unresolved. While it was clear to everyone that both the public and Army regulations frowned on abuse, the exact boundaries remained unclear and many officers continued to believe that prisoner coercion was a necessary, if unpleasant, component to successful counterinsurgency operations.

World War I

Between 1907 and 1913, the Army incorporated into its *Rules of Land Warfare* and *Field Service Regulations* the provisions of the Hague Convention of 1907 concerning the capture and treatment of enemy soldiers. The War Department General Staff, the Judge Advocate General, and the Adjutant General all studied this issue between 1913 and 1916, and draft general orders were prepared for issue should the nation go to war. In March 1917, Special Regulation No. 62, "Custody of Prisoners of War, 1917," a set of general guidelines based on the Hague Convention of 1907, was published.

During World War I, the U.S. Army used the term "war prisoner" to refer to the approximately 5,000 enemy military personnel and civilians interned in the United States after the declaration of war. The military personnel were the crews of German auxiliary cruisers in American ports at the declaration of war. These men were classified as prisoners-of-war. The civilian war prisoners were the crews of enemy merchant ships in American ports in April 1917, illegal immigrants from enemy nations, and citizens of enemy nations legally in the United States but arrested by the Department of Justice under a provision of the declaration of war. War prisoners were treated in accordance with the provisions of the Hague Convention. Rosters of war prisoners were turned over to the Red Cross.

In May 1917, the War Department established war-prison barracks at Ft. McPherson, Georgia, Ft. Oglethorpe, Georgia, and Ft. Douglas, Utah. These facilities were built using a mix of contract labor and those war prisoners physically able to do such work. Each barracks had a guard company of 150 enlisted men modeled on the guard companies at the U.S. Disciplinary Barracks, and cadre drawn from those companies at Ft. Leavenworth and Alcatraz were used in organizing the war-prison barracks guard companies supervised by retired officers brought back onto active duty. The War Department Inspector General conducted regular checks of these facilities. War prisoners were

released following the ratification of the peace treaty with no known reports of flagrant abuse.

Overseas, there was great public and official pressure to move all enemy POWs back to the continental United States on the grounds that POWs could be used to relieve the labor shortage, to serve as hostages to insure the good treatment of Americans taken prisoner by Germany, and to deter submarine attacks on U.S. ships. However, General John J. Pershing, Commander-in-Chief of the AEF, recommended retaining German POWs in France. Under the Hague Convention, German enlisted POWs could be put to work supporting the AEF's logistical system as long as they were not forced to perform work directly connected to military operations and were not exposed to artillery fire. The need for POW labor in Europe led the Army Chief of Staff in June 1918 to authorize Pershing to retain in France all POWs taken by the AEF.

The AEF began planning in April 1918 for POW operations, took its first significant numbers of Germans prisoner in June 1918, and by the end of the war had approximately 48,000 POWs. In July 1918, an AEF general order made the AEF Provost Marshal General responsible for the treatment of POWs from the time the capturing unit delivered them to the division POW enclosures. After interrogation by intelligence personnel at the division enclosure, MPs escorted POWs through the POW processing system. This processing included compiling information about the POW for submission to the Red Cross, allowing the POW to send a post card to his family, a bath, a medical examination, and the issue of renovated U.S. Army clothing that identified them as POWs. After processing, officers were sent to a separate camp since the Hague Convention prohibited their use as laborers. Junior enlisted men were interviewed as to their occupational history and assigned to a POW labor company.

By April 1919, there were 76 stockades for POW labor companies, each guarded by a MP escort company. These labor companies engaged in a wide variety of activities, including salvage, baking, warehouses, road repair, laundry, carpentry, quarries, wood cutting, and machine shop work. Sergeants did not perform manual labor; instead, they engaged in administrative work or supervised the work of junior enlisted men. Conditions in enlisted POW facilities were generally good: the food, quarters, clothing, and medical care were the same as that provided American soldiers.

At the start of the war, the only American soldiers with experience in long-term custody work were the guard companies at the disciplinary barracks, and they were needed to staff these facilities and provide cadre for the war-prison barracks. To staff its POW system, the AEF organized in France escort guard companies of three officers and 100 enlisted men. The AEF gave these companies a low priority for manpower, and they thus were filled almost entirely with soldiers "considered unfit for combatant service." Training for these duties was entirely on-the-job. The AEF Provost Marshal General compensated for the

low quality of these personnel with frequent inspections of POW facilities, and Pershing himself inspected several POW enclosures during the war. A postwar AEF study, however, concluded that the most important reason for the success of this POW system was that "our prisoners were particularly well disciplined soldiers, easily controlled by their non-commissioned officers."

World War II

During World War II, the relevant Army doctrinal statement for the prevention of detainee abuse was Field Manual (FM) 19-5, "Military Police." The June 1944 edition of FM 19-5 provided that treatment of prisoners would be governed by the 1929 Geneva Prisoners of War Convention. In line with Geneva, the manual enjoined military personnel to treat prisoners humanely and to protect them especially against violence, insults, or public curiosity. Immediately upon capture, personnel were to disarm prisoners, search them for concealed weapons, and segregate them; they were only searched for documents under the supervision of interrogation teams or an intelligence officer. Interrogators were not to use coercion, threats, insults, or unnecessarily unpleasant treatment of any kind to obtain information. The manual made clear that any violation of the provisions was not only a violation of the laws of the United States but might result in retaliation by the enemy against American prisoners of war and "may subject this nation to unfavorable criticism in the eyes of the world."

At first, Axis prisoners fared well at the hands of American captors. Although the Axis troops captured in North Africa certainly experienced hunger and lack of shelter while transferring from camp to camp in the desert, those in American custody were shipped to the United States, where they lived in Army camps, ate well, and worked mostly as agricultural laborers. In all, the Army's Provost Marshal General supervised the internment of 500,000 Axis prisoners within the United States during World War II, and many prisoners enjoyed their stay to the point that they wanted to remain and become American citizens.

As the Nazi armies disintegrated in the final weeks of the war in Europe, however, the number of German prisoners in Europe became unmanageable as the temporary, caged, open enclosures used to house them became overcrowded. Anticipating huge food deficiencies in Central Europe and unable to provide for German prisoners on the scale mandated by the Geneva Conventions, General Dwight D. Eisenhower changed the designation of prisoners to "disarmed enemy forces," enabling Allied commanders in Europe to feed their charges at a lower level. This decision, coupled with general chaos in defeated Germany and the punitive mindset among many American soldiers, meant that German prisoners often experienced extreme privation. Lacking tents in the enclosures, the prisoners had to dig into the saturated ground to find protection from rain; with no food, they boiled grass in water, producing widespread dysentery that killed several. Many German prisoners apparently suffocated to death while being transported in defective railroad boxcars before theater authorities discovered the problem. Yet, postwar accounts of

a premeditated, systematic effort to murder German prisoners en masse are unfounded. About 56,000 German prisoners died, slightly over 1% of the estimated total of five million German prisoners in the West.

Ironically, the biggest problem the Americans encountered with respect to treatment of German prisoners involved the French. As early as January 1944, Allied Force Headquarters in Algiers reported that French treatment of Axis prisoners handed over to them during 1943 was "far from satisfactory," and warned of negative repercussions on Allied prisoners of war in Germany. Investigations of Red Cross reports of French misuse of German prisoners transferred from American to French custody for use in labor detachments discovered that they had undergone prolonged malnourishment. In response, General Eisenhower directed the suspension of further deliveries of prisoners of war to the French, requested the prompt return of about 200,000 unable to perform useful labor, and requested the French authorities to provide the remaining prisoners with enough food to maintain living standards.

Notwithstanding the Geneva Conventions and Army doctrinal literature, the harsh treatment of prisoners by American troops during the course of World War II did occur but does not appear to have been widespread. Despite the injunctions against the shooting of unarmed prisoners, American troops often did so, particularly in cases where the enemy attempted to surrender at the last moment, but the evidence is largely anecdotal and hard to pin down. A postwar study by the European theater on the treatment of prisoners of war by American forces noted instances of murder of prisoners after surrender, and more commonly thievery of personal property, by troops in the field but found that "the number of major violations disclosed is, considering the enormous scope of operations in this theater, relatively small." In the case of the shooting of SS guards at the concentration camp at Dachau, the study wryly noted, "In light of the conditions which greeted the eyes of the first combat troops to reach Dachau, it is not believed that justice or equity demand that the difficult and perhaps impossible task of fixing individual responsibility now be undertaken." Likewise, "Prisoners of War," a postwar study published by Georgetown University's Institute of World Polity, found "isolated incidents" where prisoners who refused to answer questions were threatened, slapped, shouted at, hit humiliated, or otherwise physically abused, but it claimed interrogators used no torture.

In the Pacific, treatment of prisoners of war appears to have been even harsher, not surprising given the "knife to the hilt" character of much of the fighting. Citing enemy atrocities and treachery, including feigned surrenders and booby traps, soldiers made it common practice to shoot any Japanese soldier encountered, whether armed or not. Some massacres of surrendered Japanese were directed by superiors or at least received tacit support after the event. Where the Army did capture prisoners, it often treated them poorly, largely because of lack of planning and other necessary support.

In Europe, the Pacific, and the United States, the Army encountered problems with guards. All types of units, hastily organized as the situation arose, without specific organization or technical training, performed military police duties in the United States Army during World War II. The scarce military police units that existed had many missions other than guarding prisoners of war, a task that had a low priority in their training. Around the globe, prisoner guards often were undesirables provided by other units when the calls for personnel came. Of prisoners of war shot by guards, the Provost Marshal's history admitted that, while some were trying to escape, others were killed without justification, and, "in the latter type of instance, the guard usually proved to be a person of inferior caliber." The worst incident took place in Utah, where a soldier on guard duty in a watchtower suddenly sprayed tents with machine gun fire, killing nine prisoners. He proved to be mentally disturbed. In Europe, guards of prisoner enclosures at the end of the war often tended to be young, recently arrived recruits who had not been in combat against the German Army and were looking for ways to show their toughness. Although some Jewish officers running camps took the opportunity for revenge, the desire for revenge was fairly widespread among GIs, particularly those who visited concentration camps and were already angry at the unnecessary loss of lives at the hands of a nation that refused to admit its defeat.

The Army's treatment of prisoners during World War II united the ideals of the official doctrine with the frequent ugly realities at the front and the prisoner of war enclosures. Incidents of maltreatment of prisoners contrary to the Geneva Convention certainly occurred, yet given available evidence, the extent of such violations is hard to judge

Korean War

When the Korean War began, the United States had signed, but not yet ratified, the Geneva Convention of 1949. Ratification did not occur until after the war, but with the exception of repatriation of detainees, the American government and the U.S. Army followed the provisions of the Convention. Doctrine for the treatment of detainees was based on Field Manual 27-10, *Rules of Land Warfare* (1 October 1940), which remained in effect for the duration of the Korean War. Technical Manual 19-500, *Enemy Prisoners of War* (5 October 1944), which covered the construction and operation of camps for detainees, remained in effect during the period in which Eighth Army established its detainee camp system in Korea. Two other important doctrinal sources had two editions during the war: Field Manual 30-15, *Examination of Personnel and Documents* (11 June 1945 and 27 September 1951) and Field Manual 19-5, *Military Police* (14 June 1944 and 14 September 1950). In November 1952, the Army published Field Manual 19-40, *Handling Prisoners of War*. The service's first doctrinal source specifically addressing this subject, the manual covered treatment of POWs on the battlefield, internment facilities, and the role of military police units.

All these publications noted the importance of treating detainees in accordance with international agreements and Army policy. The 1950 edition of FM 19-5 warned that prisoners of war "must at all time be humanely treated and protected, particularly against acts of violence, insults and public curiosity." In regards to interrogation, the 1951 edition of FM 30-15 stated that "[N]o physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind." In 1952, FM 19-40 made it clear that interrogation of prisoners "is a function of the intelligence officer who is assisted by prisoner-of-war interrogation teams and in some instances, by psychological warfare officers." Military police were to interrogate POWs only when "necessary for the administration, movement, control, and processing of prisoners."

In mid-July 1950, Eighth Army and the Republic of Korea Army (ROKA) established separate prisoner-of-war facilities in the Pusan area, but the following month, Eighth Army consolidated all prisoners into one new camp, also in the Pusan area. The new camp housed POWs in tents, with the perimeter enclosed by a barbed wire fence, and by early September it held about 2,200 KPA prisoners. Delegates from the International Committee of the Red Cross (ICRC) visited the camp and evaluated conditions there as "extremely good."

The United States government, in its role as the UN's executive agent for the war in Korea, assumed sole responsibility for detainee camps in Korea in August 1950. The nations providing units to the UN Command had differing standards for the treatment of detainees---by assuming responsibility for the camps, the U.S. would ensure the proper treatment of detainees in compliance with international agreements. Of particular concern to American officers was the ROKA, which was in effect fighting a bitter civil war against the invading KPA; ROKA units had shown a tendency to mistreat and kill captured KPA soldiers, in part in revenge for their abuse and murder by the KPA earlier.

Under this new policy, which remained in effect for the rest of the war, non-American units were allowed to interrogate captured personnel for intelligence of immediate tactical value, but they were then to turn over POWs to US military police units. (Eighth Army's G-2 placed a military intelligence detachment in the main detainee camp at Pusan to conduct interrogations for intelligence that was not of immediate tactical value.) American units would then move prisoners through a POW system controlled by American officers to a camp commanded by an American officer, where they would remain for the rest of the war. Sick and wounded prisoners would be treated at US military medical facilities and units in Korea, and in Japan if the needed care could not be provided in Korea. Prisoners were fed a locally procured diet to avoid problems with diarrhea and other gastrointestinal disorders.

Four factors added to Eighth Army's difficulties in operating a detainee system in 1950. First, few KPA soldiers carried identification papers, making it very difficult to compile an accurate list of prisoners. Second, the KPA during the summer of 1950 had impressed thousands of South Korean men to replace its casualties. Many of these men had eagerly surrendered to UN forces after the KPA had collapsed in September, but without proof of their impressments, Eighth Army could not release them, fearing that many either were actually North Koreans or South Koreans who had been members of communist guerrilla units. Third, the collapse of the KPA left most prisoners malnourished and many ill by the time of their capture--dysentery and tuberculosis became major health problems. Eighth Army devoted substantial medical resources to treating POWs, but some prisoners arrived at detainee camps in an advanced stage of illness and could not be saved. Fourth, the great majority of Koreans did not know "the rudimentary sanitary measures" necessary for living in close quarters and often refused to follow them after they were instructed on such measures.

While American officers controlled the POW system, Eighth Army could not staff the system solely with American personnel. Few Americans spoke Korean, and those that did were needed for intelligence work and to liaison with the ROKA, so Americans had to hire Koreans to work as interpreters. The Department of the Army in 1950 was hard-pressed to find enough men to replace casualties in Korea, let alone support a detainee system that expanded greatly after UN forces defeated the KPA in September 1950 and forced it to retreat from South Korea. This victory created a huge increase in the number of KPA prisoners; by 31 October, there were 116,822, and Eighth Army had to open additional POW camps that month. Eighth Army naturally gave combat units first priority for replacements, and thus had to assign ROKA MP units, supervised by American personnel, to provide the bulk of the guard force. Almost all American enlisted men and junior officers assigned to the camps had no formal training on the skills required in such an assignment, and there were never enough assigned to properly supervise the ROKA MPs. Still, this system worked well enough until the end of November 1950--that month, the ICRC rated the camp at Pusan as "excellent." Success depended in large part on the docility of almost all captured KPA personnel, the widespread belief among ROKA and American soldiers that the war would soon be over, and careful supervision of operations by American officers commanding the detainee camps.

The situation was complicated again when, in November 1950, Far East Command allowed the ROK government to begin screening those KPA prisoners who claimed that they were impressed South Koreans in order to determine which were loyal to the ROK and could be released, and which were either North Koreans or disloyal South Koreans. This screening cleared about 41,000 prisoners for release. Far East Command refused to release them until after the end of hostilities on the grounds that the ROK government could not guarantee that none of these men were actually KPA soldiers or disloyal South Koreans who would join one of the many guerrilla bands operating in South Korea.

Throughout the spring and summer of 1951, the ROK government requested that these prisoners be released. Eighth Army concurred in these requests, but Far East Command continued to reject them.

In October 1951, after repeated violent clashes between communist and non-communist POWs, Far East Command directed that those prisoners earlier identified as eligible for release be screened again by ROK civilian and military agencies and American counterintelligence detachments. Those who passed this second screening (about 37,000) were reclassified as civilian internees, and Eighth Army then established separate compounds for the internees. Internees had the same rights and privileges as POWs, including ICRC visits to their compounds, and were subject to the same disciplinary standards as POWs.

The biggest and most controversial accusations of prisoner abuse occurred in several of the largest POW camps on the island of Koje-do. The increase in the number of prisoners taken after the Chinese intervention in the war in November 1950 had led to the establishment of several poorly constructed camps segregated by nationality (Korean or Chinese) and by status (POW or civilian internee) on an island off the coast of Korea. Thousands of prisoners began to be moved into the first of these camps in a narrow valley already heavily populated by many of the 118,000 natives and 100,000 refugees living on the island.

Eighth Army continued to provide a guard force inadequate in quality and quantity. Inspections of Camp Number One on Koje-do before May 1952 found numerous administrative and security lapses, but Eighth Army regarded the POW system as a low-priority backwater; Camp Number One had nine commanders between January 1951 and February 1952. The troop ceiling imposed on Eighth Army led it to short the camp in the number of American personnel assigned: by May 1952, the camp had only about half the guard force called for by doctrine. Few American soldiers assigned to MP units on the island were trained for this type of duty, and a disproportionate number of these soldiers were of low quality---many had been cast-off by other Eighth Army units for incompetence or chronic failures of discipline. Two ROKA MP battalions, under the operational control of US MP battalions, served on the island, but they were a liability instead of an asset. The inadequate number of Americans prevented effective supervision of ROKA units. A US MP battalion commander in April 1952 recommended the replacement of all ROKA troops with US personnel: ROKA guards, supervised by officers who were, for the most part, "incompetent and unsuitable for this type of assignment" provoked incidents with KPA prisoners "almost daily".

The issue of repatriation of prisoners of war deadlocked the armistice negotiations from December 1951 to June 1953, and was the major reason for POW camps becoming another battlefield in the war. In April 1952, US and ROK

personnel began screening all POWs and civilian internees to determine which ones would refuse repatriation to North Korea or China.

As a result of the repatriation issue, POWs inside the camps began to organize for mass protests and violence as part of the propaganda war. Communist agents infiltrated the camps and organized cells of hard-core resisters to lead the effort. The situation grew so bad that U.S. Army infantry units were detailed to assist the camps with securing the perimeters and screening prisoners. In February 1952, one infantry battalion supporting a screening operation in one compound was attacked by between 1,000 and 1,500 KPA prisoners; the battle left 77 POWs and 1 American soldier dead. The ICRC deplored the use of deadly force against POWs, but it also noted in January 1952 that "[M]ost of the incidents which have occurred so far were activated by purely political motives."

The violence on Koje-do reached a climax during May and June. In May, KPA prisoners, seeking to frustrate the repatriation screenings and embarrass UN forces, captured and then released the camp commander after receiving a statement from the senior American officer on the island that admitted to mistreatment of prisoners. A new camp commandant, Brig. Gen. Haydon L. Boatner, took command, immediately fired incompetent commanders and staff officers, and moved to improve the discipline of American units. To reestablish control of POW compounds on Koje-do, Eighth Army in May developed a plan to disperse POWs and civilian internees to 500-man compounds on Koje-do, the mainland, and the island of Cheju. After careful preparation, Boatner on 10 June ordered the dispersal of the compound whose KPA prisoners had taken the camp commander hostage in May. The POWs, armed with homemade weapons and gasoline bombs, refused to comply with this order, and Boatner ordered paratroopers supported by tanks to enter the compound to force compliance with his order. Tear gas and concussion grenades did not end the resistance, and the resulting battle left one American and 31 POWs dead. This action, however, broke the back of POW resistance to the dispersal program, and there were not further incidents during the operation. The ICRC made a strong protest to the US Army about these tactics, and the withholding of food and water to end riots at the Pusan POW enclosure in May.

There were other incidents similar to the Koje-do battle. When prisoners rioted, non-lethal force (primarily riot-control chemical agents, bayonets, and rifle butts) was the first resort, but security forces were authorized to use lethal force to restore order in compounds when attacked by POWs, or to prevent mass breakout attempts. In October 1952, restoring order in a Chinese POW compound left 56 prisoners dead, and several incidents in various camps left 99 POWs dead in December. Belligerent actions by communist POWs continued for the rest of the war, often rising and falling in intensity on orders smuggled into the camps.

The ICRC complained in December 1952 that the Americans had adopted "overly strict" control measures and that there had been a number of instances of guards mistreating POWs. In response, General Clark vigorously defended the responsibility of UN forces to maintain control, and pointedly noted that those POWs desiring repatriation refused to act in accordance with their status as non-combatants under the Geneva Convention. He also noted that he had directed the Prisoner of War Command (PWC) to always use non-lethal measures before resorting to lethal force. That month, in a message to all camp commanders, PWC reminded them that while Far East Command had directed that control of the camps must be maintained, "care must be taken by all concerned that this power is not abused at any time."

To ensure compliance with this guidance, Far East Command and PWC conducted frequent checks and inspections. These efforts revealed that this guidance often was not fully complied with at lower echelons. Security personnel at compounds containing communist POWs were, in effect, fighting a counter-insurgency campaign against the POWs, with all the dangers and frustrations of such a campaign. Prisoner of War Command, however, continued to receive a disproportionate share of low-quality American personnel, and training in the skills needed to serve at a POW camp continued to be largely on-the-job. Under these conditions, it was not surprising that Gen. Clark reported in January 1953 to the Chief of Staff, Army, that "isolated incidents can be expected" of guards mistreating prisoners.

Vietnam War

During the Vietnam War, the United States based its official policy regarding Viet Cong and North Vietnamese prisoners of war (POWs) on the 1949 Geneva Convention and on U.S. military tradition that encouraged a humane standard of treatment for war captives. The South Vietnamese government at first treated captured Viet Cong soldiers as traitors and criminals but by 1964, under strong U.S. pressure, it adopted a more benevolent policy. In August 1965, the United States and South Vietnam notified the Red Cross that their armed forces were abiding by and would continue to abide by the Geneva Convention.

The Military Assistance Command, Vietnam, (MACV), took a variety of steps to disseminate to U.S. troops the rules governing the treatment of POWs. In October 1965, American soldiers in Vietnam began receiving three-by-five cards and other training aids explaining prisoner of war treatment under the Geneva Convention. Army Regulation 350-216 of 19 December 1965 called for all soldiers in the Army to receive instruction on the convention. The MACV commander, General William C. Westmoreland, vigorously and repeatedly stressed to his subordinate commanders the need to abide by the Geneva Convention. Information bulletins from MACV headquarters reinforced this message, insisting that all prisoners be protected from torture, humiliation, degrading treatment, reprisals, or any act of violence.

All suspected guerrillas captured by U.S. combat units were to be treated initially as POWs and were to be held by that unit only long enough to be interrogated for tactical intelligence. Thereafter, they were sent to a combined U.S.-Vietnamese center for final classification and further processing by the South Vietnamese. Tribunals composed of three or more officers determined the POW status of detainees who were not obviously enemy combatants (these included many Viet Cong, who rarely wore uniforms and sometimes were captured without their weapons). Even though U.S. combat units turned over all POWs they had captured to the South Vietnamese, under the Geneva Convention the United States retained responsibility for treatment of its captives, even after their transfer. MACV lawyers and the MACV provost marshal office helped to design and to implement a program to make Vietnamese POW camps comply with international law. Representatives from the Red Cross visited detention centers, hospitals, and POW camps to verify compliance.

Despite MACV's efforts to ensure South Vietnamese compliance with the Geneva Conventions, once enemy prisoners passed into South Vietnamese custody they were likely to experience substandard living conditions and face some degree of physical and/or verbal abuse. South Vietnamese troops frequently tortured or executed POWs in order to obtain intelligence or to exact revenge. This abuse sometimes happened in the presence of American advisers who, according to numerous accounts, usually turned a blind eye because they tacitly approved of the brutality or else felt powerless to stop it. To make matters worse, Vietnamese civilian prisons were typically overcrowded, food and other basic necessities were in short supply, and there was a chronic shortage of qualified administrative and security personnel to manage the captive population. Starting in early 1966 the South Vietnamese government built six large military prisons to house the POW population and to separate more effectively the hard core Viet Cong from the civilian criminal population. Not counting those enemy combatants still held in civilian jails, the POW population in the military prisons expanded from 12,000 in March 1968 to over 35,000 in December 1971. Even with the added capacity, many Viet Cong prisoners were eventually freed for no better reason than that the South Vietnamese government lacked the means to keep them in confinement under humane conditions.

The war's most notorious example of enemy POW abuse came at the hands of the South Vietnamese and occurred at the Con Son prison, a detention facility located on an island 30 miles west of the Mekong Delta and 10 miles south of Cambodia. In July 1970, freelance reporter Don Luce and congressional aid (later Senator) Thomas R. Harkin revealed that the South Vietnamese government was mistreating Viet Cong sympathizers imprisoned at Con Son, a facility supported by U.S. financial aid. The prisoners claimed that when they were disobedient, the guards sprinkled them with powdered lime that burned their flesh and eyes. The camp's commandant denied the allegation, asserting that the lime in evidence on the site was only used to whitewash walls. The Chief

of the Public Safety Directorate of CORDS, who was present, later contradicted the assertion, observing that powdered lime was evident on top of the grillwork that covered the cages that enclosed the prisoners. The State Department also acknowledged that American advisers had been aware of the cages and had discussed the problem with the South Vietnamese. In all between four and five hundred hard-core Communist civilian prisoners, 350 of them females, appeared to occupy the cells. From nine to ten thousand prisoners were present in the camp.

While American troops generally treated Communist POWs better than did the South Vietnamese, the U.S. record was far from spotless. Despite the measures MACV put in place to ensure compliance with the Geneva Convention, some U.S. troops in Vietnam violated the rights of detainees and prisoners of war. The most common type of violation was for an individual or a small group to rough up a captured enemy soldier, usually to obtain intelligence or to vent their anger, before the prisoner was transferred to the rear. Less often, U.S. units would kill a POW in the field after the person had been interrogated and then claim the death as a battle casualty to increase the unit's body count. At least a few U.S. units apparently had an unofficial policy of finishing off wounded enemy soldiers to avoid the risks associated with transferring a prisoner from the field to a rear area. It is impossible to determine how many troops committed such acts and impossible to determine the number of violations that occurred. In all likelihood only a small percentage of U.S. troops committed war crimes against POWs. Anecdotal evidence and the rather thin documentary record suggest that American troops in the field—often operating in small groups and under conditions of great stress—did sometimes abuse prisoners and on occasion resorted to torture or execution. The same body of evidence suggests that Americans rarely mistreated Communist POWs once they had been transferred to a secure rear area.

In the wake of the 1969 revelations of the massacre of civilians at My Lai the previous year, and amidst a growing chorus of anti-war Vietnam veterans who publicly described alleged atrocities they or others had committed, the Department of the Army organized a War Crimes Working Group in 1971 to collect and investigate the various accusations. The group eventually collected information on 243 separate cases where U.S. troops had allegedly committed war crimes (excluding My Lai). Of that number, a total of 76 cases, or 31%, involved the criminal mistreatment of detainees and POWs. Fourteen of the cases were proven to be true and resulted in some kind of punishment for the accused individuals. In the remaining 62 cases there was not enough information to substantiate the charges or else the allegations were shown to be false.

Of those 76 cases, 42 alleged that U.S. troops had physically abused or tortured enemy POWs and/or detainees (people suspected of being Viet Cong). Of those 42 cases, six were proven to be true and resulted in reprimands or

administrative punishment for the offenders. Six other cases led to courts-martial and five of those resulted in guilty verdicts.

While many of the 42 abuse cases did not specify the nature of the abuse, some explicitly mentioned methods of torture such as electrical devices to inflict pain or the water cure. Torture was banned under U.S. military policy but anecdotal evidence indicates that some military intelligence specialists did use torture on occasion. While the formal, written course material at military intelligence schools emphasized the legal and moral barriers against abuse, in private conversation some instructors taught their students how to use torture to get information. A former POW interrogator with the 11th Armored Cavalry Regiment later recalled being shown how to use electrical wires connected to a generator and then to a prisoner's genitals to wring a confession from a suspect if he proved to be stubborn. An unidentified soldier recounted to journalist Mark Baker in the book *Nam* how he had routinely used a field telephone to torture Viet Cong suspects, a method he called the "Bell Telephone Hour." In May 1971, the Army Judge Advocate General reported that an investigation had confirmed that "on occasion electrical devices" had been used to extract information from Vietnamese during interrogations. Of the 41 cases, one that involved the use of an electrical generator resulted in three guilty verdicts and a second case that involved water torture resulted in one guilty verdict.

Of the 76 cases involving war crimes against POWs, 41 alleged that U.S. troops had murdered enemy prisoners. Six cases resulted in a court-martial and of those, three returned guilty verdicts.

One particularly lurid accusation that surfaced in at least seven of the cases, and has often appeared in works of fiction and non-fiction about the war, was the claim that American troops regularly pushed POWs out of helicopters in order to intimidate other prisoners into talking. In Baker's *Nam*, one soldier described an incident where American troops took three Vietnamese detainees on a helicopter ride to intimidate them into giving information. When all of them refused to talk the Americans pushed one out of the door to his death. When the remaining two still refused to talk a second detainee was pushed to his death. The third prisoner, now terrified beyond reason, began talking as fast as he could. When the interrogators felt they had gotten all the useful information out of him that they could, they pushed the third man to his death so he would not reveal what had happened on the helicopter ride. Of the seven cases that the Army formally investigated, it found that only one could be proven true, and in that one case the American flight crew had ejected a corpse—not a living prisoner—from their aircraft while it was in flight. These stories of abuse have reached the "urban legend" status of being constantly repeated but with no credible first hand accounts extant.

The 76 prisoner abuse cases that the Army Staff investigated, most of which came to light during the 1969-1971 period when the anti-war movement

had reached its apex, do not of course represent the actual number of incidents that took place during the war. That number, while probably quite small relative to the number of U.S. troops that participated in the war, can never be known. The official files also lack sufficient data to build a reliable and comprehensive picture of POW abuse, broken down by unit and by region, over the course of the Vietnam War. Nonetheless, the 76 cases stand as valuable reminders that during wartime American troops will be tempted, at least on occasion, to bend if not break the laws governing the treatment of enemy POWs.

Modern Conflicts (Pre-Iraq)

There have been only a relatively few incidents since the Vietnam War in which U.S. soldiers have had to deal with large numbers of detainees. In Somalia, a handful of senior leaders of the Aideed faction working against the U.S. and UN mission in the country were captured and detained by elements of Task Force Ranger in 1993. These senior political operatives were kept segregated for policy reasons as detainees and not prisoners of war and despite probable attempts at interrogation, seem to have been treated well. Their captors, of course, were highly disciplined and elite U.S. soldiers who only had charge of them for a short period. Whatever injuries or abuse occurred to these detainees seems to have been during their capture when, especially during the firefight of 3-4 October, bullets from attacking Somali irregulars often failed to discern between friend and foe.

A considerably greater number of prisoners and detainees fell under U.S. or allied control during operations in Afghanistan in the fall and winter of 2001-2002. Northern Alliance soldiers captured over 6,000 Taliban and al Qaeda prisoners during the lightning campaign to take down the government of Afghanistan and destroy the capability of that country to be a base for organized terrorism. Initially those prisoners, often poorly searched and controlled, were handed over to Northern Alliance commanders. However, after a prisoner revolt in the Quali Jangi fortress in November 2001, U.S. soldiers were brought in to process prisoners, disarm them thoroughly, and determine which prisoners needed to be moved into U.S. custody for long-term interrogation. Some of the most valuable subjects were moved to a hastily constructed interrogation facility at Bagram Air Base under the supervision of Task Force Bowie, a CENTOM Joint Interagency Task Force. Others were moved to Kandahar into a new detention and interrogation facility under the control of the 101st Airborne Division. Those not deemed suitable for long-term U.S. interrogation were turned over again to the Northern Alliance. Many of those other prisoners were moved to the Sheberghan prison near Mazar-i-Sharif. Most complaints of abuse have stemmed from this prison where prisoners were doubtless abused, mistreated, and kept on short rations by their Afghan captors, often while packed in large numbers in abandoned steel cargo shipping containers.

Although documentary evidence is lacking, it appears that those prisoners interrogated at Bagram and Kandahar (many of whom were later moved on to the detainee facility at Guantanamo Bay, Cuba) were treated, on the whole,

professionally. Prisoners were probably subjected to some measure of sleep deprivation and were certainly kept in a condition of suspense about their ultimate disposition. However, the interrogators seem to have used traditional methods of interrogation not involving torture or abuse. The small numbers of detainees involved, the importance of gaining credible intelligence information from them, and the highly professional and disciplined nature of the guard force and interrogators seem to have obviated any problem with widespread abuse. It is unknown at this time if there were any reported instances of localized abuse.

Conclusions

American soldiers have certainly been guilty in the past of abuse and even murder of detainees and prisoners contrary to their orders and the laws of land warfare. In some instances, such practices, especially immediately upon an enemy's surrender or during initial field interrogation, were even condoned by the chain of command. Elements of revenge seem to be involved with many instances of outright murder right after the heat of battle. Most often, though, calculated abuse and excesses during interrogation seem to occur more frequently in insurgencies and guerrilla wars when the status of the detainee is uncertain under the laws of land warfare. The Geneva conventions do not extend the same measure of protection to insurgents and rebels not in uniform and violence is thus often easier to justify. In these instances, well-trained and disciplined soldiers under the strict and conscientious control of officers and NCOs will generally refrain from prohibited abuse and violence. When that discipline breaks down or the chain of command "turns a blind eye", anything can happen and has in the past.

More unusual are documented instances of systematic abuse, even during interrogation, far from the pressures of battle in the relative security of a prison environment. In these cases, prisoner abuse seems to result from the "routine" sense of power held by the guards over their helpless charges or from some extreme measures taken to gain or regain control over prisoners. Prison guards were also almost uniformly poorly trained for their role, in short supply, and haphazardly supervised. Prison camps were almost always a low priority in a theater of war and received few resources, materiel or personnel. It was often only after major incidents or obvious breakdowns of control in a prison that appropriate command supervision and resources were made available.

If there is any consolation to be gained from examining the historical past in light of recent events in Iraq, it is that in most instances in the past the Army only reluctantly acted upon charges of abuse of prisoners when others brought such charges to light. This does not appear to have been the case in Iraq. Although painful, bringing cases out in the open often had a salutary effect. Historically abuses of prisoners or detainees seem to have happened in every past war or conflict; what mattered most was how quickly and thoroughly the Army dealt with it and what measures it put in place to limit their reoccurrence.

Fr Indochina war - 46-54
 Fr held by Vietnam 37,000 held 26,000 died

ODS Ground 86,743

Historical Comparison of Detention: Deaths in US Custody					
Campaign	Period of Detention Operations	Total Number of Detainees	Total Detainee Deaths	% Detainee Deaths to Total Number Detainees	Verified: Source
WWII					
US Mil in Europe		93,941	1,121	1	
US Civ in Europe		4,700	168	3.5	
USSR in Germany	1941-1945	5,700,000	3,300,000	57	
US in Japan		27,465	11,000	40	
CFIR numbers:		30,316	13,851	38.2	
US Civ in Japan		19,979	1,536	11	
US on Bataan Death March	1942	12,000	2,300	19	yes
Filipino on Bataan Death March	1942	66,000	10,000	6.6	
Hell Ships	1942-1945	36,000	22,946	64	
Germans in USSR	1947-1956	5,000,000		33	
Japanese in USSR					
Total In USSR					
Katyn Forest		275,000	11,000	25	yes
Korean War	1950-1951	7190	3000	43%	
US in N. Korea	1965-1973	766	106	14	Lech, Raymond
US Held in China					
MFLC held by US in S. Vietnam	1960-1972	91,162 ^{Ki Do} [37,000]	226		
US Held by N. Vietnam	1965-1973	2358	1850	78	
North Vietnam held by US	1967-1971	47,365			
Kosovo	1998-1999		24,000		
Kuwait					
Afghanistan					
Iraq					

Civil War
 South held by MFLC

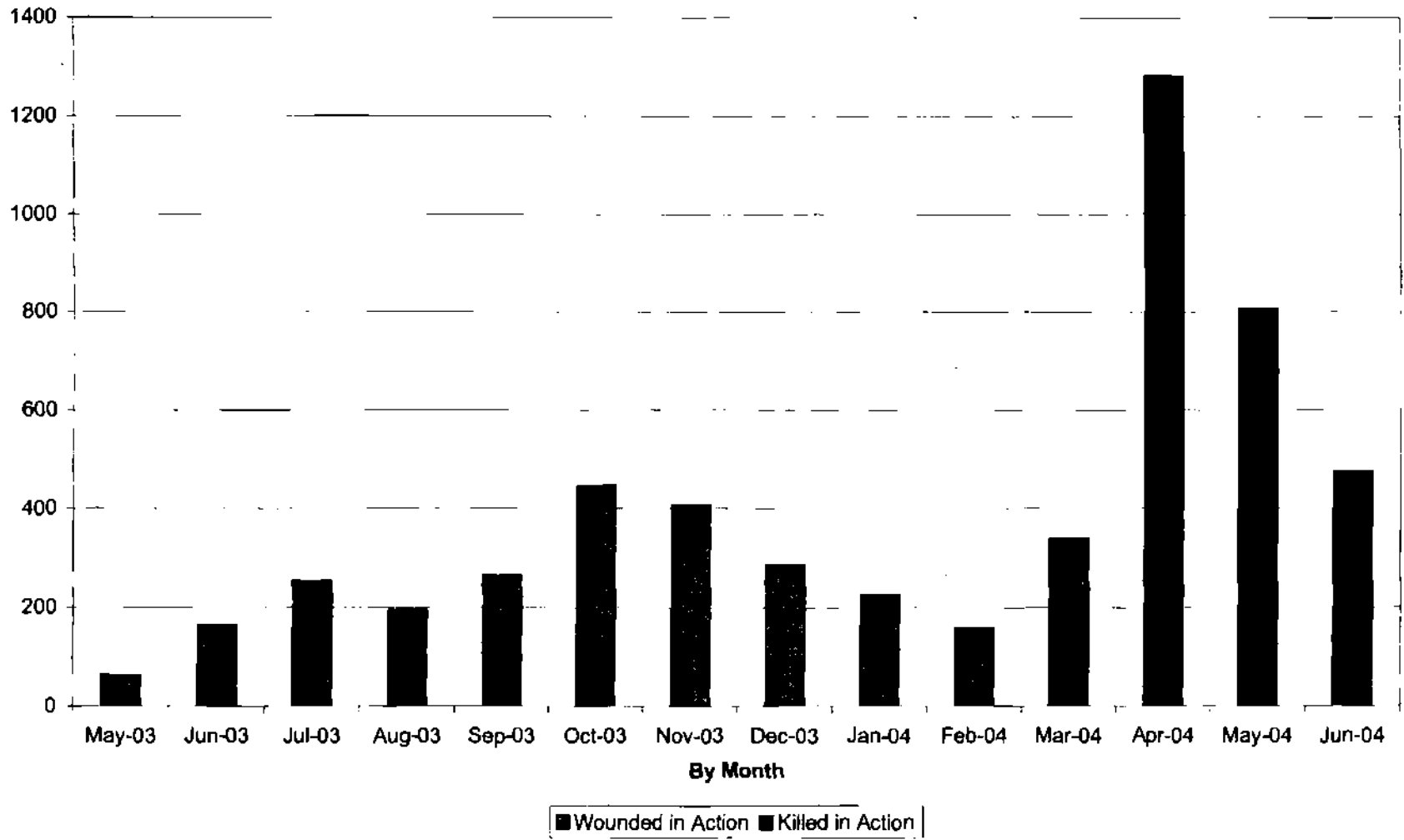
25,976 / 214,865 12.1%

WWII
 GAs held by US
 WWI
 GAs held by US

500,000 ~~5,000,000~~ / 56,000

18,000 /

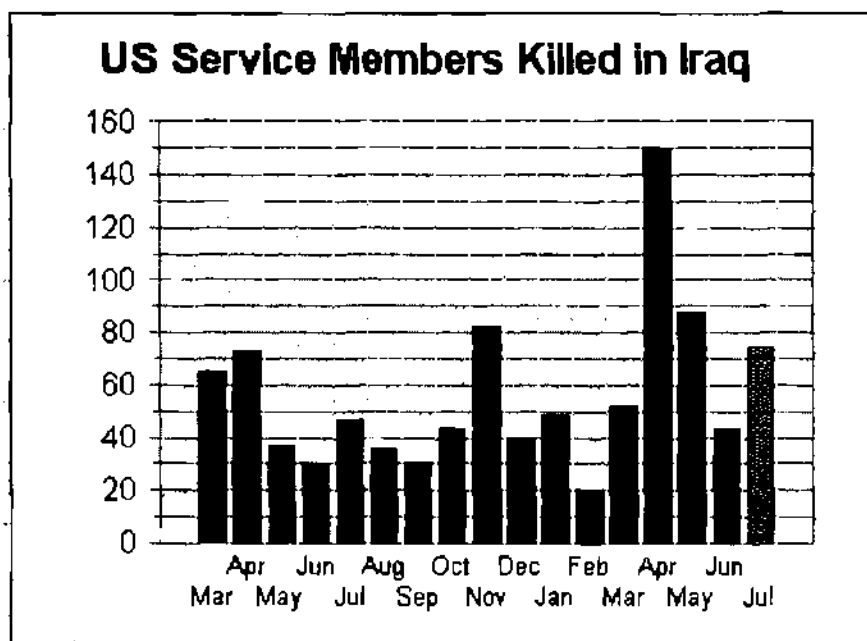
US Casualties May 2003 to Present
Data from: WHS-DIOR





[Home](#) >> [Military](#) >> [Operations](#) >> [Southwest Asia](#) >> [Occupation](#) >>

Casualties in Iraq



Casualty No

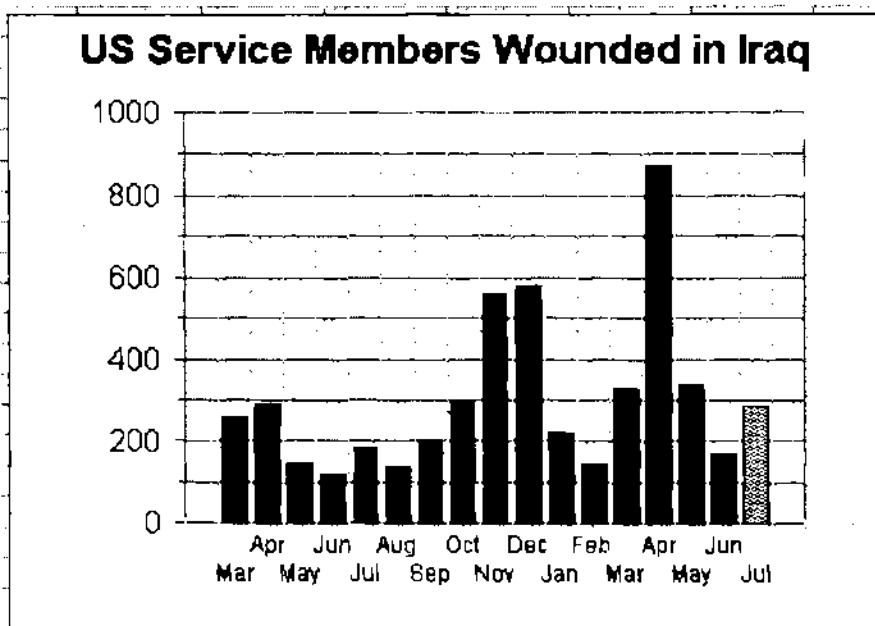
Monthly Sum

- [2003 - Mar](#)
- [2003 - Apr](#)
- [2003 - May](#)
- [2003 - Jun](#)
- [2003 - July](#)
- [2003 - Aug](#)
- [2003 - Sep](#)
- [2003 - Oct](#)
- [2003 - Nov](#)
- [2003 - Dec](#)
- [2004 - Jan](#)
- [2004 - Feb](#)
- [2004 - Mar](#)
- [2004 - Apr](#)
- [2004 - May](#)
- [2004 - Jun](#)
- [2004 - July](#)

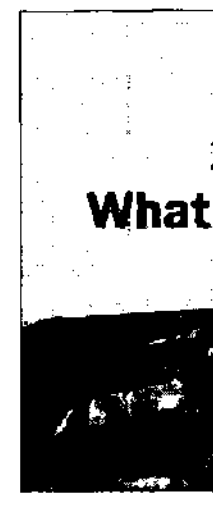
Prior US Ca:

Sources

- [CENTCOM Cas](#)
- [MNF-I/MNC-I](#)
- [Army Medical St](#)
- [Military Casualty](#)
- [US DOD Press R](#)
- [Casualties in Ira](#)
- [Iraq Coalition](#)
- [List of Coalitio](#)
- [Google News S](#)
- [United States H](#)
- [Fallen Heroes of](#)
- [On Behalf of a G](#)
- [THE ULTIMATE I](#)
- [Casualties in A](#)



• Iraq Body Count



Actual **Projected**
 ■ ▨
 ■ ▨

Month	US Killed*	US Wounded**	Coalition Killed***	Coalition Wounded	Friendly Iraq Killed	Friendly Iraq Wounded
March 2003	65					
April 2003	73					
TOTAL	138	550				
May	37					???
June	30					???
July	47	570				???
August	35					???
September	30					???
October	43	1052				???
November	82					???
December	40	581				???
January 2004	48	223				???
February	20	146				???
March	52	330				???
April	150	876				???
May	88	337				???

June	44				???	
July	39				???	
TOTAL	923	4682	115	?? 500	~1,000	????

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*Includes both hostile killed and non-hostile killed
 **Included both Wounded in Action and non-hostile prior to 01 Apr 04
 ***Includes only Wounded in Action since 01 Apr 04
 See the Casualty Notes for explanations.

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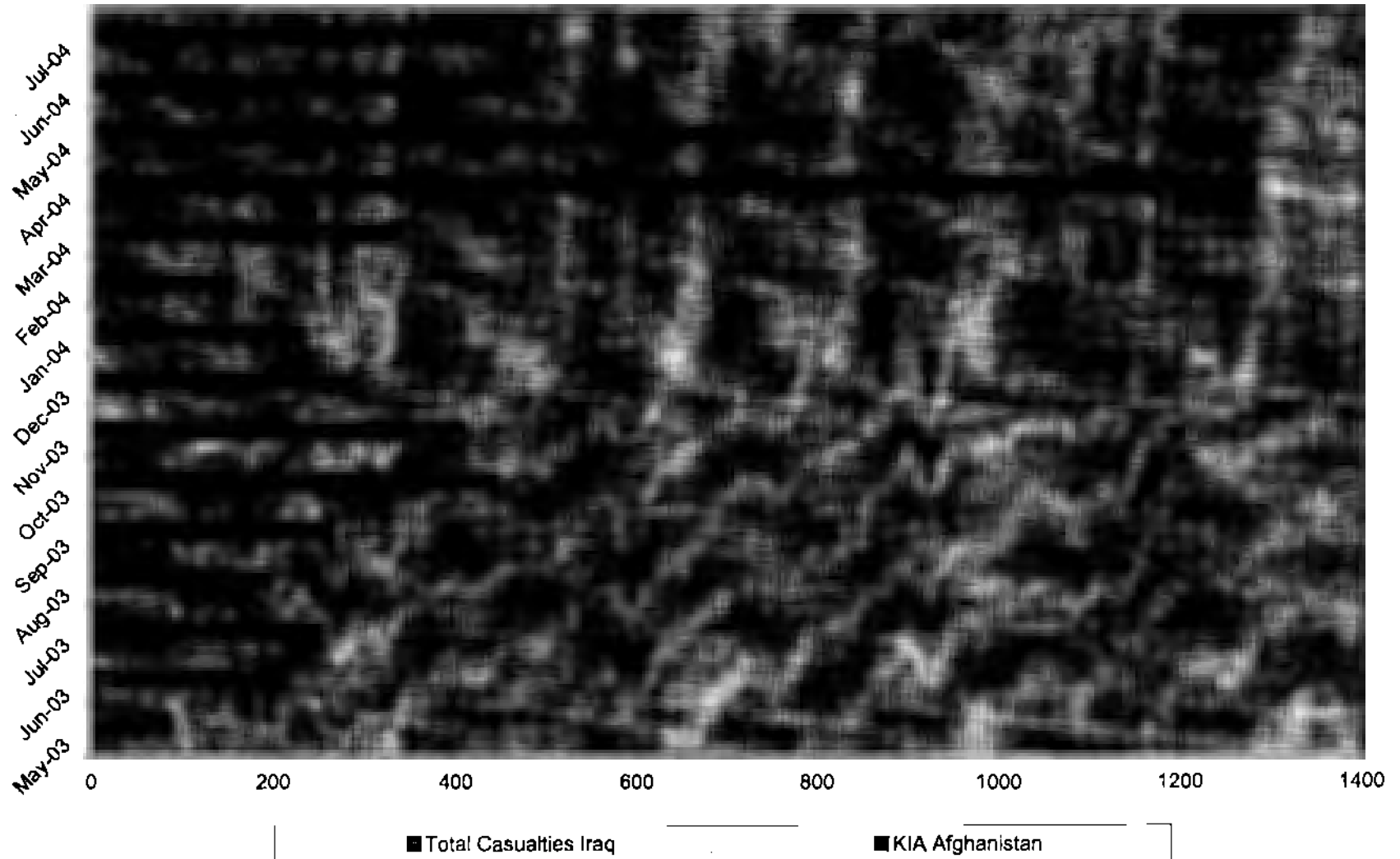
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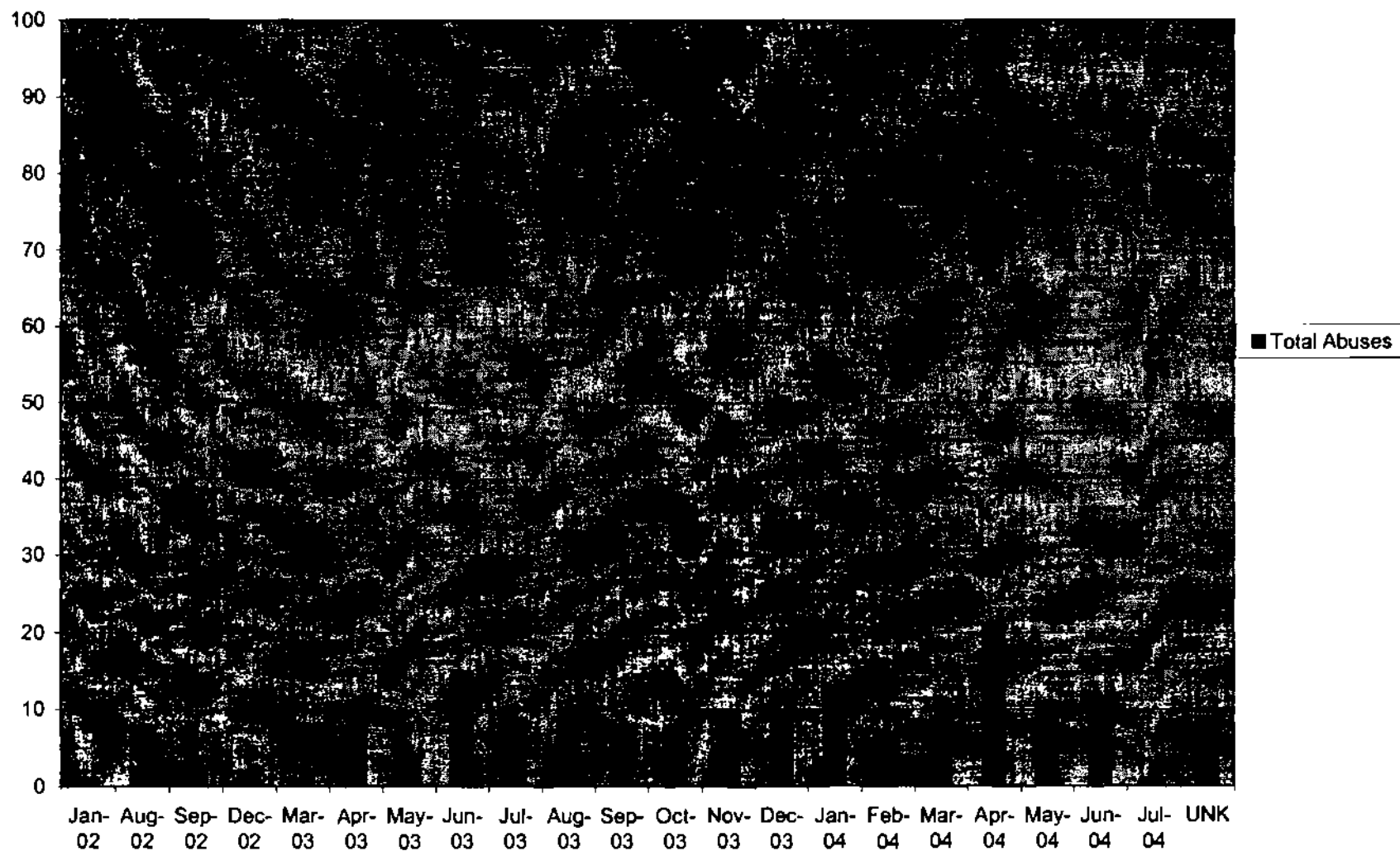
Historical Comparison of Detention: Deaths in US Custody

Campaign	Period of Detention Operations	Total Number of Detainees	Total Detainee Deaths	% Detainee Deaths to Total Number	Verified: Source
✓ WWII					
✓ US Mil in Europe		93941	1121	1	
✓ US Civ in Europe		4700	168	3.5	
✓ USSR In Germany	1941-1945	5,700,000	3,300,000	57	
✓ Forced Labor	1942-1945	400,000			
✓ Conscripted to German Army	1942-1945	250,000 - 1,000,000			
✓ U.S. Military In Japan		27,465	11,000	40	
✓ CFIR Numbers		30,316	13,851	38.2	
✓ US Civ in Japan		19979	1536	11	
✓ US on Bataan Death March	Apr-42	12,000	2,300	19	yes
✓ Filipino on Bataan Death March		66,000	10,000	6.6	
✓ Hell Ships			5000		
✓ Forced Labor - Allied		140,000			
✓ Forced Labor - Asian		800,000+			
✓ Japanese deaths during campaigns			143,323	73	
✓ Germans in USSR	1947-1956	5,000,000		33	
✓ Forced Labor	1945-1956	1,500,000			yes
✓ Total In USSR					
✓ Katyn Forest		275,000	11,000	25	yes mass grave in Katyn Forest
✓ North Vietnam held by N. Vietnam	1957-1971	47,386			
✓ North Vietnam held by US					
✓ Kosovo	1998-1999		24,000		1.2 million displaced Albanians
✓ Kurdistan					
✓ Afghanistan					
✓ Iraq					

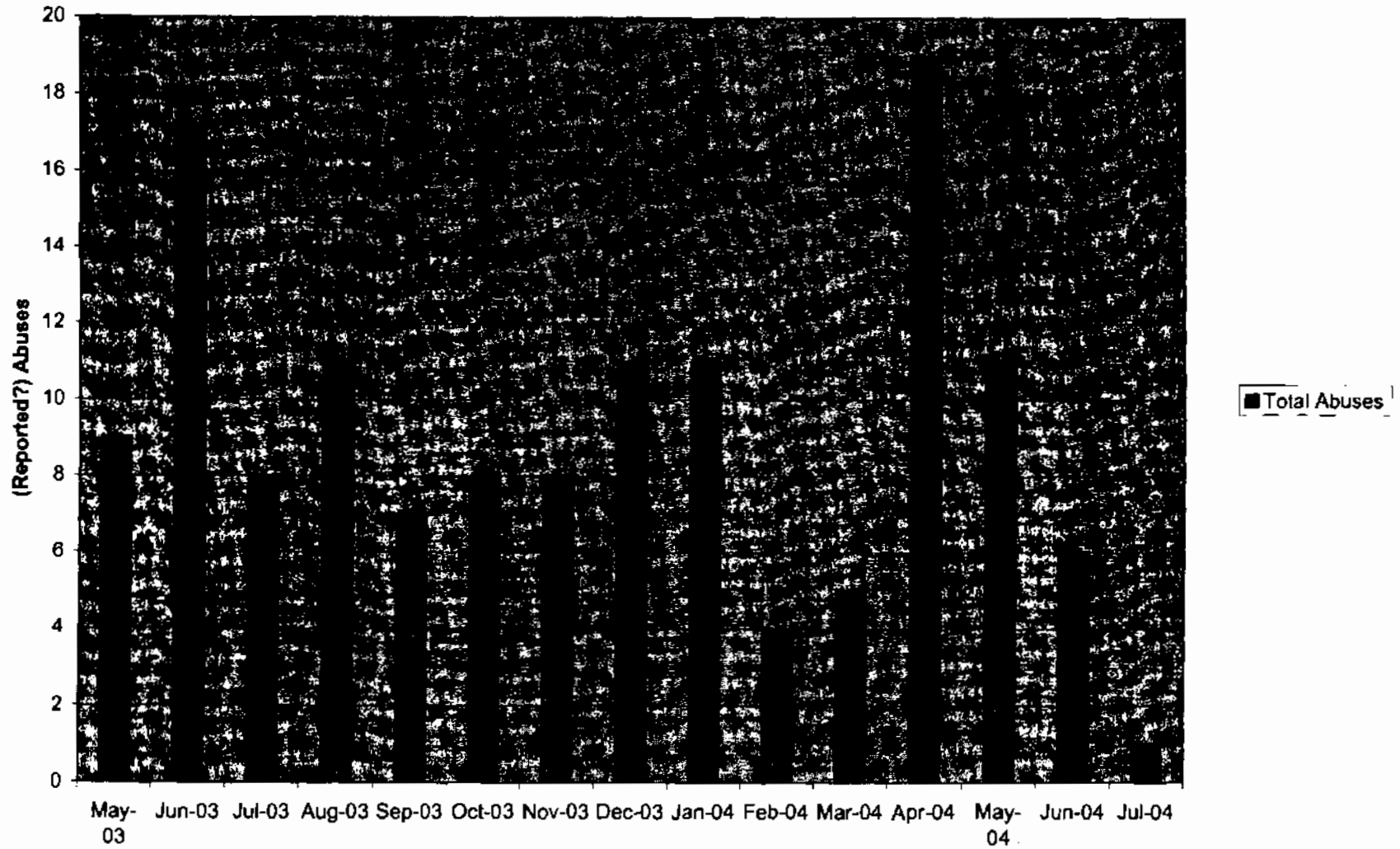
US Casualties GWOT



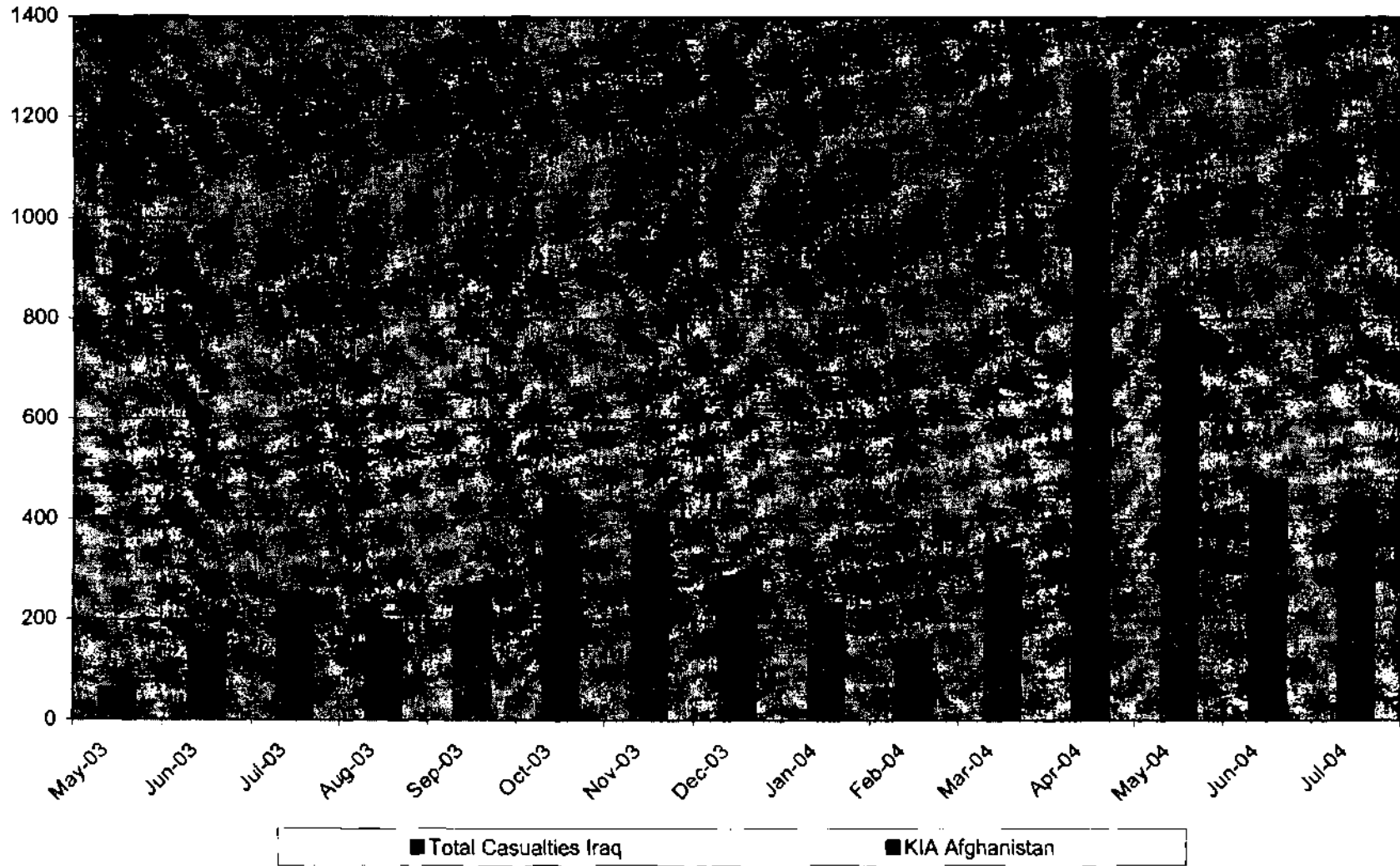
Total Abuses



Total Abuses



US Casualties GWOT



Historical Comparison of Detention: Deaths in US Custody					
Campaign	Period of Detention Operations	Total Number of Detainees	Total Detainee Deaths	% Detainee Deaths to Total Number Detainees	Verified Source
WWII					
US Mil in Europe		93941	1121	1	
US Civ in Europe		4700	168	3.5	
US in Japan		27465	11000	40	
CFIR numbers:			13851	38.2	
US Civ in Japan		19979	1536	11	
US on Bataan Death March	Apr-42	80000	2300 / 5-10,000		
Filipino on Bataan Death March					
Hell Ships			5000		
Forced Labor		700			
Germans in USSR		700,000 Koreans		45%	
USSR in Germany		40,000 Chinese		40%	
US Citizens Interned in U.S.	120,000	100,000s Asians			
		140,000 Allied POWs			
Japanese in USSR					
Total In USSR					
Katyn Forest					
Korea	11/50 - 4/51	7190	3,000	43%	Lech, Raymond B.
Vietnam	1965-1973	766	106	14%	Broken Subj.
US Held by N. Vietnam					
North Vietnam held by US					
Kuwait					Lech ppt-2
Afghanistan					
Iraq					

Lech ppt-2
" "

Lech, Raymond B.
Broken Subj.
Lech ppt-2

UK Intern camps 74,000 - 64,000 released after questioning Approx. 8,000 Detainees
 1974 Canadian men + women interned @ H.K 1941
 IRA held by UK 980 1940s cases, ill-treatment & deaths but complaints 140/37 total 200 20
 320 in 1941

DoD Detainee-Related Investigations Summary

30 July 2004

TYPE OF OFFENSE													TOTAL	TOTAL SUBSTANTIATED
DEATH	3		0		14		1		0		0		22	
ASSAULT	5		0		52		1		0		1		65	
SEXUAL ASSAULT	0		1		3		0		0		0		4	
THEFT	0		0		5		0		0		0		5	
OTHER	0		0		2		0		0		0		2	
DEATH	2		0		29		0		0		0		34	5
ASSAULT	10		0		66		2		8		0		96	57
SEXUAL ASSAULT	0		0		3		0		1		0		5	3
THEFT	0		0		13		0		1		0		14	N/A
OTHER	0		0		2		0		1		0		8	1
TOTAL													255	66

Army Related Cases
 Navy Related Cases
 USMC Related Cases
 KTR Related Cases

All data as of 31 July 2004.
Includes NJP data.

UNCLASS

Overall Classification: ~~SECRET/NOFORN~~

Rev 2 13 July 04

UNCLASS

This slide ~~SECRET/NOFORN~~

Evolution of Techniques-GTMO

pull
Walker & Get Tech

Interrogation Techniques	Approved Tiered System (02 DEC 02 - 15 JAN 03)	Current Policy (16 APR 03 - Present)
Direct questioning	X	X
Incentive/removal of incentive	X	X*
Emotional love	X	X
Emotional hate	X	X
Fear up harsh	X	X
Fear up mild	X	X
Reduced fear	X	X
Pride and ego up	X	X
Pride and ego down	X	X*
Futility	X	X
We know all	X	X
Establish your identity	X	X
Repetition approach	X	X
File and dossier	X	X
Mutt and Jeff	X	X*
Rapid fire	X	X
Silence	X	X
Change of Scene	✓	✓
✓ Yelling	X (Cat I)	
✓ Deception	X (Cat I)	
✓ Multiple Interrogators	X (Cat I)	
✓ Interrogator identity	X (Cat I)	
✓ Stress positions, like standing	X (Cat II)	
✓ False documents/reports	X (Cat II)	
✓ Isolation for up to 30 days	X (Cat II)	X*
✓ Non-standard interrogation rooms	X (Cat II)	X*
✓ Deprivation of light/auditory stimuli	X (Cat II)	
✓ Hooding (transportation & questioning)	X (Cat II)	
✓ 20-hour interrogations	X (Cat II)	
✓ Removal of ALL comfort items, including religious items	X (Cat II)	
✓ MRE-only diet	X (Cat II)	X*
✓ Removal of clothing	X (Cat II)	
✓ Forced grooming	X (Cat II)	
✓ Exploiting individual phobias, e.g. dogs	X (Cat II)	
✓ Mild, non-injurious physical contact, e.g., grabbing, poking or light pushing	X (Cat III)	
Environmental manipulation		X
Sleep adjustment		X
False flag		X

* Techniques marked with asterisks require SOUTHCOM approval and SECDEF notification

Overall Classification: ~~SECRET/NOFORN~~

UNCLASS

Abuse Allegations by Location of Abuse

NA	Not Applicable	12		
O	Other	8		
U	Unknown	42	62	24.31%
DF	Detention Facility	68		
HVD	High Value Detention	17		
THF	Temporary Holding Facility	62	147	57.65%
PC	Point of Capture	46	46	18.04%
			255	

		E H D	E H I	E N D	I H D	I H I	I E N H D D	E H I	E N D	I H D	I H I	I N D	
01		3	34	8	0	0	0	3	31	8			
01	09	0	2	0	0	0	0						
01	10	0	0	3	0	0	0			3			
01	11	0	6	4	0	0	0		6	4			
01	12	3	26	1	0	0	0	3	25	1			
02		18	70	28	0	0	0	17	69	19			
02	01	1	1	9	0	0	0	1	1				
02	02	0	0	12	0	0	0			12			
02	03	8	44	1	0	0	0	8	44	1			
02	04	4	3	0	0	0	0	4	3				
02	05	1	1	0	0	0	0	1	1				
02	06	0	0	3	0	0	0			3			
02	07	0	6	0	0	0	0		6				
02	08	1	1	0	0	0	0	1	1				
02	09	0	3	1	0	0	0		3	1			
02	10	2	3	1	0	0	0	1	2	1			
02	11	0	3	1	0	0	0		3	1			
02	12	1	5	0	0	0	0	1	5				
03		17	96	27	323	2405	160	17	95	25	265	2114	136
03	01	0	5	4	0	0	0		5	4			
03	02	0	2	6	0	0	0		2	6			
03	03	2	3	9	58	200	7	2	3	8	19	83	5
03	04	2	11	0	51	340	22	2	11		34	203	15
03	05	0	7	1	8	54	29		7	1	7	52	19
03	06	1	1	2	18	147	12	1	1	1	17	140	10
03	07	0	8	1	27	225	19		8	1	27	214	16
03	08	4	8	0	14	181	22	4	8		14	165	22
03	09	1	17	1	18	247	12	1	17	1	18	247	12
03	10	1	2	2	33	413	11	1	2	2	33	413	11
03	11	6	21	0	71	337	11	6	21		71	337	11
03	12	0	11	1	25	261	15		10	1	25	260	15
04		14	119	17	352	3682	76	11	99	16	249	2521	64
04	01	1	16	8	39	187	7	1	12	8	39	186	7
04	02	1	15	1	12	147	9	1	15	1	12	146	9
04	03	2	9	1	31	319	19	2	9	1	23	198	16
04	04	1	8	1	126	1195	9	1	5	1	75	721	8
04	05	6	23	2	64	752	16	5	22	2	49	568	13
04	06	3	29	2	37	566	5	1	19	1	25	387	4
04	07	0	19	2	43	516	11		17	2	26	315	7
Sum		52	319	80	675	6087	236	48	294	68	514	4635	200

Sum									
	01								3
42	01	09							2
3			10						
10			11						
29	01	12							1
105	02				1				1
2	02	01							9
									9
12			2						
53			3						
7			4						
2			5						
3			6						
6			7						
2			8						
4			9						
4	02	10			1				1
4			11						
6			12						
2652	03							1	2
9									58
8			1						291
			2						24
120	03	03							1
265	03	04							39
86	03	05							17
170	03	06							1
266	03	07							1
213	03	08							1
296									1
462			9						39
446			10						17
			11						1
311	03	12							1
2960	04				3				20
253	04	01							1
184	04	02							4
249	04	03							1
811	04	04							8
659	04	05							51
437	04	06			1				15
367	04	07			2				10
5759					4				25
									12
									161
									1452
									36

Field 1

2

3

4

5

6

	A	B	C	D	E	F
1	DATE	EVENT TYPE(S)	PRIMARY UNIT	KEY ACTOR(S)	LOCATION	EVENT DESCRIPTION
2	12/3/2002	DD			BAGRAM AB, AFGHANISTAN	Mullah Habidallah, 28, pulmonary embolism due to blunt force trauma to legs.
3	12/10/2002	DD			BAGRAM AB, AFGHANISTAN	Dilawar (NFI). Blunt force injuries to lower extremities complicated coronary artery disease.
4	1/21/2003	DD			ASADABAD, AFGHANISTAN	Abdu Wali dies in custody. Possible homicide.
5	4/3/2003	CA			GTMO	List of approved interrogation techniques published.
6	5/1/2003	EE		PRESIDENT BUSH	IRAQ	The President declares major ground combat is over in Iraq.
7	5/12/2003	DA	320 MP BN		CAMP BUCCA	Detainees kicked and beaten.
8	5/23/2003	CA		PAUL BREMER	IRAQ	Paul Bremer disbands the Iraqi security services. The decision is criticized by U.S. military officials and Iraqis for debilitating the central institution charged with ensuring stability.
9	6/9/2003	DCB	115 MP BN		CAMP CROPPER	Riot and shootings of 5 detainees.
10	6/12/2003	DCB	115 MP BN		CAMP CROPPER	Several detainees escape, 1 recaptured, 1 shot and killed.
11	6/13/2003	DD			BAGHDAD	Difar Dababa dies in custody. Possible homicide.
12	6/13/2003	DCB	320 MP BN		CAMP VIGILANT	A detainee escapes, is recaptured; 1 detainee killed, and 7 shot.
13	6/30/2003	CA	800 MP BDE	BG KARPINSKI		BG Karpinski assumes command of the 800th MP Bde.
14	7/1/2003	EE	CJTF-7	LTG SANCHEZ	SUNNI TRIANGLE	U.S. forces begin major operations in the Sunni Triangle. Massive detentions begin.
15	7/1/2003	EE		AMNESTY INTRNATL		Criticizes U.S. military for subjecting Iraqi prisoners to "cruel, inhumane, or degrading conditions."
16	7/3/2003	EE				50+ insurgents ambush a U.S. military patrol near Balad, wounding 17 Soldiers. It's the first large-scale attack of the resistance, and surprises U.S. commanders for what it shows about the size and skill of the insurgents.
17	7/3/2003	EE			IRAQ	Arab television broadcasts a tape from Saddam Hussein calling on Iraqis to resist the occupation.
18	7/22/2003	EE		UDAY and QUSAY HUSSEIN	MOSUL	Hussein's sons, Uday and Qusay, are killed in Mosul by U.S. troops.
19	8/4/2003	CA	CJTF-7		ABU GHRAIB	ABU GHRAIB prison re-opened by coalition forces.

	A	B	C	D	E	F
20	8/5/2003	EE	CJTF-7	LTG SANCHEZ	IRAQ	LTG Sanchez decides to shift from large-scale attacks that have been alienating much of the Iraqi population to more precise, small-unit raids that rely heavily on intelligence.
21	8/7/2003	EE			BAGHDAD	Car bomb at Jordanian Embassy kills 11 people, the first large-scale strike against U.S. allies.
22	8/11/2003	I	CJTF-7			CJTF-7 requests a team to assess detention and correction operations in Iraq. MG Ryder appointed.
23	8/19/2003	EE			BAGHDAD	Suicide attack on U.N. offices in Baghdad kills 22 people, including Sergio Viera de Mello, U.N. envoy. The U.N. pulls out most of its people.
24	8/20/2003	DA	4 ID	LTC WEST	SABA AL BOOR	Allowed his Soldiers to treat Mr. Hamoodi very roughly. LTC (b)(6) fired a shot near Hamoodi's head to get information. (b)(6) fined \$5,000 and he resigned.
25	8/31/2003	I	CJTF-7	MG MILLER	IRAQ	MG Miller, at OSD direction, begins work with a survey team on intelligence, interrogation, and detention operations in Iraq.
26	9/6/2003	I	CJTF-7	MG MILLER		MG Miller completes his assessment and renders a report. Recommends that MP detention operations support intelligence interrogation operations.
27	9/10/2003	DD	320 MP Bn			Soldier shoots and kills an Iraqi who threw rocks at him.
28	9/15/2003	CA		LTC JORDAN	ABU GHRAIB	Joint Interrogation and Debriefing Center (JIDC) established at Abu Ghraib. **NOTE** Source did not specify date in Sep 03.
29	9/18/2003	EE		Nouin Badran	BAGHDAD	Iraq's newly appointed Interior Minister, Nouin Badran, begins assembling a paramilitary force from former security force members. Members of the Governing Council support the idea.
30	10/1/2003	CA			CAMP CROPPER	CAMP CROPPER closed.
31	10/10/2003	EE			BAGHDAD	Spanish diplomat killed outside his home. 3 U.S. Soldiers killed in ambushes. Baghdad car bomb kills 8 Iraqis.
32	10/12/2003	CA	CJTF-7	LTG SANCHEZ		New "Interrogation and Counter-Resistance Policy" issued by LTG Sanchez in the wake of the Miller report. SUPERSEDES EARLIER POLICY OF SAME TITLE SIGNED 14 SEP 03. NEED TO SEE ENCLs.

	A	B	C	D	E	F
33	10/13/2003	I	CJTF-7	MG RYDER	IRAQ	MG Ryder, Army Provost Marshal, begins assessment of detention and corrections operations in Iraq.
34	10/15/2003	CA	372 MP Co		ABU GHRAIB	The 372 MP Co takes over control of Tiers 1A and 1B in Abu Ghraib.
35	10/18/2003	CA	800 MP BDE	BG KARPINSKI, (b)(6)		BG Karpinski sends (b)(6) to Kuwait for a rest.
36	10/23/2003	DA	372 MP Co	(b)(6)	ABU GHRAIB	Start date for worst of Abu Ghraib photos.
37	10/28/2003	DA	372 MP Co		ABU GHRAIB	End date for worst of Abu Ghraib photos.
38	10/31/2003	CA	800 MP BDE	BG KARPINSKI, (b)(6)		(b)(6) returns from Kuwait.
39	11/4/2003	CA		PAUL BREMER	IRAQ	In face of rising attacks on U.S. forces, Bremer shifts his opposition against Iraqi-led domestic security units.
40	11/4/2003	DD			ABU GHRAIB	Mohammed Al-Jamadi dies from blunt force trauma, complicated by compromised respiration.
41	11/5/2003	DCB	372 MP Co		ABU GHRAIB	At least 2 detainees escape from Tier 3A at Abu Ghraib.
42	11/6/2003	I	CJTF-7	MG RYDER		MG Ryder, Army Provost Marshal, completes assessment of detention and corrections operations in Iraq. Recommends that MP detention operations be kept separate from intelligence interrogation operations.
43	11/6/2003	DD			HELMAND PROVINCE, AFGHANISTAN	Abdul Wahid dies from multiple blunt force injuries complicated by a muscle condition.
44	11/6/2003	I	800th MP Bde	ICRC		ICRC submitted working paper to CJTF-7 and 800th MP Bde Cdr based on Abu Ghraib visits 9-12 Oct and 21-23 Oct 03. Concern about ill-treatment and detention conditions. Allegations of threats during interrogations, being handcuffed in stress positions, and being forced to march around naked with women's underwear over detainee's head. CJTF-7 SJA drafts response for BG Karpinski's signature. Signed and returned to ICRC on 24 Dec 03.
45	11/8/2003	DCB	320 MP BN		CAMP GANCI	Several detainees escape from Camp Ganci.
46	11/19/2003	CA	CJTF-7	LTG SANCHEZ, (b)(6)	ABU GHRAIB	(b)(6) designated as the overall commander of Abu Ghraib, making MI responsible for MP units conducting detention operations.

	A	B	C	D	E	F
47	11/21/2003	EE			IRAQ	U.S. military begins using 2,000 lb bombs and PGMs for the first time since May 03. It was an attempt to intimidate the insurgents, and shift back to large-scale tactics. U.S. officers indicated this was due to better intelligence about locations of meetings, arms caches, etc.
48	11/21/2003	DA	205 MI BDE	(b)(6)	ABU GHRAIB	(b)(6) 205th MI Bde, forces a detainee to strip and to stay in his cell naked.
49	11/21/2003	DCB	320 MP BN		CAMP GANCI	Riots and shootings of 12 detainees (3 dead) at Camp Ganci. 9 MPs from 320 MP Bn wounded.
50	11/26/2003	DD			QAIM	Maj Gen Abed Hamed Mowhoush, former commander of Iraqi ADA, dies in interrogation at Qaim.
51	12/13/2003	EE		SADDAM HUSSEIN	IRAQ	Saddam Hussein captured.
52	12/17/2003	DCB	320 MP BN		CAMP GANCI	Detainee shot after assaulting an MP at Camp Ganci.
53	1/4/2004	DA	4 ID	(b)(6)	SAMARRA	(b)(6) covered for 2 Soldiers who forced 2 Iraqis to jump off a bridge into the Tigris River. The Soldiers say both swam to shore. One of the Iraqis said his companion drowned. An U/I body was found 10 days later in the Tigris R. Sassaman given GOMOR.
54	1/9/2004	DD			AL ASAD, FOB	Abdul Jaleel dies from blunt force trauma at FOB Rifles.
55	1/13/2004	CA	372 MP Co	(b)(6)	ABU GHRAIB	(b)(6) reports alleged abuse at Abu Ghraib by turning in a CD -Rom showing pictures of abuse he copied from SPC Graner's computer.
56	1/14/2004	I	CID		ABU GHRAIB	CID initiates criminal investigation into Abu Ghraib alleged abuses.
57	1/16/2004	CA	CJTF-7	BG Kimmit	ABU GHRAIB	BG Kimmit discloses allegations to reporters and informs investigations underway.
58	1/18/2004	CA	CJTF-7	BG KARPINSKI, (b)(6) (b)(6)	ABU GHRAIB	BG Karpinski receives Memorandum of Admonishment that includes direction to suspend the 320 MP Bn leadership. LTC (b)(6) suspended as commander, 320 MP Bn; CPT (b)(6) suspended as commander. 372 MP Co;
59	1/19/2004	I	CJTF-7	LTG SANCHEZ	IRAQ	LTG Sanchez requests CENTCOM appoint an IO to investigate 800th MP Bde from 1 Nov 03 to the present.
60	1/31/2004	DD				Mohammed Alazmiri, Iraqi WMD scientist, dies in U.S. custody. Autopsy revealed "blunt force trauma".

	A	B	C	D	E	F
61	1/31/2004	I	CENTCOM	MG TAGUBA	IRAQ	MG Taguba appointed by CFLCC to conduct a 15-6 investigation of the 800th MP Bde.
62	2/10/2004	I	SecArmy	LTG Mikolashek		SecArmy tasks DA IG to conduct functional assessment of DA's internment, EPW and detention policies, practices and procedures.
63	2/10/2004	I	CJTF-7	ICRC		ICRC submits report to CJTF-7 and the CPA covering 29 visits from March to November 2003. Concern over serious violations of international humanitarian law. Reported ill-treatment during interrogations, including hooding for extended periods, beatings, threats, indefinite solitary confinement. Reported acts of humiliation, such as being made to stand naked with womens' underwear over head while being laughed at by guards (including female) and sometimes being photographed.
64	2/12/2004	I	CG, USARC	LTG Helmly		LTG Helmly, CG, USARC, directs USARC IG to conduct a special assessment of training for reserve personnel on LOW, detainee treatment, ethics, and leadership. Results pending.
65	3/12/2004	I	CENTCOM	MG TAGUBA	IRAQ	MG Taguba completes his investigation and forwards his report to LTG McKiernan, commander of ground forces in Iraq.
66	3/20/2004	CA	CENTCOM		IRAQ	Charges filed against 6 Soldiers.
67	3/25/2004	I	CJTF-7	ICRC		ICRC submits letter to CJTF-7, including Working Paper on Abu Ghraib, covering the period 14-18 Mar 04. Noted continuing concerns, including access to specific detainees. Noted ICRC delegates were satisfied that authorities made serious efforts to address previous concerns raised about Abu Ghraib.
68	4/6/2004	I	CFLCC	LTG MCKIERNAN		CG, CFLCC, approves Taguba investigation. Finds Soldiers committed egregious acts. Key senior leaders in both the 800th MP and 205th MI Bdes failed to comply with established regulations, policies and command directives at Abu Ghraib and Camp Bucca.
69	4/15/2004	I	DA G2	MG FAY		MG Fay, Deputy DA G2, appointed as IO to examine circumstances surrounding alleged misconduct of the 205th MI Bde.

	A	B	C	D	E	F
70	4/28/2004	CA		RUMSFELD		Secretary Rumsfeld briefs Congress on the Taguba report. "60 Minutes II" shows pictures of prisoner abuse at Abu Ghraib.
71	4/28/2004	DD			BAGHDAD	Fahim Ali Gumaa, 44, dies several days after suffering MGW. Possible medical homicide.
72	4/28/2004	EE	CJTF-7	BG KIMMIT		BG Kimmit updates public on status of investigations. Telephonic notification to HASC and SASC PSMs on Abu Ghraib (60 Minutes II) story. 60 Minutes II airs the piece on Abu Ghraib.
73	5/1/2004	CA	CJTF-7			CJTF-7 approves Taguba recommendations and issues 8 GOMORs and 1 Ltr of Admonition to members of the 800th MP Bde. 3 additional GOMORs pending, and 1 matter deferred until MG Fay's report is concluded.
74	5/3/2004	I	SecDef	RUMSFELD		SecDef directs SecNav to review procedures at Charleston Navy brig and GTMO. Navy IG conductin review.
75	5/7/2004	CA	CENTCOM		IRAQ	A 7th Soldier is charged.
76	5/7/2004	EE		SECDEF, CJCS, SecArmy, CSA, Dep Cdr USCENTCOM		The SecDef and senior military leaders testify before the Congressional Committee.
77	5/7/2004	CA	SECDEF	RUMSFELD		SECDEF appoints independent review panel to assess what went wrong, how it happened, and to provide recommendations. Panel consists of Schlesinger, Brown, Fowler, and Horner.

Number of Authorized Techniques				Number of Authorized Techniques				Number of Authorized Techniques			
Policy	Date	Notes		Policy	Date	Notes		Policy	Date	Notes	
17	FM 34-52 (1992)	Jan 02 - 01 Dec 02		17	FM 34-52 (1992)	27 Oct 01 - 24 Jan 03		17	FM 34-52 (1992)		
35	Secretary of Defense Approved Tiered System	02 Dec 02 - 15 Jan 03	1	32	CJTF 180 Request to DJS for Approval of Techniques	24-Jan-03	1, 3	29	CJTF-7 Signed Policy	14-Sep-03	1
17	FM 34-52 (1992)	16 Jan 03 - 15 Apr 03		29	CJTF 180 Detainee SOP	27-Mar-04	1	19	CJTF-7 Signed Policy	12-Oct-03	4
24	Secretary of Defense Memo	16 Apr 03 - Present	1,2	17	CJTF-7 Rev 2 Guidance	Jun-04	1	18	CJTF-7 Signed Policy	13-May-04	4, 5

G.I.V.O.

Afghanistan

Iraq

- 1 Some techniques specifically delineated in this memo are inherent to techniques contained in FM 34-52, e.g. Yelling as a component of Fear Up
- 2 Five Approved Techniques require SOUTHCOM approval and SECDEF notification.
- 3 Figure includes techniques not in current use but requested for future use.
- 4 Figure includes technique(s) which require CG approval.
- 5 Figure includes one technique that had been included in an earlier version of FM 34-52.

Evolution of Interrogation Techniques - GTMO

*books
the same
cat 1-3*

Interrogation Techniques	FM 34-52 (1992)	Secretary of Defense Approved Tiered System	FM 34-52 (1992)	Secretary of Defense Memo
	Jan 02 - 01 Dec 02	02 Dec 02 - 15 Jan 03	16 Jan 03 - 15 Apr 03	16 Apr 03 - Present
Direct questioning	X	X	X	X
Incentive/removal of incentive	X	X	X	X
Emotional love	X	X	X	X
Emotional hate	X	X	X	X
Fear up harsh	X	X	X	X
Fear up mild	X	X	X	X
Reduced fear	X	X	X	X
Pride and ego up	X	X	X	X
Pride and ego down	X	X	X	X
Futility	X	X	X	X
We know all	X	X	X	X
Establish your identity	X	X	X	X
Repetition approach	X	X	X	X
File and dossier	X	X	X	X
Mutt and Jeff				X*
Rapid Fire	X	X	X	X
Silence	X	X	X	X
Change of Scene	X	X	X	X
Yelling		X (Cat I)	X	
Deception		X (Cat I)		
Multiple interrogators		X (Cat I)	X	
Interrogator identity		X (Cat I)	X	
Stress positions, like standing		X (Cat II)		
False documents/reports		X (Cat II)		
Isolation for up to 30 days		X (Cat II)		X*
Deprivation of light/auditory stimuli		X (Cat II)		
Hooding (transportation & questioning)		X (Cat II)		
20-interrogations		X (Cat II)		
Removal of ALL comfort items, including religious items		X (Cat II)		
MRE-only diet		X (Cat II)		X*
Removal of clothing		X (Cat II)		
Forced grooming		X (Cat II)		
Exploiting individual phobias, e.g. dogs		X (Cat II)		
Mild, non-injurious physical contact, e.g. grabbing, poking or light pushing		X (Cat III)		
Environmental manipulation				X
Sleep adjustment				X
False flag				X

*Techniques require SOUTHCOM approval and SECDEF notification.

UNCLASSIFIED

14 July 2004

INFORMATION PAPER

Subject: SCHLESINGER PANEL REQUEST

1. Purpose. To provide information to the Schlesinger Panel on the number of mortar attacks on Abu Ghraib Prison.

2. Key Points. Abu Ghraib Prison opened on 26 Sep 03. A total of 24 mortar attacks occurred against the prison, dates below, since its opening to 5 Jul 04. One mortar attack occurred per day. Corresponding casualty and detainee information provided in table:

	Date	Mortar Attacks	Casualties	Detainees	MIAs	Other	Total	Notes
1	9/26/2003	0	0	0	0	0	0	
2	11/11/2003	0	0	0	0	0	0	
3	11/11/2003	0	0	0	0	0	0	
4	1/14/2004	0	0	0	0	0	0	
5	1/17/2004	0	0	0	0	0	1	
6	1/28/2004	0	0	0	1	0	0	
7	2/18/2004	0	1	7	1	0	0	
8	3/13/2004	0	0	0	0	0	6	
9	3/19/2004	0	0	0	0	0	0	
10	3/20/2004	0	0	0	1	0	0	
11	3/23/2004	0	0	0	0	0	0	
12	3/25/2004	0	0	0	0	0	11	1
13	3/27/2004	0	0	0	1	0	0	
14	3/28/2004	0	0	0	0	0	0	
15	4/5/2004	0	0	0	0	0	1	
16	4/6/2004	0	0	0	0	0	10	4
17	4/20/2004	0	0	0	0	0	92	22
18	5/18/2004	0	0	0	0	0	0	
19	5/19/2004	0	0	0	0	0	0	
20	6/8/2004	0	0	0	0	0	0	
21	6/8/2004	0	0	0	0	0	0	
22	6/28/2004	0	0	0	0	0	0	
23	7/4/2004	0	0	0	0	0	0	
24	7/5/2004	0	0	0	0	0	0	
				7	1	0	22	

Prepared by:

(b)(6)

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→ "I'll tell you, pal, if there is ever another war, get o the side that America isn't. Then get captured by the Americans - you'll have it made!" Wilhelm Sauerbrei, a former Afrika Korps corporal who had been imprisoned at Hearne, Texas during World War II stated when asked years later by a reporter how he was treated by the Americans.¹

This holds true even in today's war for the most part. EPWs are treated humanely and according to the Geneva Conventions. All EPWs undergo a process where they are questioned by military interrogators who need to gain valuable information that may give U.S. troops an advantage.

this was happen @ a staging area of where the detainees were held after capture.

Certainly, containment is a concern, but it is always the interrogation that will come under scrutiny. Inherently interrogation is unpleasant, unsettling and even horrific. The level of discomfort relies on two conditions:

1. Individual fears (one's conception that interrogation is frightening.) *KaBark*
2. The interrogator's method of retrieving the information. *pg. 9*

Added to interrogation is the goal of the captivating force.

1. Do we only want information?
2. Do we also want a statement that can be used for propaganda? - One that discredits your government (as in Vietnam)
3. Do we want to change your core values? (capitalism vs. communism as in Chinese interrogators)

f. Do we want retribution S. Do we just want to inflict pain

Each premise factors into a complex set of rules or techniques that may be used by the military interrogator. Not second to this are the rules of the Geneva Conventions and the role of the ICRC.

OUTLINE:

Detainee rules: GC vs. RAWG

Wili Ships

1. Interrogation examples:
 Only want info = *Fm32-50(1)*, *Kugak* *Japanese Camps*
 Propaganda = *torture to gain confession*
 Brainwashing = *one side is evil, the other good.*

2. How each of the above relates to GC
3. Role of ICRC - *historically description to now, has it changed.*

→ 4. Tables

Outlining types of interrogation used by each side during each conflict
 Conflict and number of detainees vs. deaths and percentages.

¹ History of Prisoner of War Utilization by the United States Army 1776-1945. Lewis George G., Lt Col and Menzies, John, Capt, Department of the Army Pamphlet No. 20-213, pp. 262-265.

Historical Vignettes about Detainees held by Americans

During World War II more than 450,000 Axis prisoners were held in the United States. Prisoner of war camps were spread across the nation. There were incidents to be sure; some accomplished by Nazi sympathizers who killed pro-American German soldiers who were fellow prisoners. Despite isolated incidents the majority of German and Italian prisoners were treated well. In his book *Nazi Prisoners of War in America* Arnold Krammer relate several stories of how a number of former prisoners of the American camps, who were now affluent German and Austrian citizens returned to their former prisons camps. One POW named Wilhelm Sauerbrei who had been imprisoned at a camp in Hearne, Texas while driving up from Houston in a car full of community dignitaries and reporters, the former *Afrika Korps* corporal entertained the occupants with stories and recollections about his camp days. One Houston reported said "You must have had it pretty easy." "I'll tell you, pal," Sauterbrei confidently stated, "If there is ever another war, get on the side that American~~f~~ isn't then get captured by the Americans - you'll have it made!"¹

¹ Arnold Krammer. *Nazi Prisoners of War in America*. 1996 Krammer, Chapter VIII, page 27.

Historical Comparison of Detention: Deaths in US Custody

Campaign	% Detainee Deaths to Total Number Detainees
WWII	
US Mil in Europe	1
US Civ in Europe	3.5
USSR in Germany	57
Forced Labor	
Conscripted to German Army	
US in Japan	40
CFIR numbers:	38.2
US Civ in Japan	11
US on Bataan Death March	19
Filipino on Bataan Death March	6.6
Hell Ships	
Forced Labor - Allied	
Forced Labor - Asian	
Japanese deaths during campaigns	73
Germans in USSR	33
Forced Labor	
Japanese in USSR	
Total In USSR	
Katyn Forest	25
US Citizens interned in US	
Korean War	43%
US in N. Korea	14
US Held in China	
Indochina French in Vietnam	
Vietnam	
US Held by N. Vietnam	
North Vietnam held by US	
Kosovo	
Kuwait	
Afghanistan	
Iraq	
UK internment camps	
Hong Kong	
IRA held by UK	

Historical Comparison of Detention: Deaths in US Custody

Campaign	Total Number of Detainees	Total Detainee Deaths
WWII		
US Mil in Europe	93,941	1,121
US Civ in Europe	4,700	168
USSR in Germany	5,700,000	3,300,000
Forced Labor	400,000	
Conscripted to German Army	250,000-1,000,000	
US in Japan	27,465	11,000
CFIR numbers:	30,316	13,851
US Civ in Japan	19,979	1,536
US on Bataan Death March	12,000	2,300
Filipino on Bataan Death March	66,000	10,000
Hell Ships		5,000
Forced Labor - Allied	140,000	
Forced Labor - Asian	800,000 +	
Japanese deaths during campaigns		143,323
Germans in USSR	5,000,000	
Forced Labor	1,500,000	
Japanese in USSR		
Total in USSR		
Katyn Forest	275,000	11,000
US Citizens interned in US	120,000	
Korean War	7190	3000
US in N. Korea	766	106
US Held in China		
Indochina French in Vietnam		
Vietnam		
US Held by N. Vietnam		
North Vietnam held by US	47,365	
Kosovo		24,000
Kuwait		
Afghanistan		
Iraq		
UK internment camps	8,000 detained/74,000 screened	
Hong Kong	1941	1,974
IRA held by UK	980 0 deaths, but 37 complaints of abt	

Use of Working Dogs in Interrogation at Abu Ghrieb

1. Background: MG Taguba's investigation has raised a number of questions concerning the use of working dogs in detainee interrogation. The report cites their finding on this matter as "credible", based on the clarity of their statements and supporting evidence provided by other witnesses and follows; "Using military working dogs to frighten and intimidate detainees with threats of attack, and in one instance actually biting a detainee." A review of the use of these dog teams may provide a more complete picture of the detainee abuses in Abu Ghrieb.

The CJTF-7 directive of 14 Sep 03 allowed working dogs to be present during interrogations with the JTF Commanders approval. This was updated by the 12 Oct 03 memorandum where by dogs were allowed during the interrogation as long as they were muzzled. The memo states "should military dogs be present during interrogations, they will be muzzled and under control of the handler at all times, to ensure safety." The memo change also allowed the use of muzzled dogs at the discretion of the interrogator. The use of the muzzle only applied when the dog was in the cell with a detainee or during interrogation.

The working dog teams arrived at Abu Ghrieb in mid November. Their assignment was based on their respective capabilities. The two Army teams were primarily assigned to security of the compound while the three Navy teams worked inside at the Entry Control Point ECP. The Navy dogs were not combat trained, but could detect explosives which made them ideally suited for the ECP. However, both would respond to any emergency throughout the compound or in the hard site.

The Army dog teams were guided in the performance of their mission by AR 190-12 while the Navy was guided by OPNAVINST 5585.2B manual for military working dogs. Neither of the respective service dog teams were familiar with the others service instruction. An 320th MP BN SOP covers the ROE for working dogs and tasks the dog teams to be used to patrol the compounds to include the hard site to act as a physical and psychological deterrent.

2. Discussion: There are two instances reviewed by the Tuba Report wherein dogs had bitten detainees.

-On the night of 24 Nov 03, the Navy dog team headed by MA1 W. J. Kimbro responded to a call from the MP's at Tier 1-A Hard Site, to search for explosives. Kimbro stated they searched the cells for explosives but the dogs did not respond to any explosives. As they were preparing to leave the hard site, he was instructed to search a cell where he subsequently believed an interrogation was being conducted. He claims in the excitement of the yelling and loud noises in the cell, he lost control of his dog and it bite a female detainee on the arm. After that incident Kimbro states he would only search a cell after the detainee was removed from the cell.

During December of 2003, an Army dog controlled by (b)(6) bite a detainee. (b)(6) did not provide specifics to the Taguba investigators, other than it was under investigation by CID and he would rather not discuss the incident. He did state that he was not ordered to release the dog and he believes only MP's were present during the incident.

Both of these instances occurred by dog teams that were headed up by the senior dog team leader. Both of these NCOIC's state they are not familiar with all the directives and SOP's applying to detainee operations or the use of dogs in interrogation. There was ambiguity concerning CJTF-7 policy regarding the utilization of dogs in conjunction with interrogation procedures. The teams were aware and briefed by (b)(6) of the directive change; however to gain the full force of the dogs as a psychological and physical deterrent they were used in patrolling the corridors of the hard site where they could be unmuzzled. They would on occasion approach detainees out of their cells and the dogs would bark at the detainees, the muzzle ruling would only apply when the dogs entered the detainee cell. The Taguba investigators questioned (b)(6) as to MI requests in the use of his dog and he stated he couldn't talk because it was under a CID investigation.

(b)(6) was the Operations Officer of the 519th MI BN during this time and in an interview with members of the Independent Panel working officers of 20 Jul 04, indicated she had not approved any interrogation plans that called for working dogs. However, investigations indicate dogs were present in the hard site, but they were probably not in conjunction with an approved interrogation plan. Interpretation of the directives and policy concerning dog teams appear dependent on the circumstances faced and what was the perceived need at the specific time.

3. Conclusion: It appears the use of dogs evolved from their respective primary mission in patrolling the compound and checking for explosives at the ECP to intimidating the general detainee population. The next logical step up the confrontation ladder was their use in detainee interrogation, resulting in detainee abuse.

30 MAR 04
JSOTF
OIC, Facility

(b)(6)

TF uses SOP as source for standard detainee operations, which has references of Geneva Convention, Law of Land Warfare, theater and Combatant Commander guidance included in it. JAG and psychologist oversight and review (they has freedom of movement in the facility at anytime) is an integral part of detainee operations (1.1, 4.1). He and all leaders/Soldiers must read and acknowledge the contents of the SOP before entering the facility to ensure understanding of applicable regulations and other directives (1.1, 1.2, 1.4, 1.6, 4.1). Guard force is briefed by the leadership of the facility in detail on ROE with emphasis on professionalism and treatment of detainees with dignity and respect, provide classes by the Psychologists, and classes by the JAG prior to assuming duties (1.1, 1.2, 1.4, 4.1). Interrogators are school trained interrogators. The interrogators are allowed to put detainees in physical stress positions (not physical pain) which include physical discomfort, Info operations (loud music and lights), and sleep deprivation (must give 4 hours sleep in a 24 hour period. They give 2 2 hour periods). He considers abuse anything beyond the rules (spelled out in SOP). They hold a detainee up to 96 hours at their facility. Greater hold time requires the TF Commander approval. Guard sustainment training includes OIC/SGM individually talking with Soldiers on duties and responsibilities along with shift change briefs that covers everything that occurred during the previous shift (1.1, 1.2, 1.4, 4.1). Detainees receive 2 MREs and 2 bottles of water (1.5 Liter) a day and latrine breaks when requested (1.1, 1.2, 4.1). They have 12 guards on shift (12 hours) which covers requirements (1.3, 1.7, 2.1, 3.1, 4.1). Two guards move a detainee internally. External movement is 2 or more guards per detainee (guards could be from other organizations (1.1, 1.7). Use of force and ROE is covered in SOP (1.2, 1.4, 1.6, 4.1). Interrogations are conducted by trained interrogators (no criminal interrogations) and if another organization conducts interrogations at the facility, one of the facility interrogators is present (1.1, 1.2, 4.1). Stress counseling is available from the on site psychologist or the chaplain. Medical support consists of 1 doctor on site (1.1, 1.2, 2.1, 4.1). Detainees may practice their religion in their cell (1.1, 1.2, 2.1, 4.1). He is aware of the requirement to report abuse or allegations and confident all personnel working at the facility are aware of the requirement. He believes they would readily report any incident to protect themselves and the reputation of the unit. If an allegation is reported, the J2 and Commander would be immediately informed (1.1, 1.2, 1.6, 4.1). Some concerns dealing with OGA is lack of sense of urgency. OGA follows rules of facility if they interrogate any detainee at the facility (also have a facility interrogator present). If OGA takes a detainee, detainee never returns to the facility. He does not see any situation where they would deliver a detainee to an internment facility in conjunction with OGA. He believes they are completely in compliance with the guidance and policies and would quickly react to correct any deviation or deficiency. The reputation of the organization is a point of pride and will be protected.

A Brief Survey of POWs in Twentieth Century Wars

By Jacob Neufeld and George M. Watson, Jr.¹

Introduction

Tragedies and atrocities characterize nearly all armed conflicts. A soldier may take out his frustration upon an enemy prisoner and kill him at the moment of capture. While such acts are sometimes rationalized as similar to a prizefighter's reactive punch, thrown after the bell has rung, the abuse and mistreatment of prisoners of war already in custody violates international law and is subject to criminal prosecution. This survey of the experiences of major combatants during the Twentieth Century seeks to place the treatment of detainees in historical context. Although the United States has usually claimed the high moral ground with respect to the treatment of prisoners, our record has not been as unblemished as we might have expected.

The law of war, a subset of international law, has evolved to mitigate some of the horrors of warfare. In 1863, the United States Army codified a set of rules governing the treatment of prisoners called *General Orders 100*, or the *Lieber Code*, or *Instructions for the Government of Armies of the United States*. Lieber's Code aimed to define prisoners as representatives of their government, not criminals. A prisoner was a captive of the enemy government, not the individual captor; he could not be subjected to reprisals, except that he might be tried for war crimes; and he had to be treated decently and humanely. Subsequently, European conventions adopted the Lieber Code for international conflicts and expanded their conventions' coverage and application. Two main tracks evolved: 1) the Hague law, named after the Hague conventions of 1899 and 1907, which prescribed "rules of engagement" and is based upon principles of military necessity and proportionality, and 2) the Geneva law, named after the Geneva Conventions of 1929, 1949, and 1977, which emphasize human rights and responsibilities, including the humane treatment of prisoners. These laws provided POWs'

¹ The authors wish to acknowledge research assistance by their colleagues in the Office of Air Force History: Vicky Crone; Perry Jamieson; Priscilla Jones [now chief historian at the Department of Homeland Security]; Yvonne Kinkaid; Colonel James Sale, USAFR; and Philip Tucker. Also, Glenn Curtis, Seth Elan, Marieke Lewis, Priscilla Offenbauer, and Ryan Swanson, of the Library of Congress's Federal Research Division prepared an annotated bibliography under contract.

rights to shelter, food, and medical care to ensure they were treated humanely. A primary inducement for combatants to obey the laws is the notion that their imprisoned comrades will receive reciprocal humane and just treatment at the hands of their enemy.²

A broad interpretation of these laws provided that all detainees, including civilians, should be treated humanely in order to avert needless suffering. On the other hand, those who interpreted the laws narrowly argued that denying rights to irregulars (terrorists) avoided legitimizing their actions. Thereby, the "narrow" school rejected the existence of a state of war and treated the perpetrators as criminals.

Under the Geneva Conventions, the authority to detain prisoners (military or civilians, who pose a danger) is applied strictly for security purposes. The detainee is incarcerated in order to remove him from further participation in combat; it is not for punishment. Prisoners may, however, be punished for crimes committed, after a fair trial.³

Philippine Insurrection, 1900-1903

During the Philippine Insurrection of the early 1900s, there were some 2,800 skirmishes between American forces and Filipino insurrectionists, in which prisoners of war were taken. After an investigation, the U.S. War Department concluded that enemy prisoners had been treated "humanely and with kindness."⁴

Nonetheless, incidents of torture and murder were reported. Amnesty International USA's executive director, William F. Schulz, compared the use of "water-boarding" (a process of submerging a prisoner's head underwater until they feel that they're drowning) against an Al Qaeda suspect to the so-called water cure administered by Americans in the Philippines war, where "U.S. forces would put bamboo shafts down the

² U.S. Defense Advisory Committee on Prisoners of War. *The Fight Continues After The Battle: The Report of the Secretary of Defense's Advisory Committee on Prisoners of War.* 1955, pp. 51-52.

³ Source: Jennifer Elsea, "Treatment of 'Battlefield Detainees' in the War on Terrorism," CRS Report for Congress, Updated September 17, 2003.

⁴ Report of the Secretary of War, *Annual Reports of the War Department, 1899-1903*, pp. 14. 261.

throats of their victims and pour [in] as much dirty water as they could into their stomachs."⁵

In his book, *Sitting in Darkness: Americans in the Philippines*, David Bain noted that the U.S. Army was mismanaged in the Philippines and identified Maj. Gen. Elwell S. Otis as the chief culprit. General Otis censored news dispatches and edited every press report, and, since he controlled the only available cable terminal, his power was practically absolute. Further, critical reporters were not allowed to attend press briefings and the most troublesome of them were deported. Nonetheless, some press reports along with soldiers' letters eventually got out and were reported in the American press. Congressional hearings, called the Committee on the Philippines, followed and laid a fair portion of blame for the crimes committed in that war on the volunteer soldiers who reached adulthood on the American frontier. One soldier reported that his company took four prisoners at Caloocan. They asked an officer what to do with them, and later reported, "He said, 'you know the orders,' and four natives fell dead."⁶

Col. Frederick Funston, a highly decorated soldier in charge of the 20th Kansas, bragged to reporters that to avenge the American deaths he had ordered twenty-four prisoners summarily executed. But when he heard that he might be subject to court-martial for his actions, Funston insisted that the prisoners had "attempted to escape" and were subsequently killed in the chase.⁷ It should be noted that President Theodore Roosevelt had dismissed these acts in a speech in which he referred to our army as "carrying to completion a small but peculiarly trying and difficult war in which is involved not only the honor of the flag, but the triumph of civilization over forces which stand for the black chaos of savagery and

⁵ "The War on Terror is Not Working". *Newsweek World News—web exclusive* By Brian Braiker, May 26, 2004. See also, David Howard Bain, *Sitting in Darkness: Americans in the Philippine*. Boston: Houghton Mifflin Co., 1984. On page 84, Bain adds that the "prisoner's midsection would be horribly distended; the water on would be removed by kicking or punching the stomach until all the water was expelled. The procedure was excruciating and was very effective in making the Filipinos talk."

⁶ Bain, *op. cit.*, pp. 84-85.

⁷ *Ibid.* p. 86

barbarism."⁸ Although the article was critical of the President, it excused his views for not having sufficient information.

World War I, 1914-1918

At the outset of America's entry into the Great War, the Allies transferred POWs to U.S. custody. Soon however, the number of POWs captured by Americans increased markedly, prompting the U.S. Army Provost Marshal General to publish regulations for processing and handling POWs. In June 1918, new instructions vested in the Provost Marshal responsibility for the custody and control of the prisoners of war.⁹

The POWs were immediately disarmed and sent to a brigade headquarters, where they were searched for concealed weapons and documents that might have escaped previous observation. From brigade headquarters the POWs went to a division enclosure, where they came under the control of the Provost Marshal General, although the division provided the necessary officers and guards. Here, the prisoners were interrogated by intelligence personnel, and then, under guard furnished by the Provost Marshal, were escorted expeditiously to a central POW enclosure in the rear area.

At the receiving station, the POWs were issued serially numbered tags. From each individual's general information form, index cards were made and addressed postal cards written to the POW's family, informing them of his arrival and of his state of health. Next, the POWs were required to bathe, given a medical examination, and issued renovated, dyed clothing. The POWs were then classified according to occupational history and sent to a stockade where they awaited assignments to a labor company. The positive treatment of prisoners also reflected the Progressive Era's predilection for "efficient management" with regard to providing food, clothing, medical care, and recreation. In return, POWs were required to work.

⁸ "Late War Department Clerk in Defense of Filipinos: Not Savages, as Described." *The Washington Post*, June 16, 1902, p. 10. (ProQuest Historical Newspapers *The Washington Post*.)

⁹ Lt. Col George G. Lewis and Capt. John Mewha. *History of Prisoner of War Utilization by the United States Army, 1776-1945*. Department of the Army Pamphlet No. 20-213. Department of the Army, 1955, p. 59.

Prisoners of war captured by the U.S. received the same type food, clothing, medical treatment, and quarters as were provided for American troops. For their welfare, the prisoners had many forms of entertainment and recreation: prisoner orchestras were organized; stockades were supplied footballs, baseballs, handballs, and boxing gloves; and in some instances the POWs were permitted to engage in athletic contests with other POW companies. Generally, the prisoners reacted favorably to the treatment received. By 1919, 907 captured officers and 47, 373 enemy enlisted men were in the custody of the AEF.¹⁰

Labor companies were formed beginning in July 1918. By December 1919, 122 companies had been formed at central POW enclosures. There were three different types, including construction, road building, and general labor companies, consisting of approximately 250 to 450 men, who were classified according to the skills of the component privates. On average, fifty prisoners were non-commissioned officers, who served as work supervisors.

Few disciplinary problems arose. Once, two POWs escaped and subsequently were recaptured and placed under added restraint. At this point, the other prisoners refused to work until the penalty was lifted. To induce compliance with their work orders, the POW company commander applied "administrative pressure" and refused to issue rations until the prisoners returned to work. The announced "no work, no eat" policy resulted in an almost immediate resumption of labor activities, and the work produced and the manner of performance was better after the incident than before.¹¹

World War II, 1939-1945

During World War II more than 450,000 Axis prisoners—Germans, Italians, and Japanese—were held in the United States at 511 POW camps spread across the nation. Despite isolated incidents of abuse, most German and Italian prisoners were treated well. In his book *Nazi Prisoners of War in America*, Arnold Krammer related several stories of how years later some ex-prisoners returned to the U.S. to visit their former prisons camps. One POW, Wilhelm Sauterbrei, a former *Afrika Korps* corporal, had been

¹⁰ Vance, Jonathan F., ed. *Encyclopedia of Prisoners of War and Internment*. Santa Barbara, California: ABC-CLIO, Inc., 2000, p. 63; Lt. Col. George G. Lewis and Capt. John Mewha, *History of Prisoner of War Utilization by the United States Army 1776-1745*.

¹¹ *Ibid.* pp. 61-63.

imprisoned at a camp in Hearne, Texas. While driving up from Houston in a car full of community dignitaries and reporters, he entertained the occupants with stories and recollections about his camp days. "You must have had it pretty easy," one reporter volunteered. "I'll tell you, pal," Sauterbrei confidently stated, "If there is ever another war, get on the side that America isn't then get captured by the Americans—you'll have it made!"¹² German POWs wrote letters home telling of their good treatment at the hands of the Americans. Undoubtedly, this correspondence helped American POWs in Germany.¹³

In general, during World War II the use of prisoners as laborers proved profitable and helped to offset the critical manpower shortages. Initially, American agriculture and manufacturing were denied the use of prisoner labor due to the War Department's concern over security. However, after the anticipated security violations and sabotage failed to materialize, prisoners were used widely. This practice permitted the release of Americans for combat duty and the transfer of U.S. civilians to essential war manufacturing work. Vital crops were harvested and war industries continued operations. Both civil and military authorities have acknowledged the contributions made by the use of prisoner of war labor.¹⁴

German prisoners were well treated by both the Americans and British. Conditions varied widely from camp to camp, subject to several factors: weather conditions, supply of food and medicine, period of the war when the captivity was spent, whether the camp was constructed for the purpose of housing prisoners or was requisitioned and converted for such use, and the personality of the camp commandant.

The first prisoners in Britain were segregated into enlisted and officer camps. The latter were interned at a stately house in Lancashire, prompting a complaint in the House of Commons to the effect that it would be cheaper to hold the Germans at London's Ritz Hotel. The number of camps grew from two in 1939 to 600 by 1948. Most camps housed POWs in corrugated tin and wood structures called Nissen huts. Each hut housed 80

¹² Arnold Krammer. *Nazi Prisoners of War in America*, 1996, Chapter VIII, p. 27.

¹³ U.S. Congress. House. Committee on Military Affairs. *Investigations of the National War Effort*. Report no. 79-728. Washington, D.C.: GPO, 1945.

¹⁴ Lt. Col George G. Lewis and Capt. John Menwha *History of Prisoner of War Utilization by the United States Army 1776-1945*, Department of the Army Pamphlet No. 20-213, pp. 262-65.

prisoners with beds for all and two tables and four benches. There was plenty of recreation: sports, cards, chess, English lessons, and educational opportunities. Strangely, POWs ate the same amount of daily rations as British servicemen—often more than the civilian population received!

With the Allied invasion of June 1944 many more prisoners were taken and they were transported across the Channel aboard large barges. Prisoners were first held in Command Cages (in racecourses or football grounds) then processed. Prisoners thought to have vital information were questioned by the POW Interrogation Section (PWIS), which used such means as planting undercover agents who were fluent in German.

The British were anxious to separate those fiercely loyal Nazis from the rest. The Nazi loyalists were identified by wearing a black patch and sometimes sent to a remote camp in Scotland to perform farm work, ultimately involving some 169,000 prisoners. About 22,00 German prisoners were employed to build new houses—they were paid union rates of three to six shillings for a 48-hour week.

In December 1944, a group of ardent Nazi prisoners hatched a plot to escape, seize weapons and tanks, and march on London. When an anti-Nazi prisoner, Feldwebel Wolfgang Rosterg reportedly revealed the plot, the Nazis beat him to death. Five of the perpetrators were captured, tried, and hanged.¹⁵

There were disturbing incidents inside some U.S. camps, too, including murders by ardent Nazis of fellow German prisoners. Five of the victims were brutally murdered by German kangaroo courts, one man was murdered because of a personal hatred, and two others were driven to commit suicide. U.S. authorities hanged some of those convicted of the murders.¹⁶

Germany held about 80,000 Americans as POWs. A report by the House of Representatives in 1945 concluded that our POWs were well treated by the Germans because we had treated the German POWs well. This produced a salutary influence on German soldiers in that it made incarceration by US forces acceptable. Gen. Dwight D. Eisenhower ordered that safe conduct leaflets be dropped over the lines promising fair that German POWs would receive fair treatment.¹⁷

¹⁵ "German Prisoners of War in Britain." *Fortune City* website.

<http://www.fortunecity.com/campus/dixie/921/PoWs/pows.htm>

¹⁶ "Hanging of Eight Nazi POWs Awaits Truman's Nod." *Washington Post* July 19, 1945 p. 2.

¹⁷ U.S. Congress. House. Committee on Military Affairs. *Investigations of the National War Effort*. Report no. 79-728. Washington, D.C.: GPO, 1945.

While the Germans generally observed the Geneva Convention, there was a horrific incident at Malmedy, in which the Germans shot 100 American POWs, of whom 30 survived. This sparked instances of "duress" exerted on German prisoners at Landsberg. Also, in 1946, the perpetrator of the Malmedy Incident, SS Lt. Col. Joachim Peiper and others were threatened with shooting. Peiper was tried, convicted, and sentenced to death, but "slipped the hangman's noose," in part because of the pretrial interrogation.¹⁸

In North Africa, U.S. and U.K. turned over Axis POWs to the French. The French were very abusive and when the Germans learned about this, they contacted the Americans and British to remind them that Germany held thousands of U.S. and U.K. POWs.

In January 1946, *The Washington Post* noted that since the first POW camp had opened in the U.S., 2,499 prisoners had escaped but only 53—29 Germans and 24 Italians—remained at large. Fourteen Japanese POWs who escaped were caught. There were 104 suicides among all prisoners—92 German and 12 Italian—and nine murders, including the ones described above. There were 43 prisoners fatally shot and a number of others wounded, while trying to escape. A few mass breaks and riots occurred, but most of the escapes were without violence. In cases of strikes, a bread and water diet proved to be an effective deterrent. In addition, the U.S. Army reported that many of the German POWs did not want to return home.¹⁹

About 130,000 U.S. servicemen were captured and imprisoned in World War II. Germany held 93,941, of whom 1,121 died in detention, a 1 percent rate. Germany also held 4,700 American civilians, of whom 168 or 3.5 percent died. On the other hand, of the 27,465 U.S. servicemen incarcerated by Japan, an astounding 11,000 or 40 percent died. There were 19,979 American civilians in Japanese detention, of whom 1,536 or 11 percent died. Japan's code of Bushido held that death in battle brought the highest honor, whereas capture resulted in abject disgrace. Men captured in battle were lower than slaves and had no honor at all. Bushido did not address the case of women captives.²⁰ The unfortunates captured by

¹⁸ E-mail, Dr. Priscilla Jones to Vicky Crone, "reference question," July 16, 2004, 1:56 p.m.

¹⁹ "U.S. to Return All Its POWs By End of April." *The Washington Post*, January 7, 1946, ProQuest Historical Newspapers, p.3; See also "Violence is ended in Prisoner Camps: Military Authorities Point to Nine-Month Lapse, Credit Preventive, Corrective Methods." By Russell Porter. *New York Times*, January 18, 1945, ProQuest Historical Newspapers, p. 5.

²⁰ Skelton, William Paul III, and Nadine Khouzam Skelton. "Women as Prisoners of War," *Military Medicine*, 160, no. 11: 558-60. <<http://www.va.gov/OAA/pocketcard/wompris.asp>>

Japanese forces endured horrific treatment. In the Bataan Death March of April 1942, Japanese forces marched some 80,000 starving, sick, and injured American and Filipino troops for 60 miles from Bataan to Camp O'Donnell. The captured soldiers were robbed, beaten, tortured, and killed. Estimates are that between 5,000-10,000 Filipinos and 2,300 Americans died. Some 5,000 US POWs died on Japanese "Hell ships," while the death toll from forced labor stood at 700,000 Koreans, 40,000 Chinese, and several hundred thousand other Asians.²¹

According to some estimates, the Soviets in World War II held more than 1.5 million prisoners who were never released or accounted for, including hundreds of thousands of Poles, Germans, and Japanese. The most infamous example was the discovery, on April 13, 1944, of mass graves in Katyn Forest containing the massacred bodies of thousands of Poland's leaders, its best and brightest. At war's end, the Soviets announced that they had captured some three to four million German POWs. Five years later, only half of the German POWs were accounted for. The Soviets also announced that they had repatriated all Japanese prisoners except some 1,500 war criminals and turned over to China for criminal prosecution another 971 Japanese. Some Western reports claimed that in the early 1950s, the Soviets held as many as 500,000 foreign prisoners, including Poles, Germans, Italians, Austrians, and Japanese. The Soviets were also said to hold 380,000 Rumanians and Hungarians. The Soviets acknowledged that some 2 million foreign laborers were working on the trans-Siberian railroad.²²

The Soviets and Japanese did not observe the Geneva Convention. The USSR had not signed the Convention, while Japan had signed but not ratified the treaty. Because the Soviets did not permit visits with their POWs, the Germans also refused access to their prisoners.

Although France and Germany had signed the Geneva Convention, their treatment of each other's prisoners often violated the treaty. The question

²¹ Reynolds, Gary K. "U.S. Prisoners of War and Civilian American Citizens Captured and Interned by Japan in World War II: The Issue of Compensation by Japan." Congressional Research Service, 17 December 2002.

²² Oglesby, Samuel C. *Communist Treatment of Prisoners of War: A Historical Survey*. Prepared for the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate. Washington, D.C.: GPO, 1972.

concerned whether treaties protected prisoners or whether reciprocity determined their fate. When the Axis shot captured Free French soldiers in North Africa, the French had no compunction in carrying out reprisals against German and Italian prisoners in their custody. Exacerbating the issue was Britain's concern that French abuse of Axis prisoners would provoke retaliation against British POWs in Germany. The statistics relevant to this issue show that 2.6 percent of German POWs died in French hands, compared with rates of 0.1 percent in the hands of the U.S. and 0.03 percent in British custody. In this context, an astounding 35.8 percent of German POWs died in Soviet captivity. Britain's problems stemmed from the inability of the Free French in North Africa to control their soldiers' behavior towards Axis POWs. In July and August 1943 (at Camp Bouarfa, Morocco) it was reported that the French abused their prisoners by depriving them of food, beating them, and forcing them to undergo arbitrary exercise. Various explanations were offered: that POW guards were the unreliable and disobedient, that French commanders could not get their subordinates to obey orders, or that the French Committee of National Liberation lacked overall control.²³

In September 1944, the numbers of German POWs grew steadily, while the British and Americans were unable to provide enough guards. The French were anxious to accept custody and put the captured Germans to work in agricultural harvesting, but the UK/US wanted to avoid German reprisals for French POW abuse. In November, SHAEF planned to turn over the POWs to the Dutch and Belgians, but only with written assurances that the receiving authorities would abide by the Geneva Convention.²⁴

The Korean War, 1950-1953

During the Korean War, some 3,000 of the 7,190 U.S. prisoners of war captured mostly during the first nine months of the war died in captivity. Most died of starvation over a six month period (November 1950-April

²³ Moore, Bob, and Kent Fedorowich. *The British Empire and Its Italian Prisoners of War, 1940-1947*. Houndsmill, United Kingdom: Palgrave, 2002.

²⁴ Moore, Bob, and Kent Fedorowich. *The British Empire and Its Italian Prisoners of War, 1940-1947*. Houndsmill, United Kingdom: Palgrave, 2002.

1951). That figure represented a mortality rate of 43 percent that was condemned as barbarous by most adherents to the Geneva Convention.²⁵

Of the 7,190 POWs—held in 20 camps—6,656 were Army, 263 Air Force, 231 Marines, and 40 Navy. Typically, POWs went on a forced march, such as one in the winter of 1950-51, when 500 of 700 on the march died. A total of 4,428 returned, but 2,730 died—a 38 percent rate. Prisoner exchanges began in April 1953.

Reflecting these facts more dramatically and concisely is a comparison between World War II and Korean War statistics. Of the total reported Missing in Action by the U.S. Army in Germany, 18 percent got back safely to our lines, 79 percent were later returned alive as prisoners of war, and only 3 percent died. But in Korea, of those reported Missing in Action by the U.S. Army, 12 percent got back to their units, only 30 percent lived to be exchanged as prisoners of war, and an almost "unbelievable 58 percent died behind Communist lines."²⁶

The North Korean POWs fared much better under American care. In November 1950, the neutral Swiss ICRC Delegate Frederick Bieri, reported on conditions at POW Camp #1 at Pusan: He found 91,662 POWs getting "3 meals daily and that 69 tons of rice and barley were transported daily to the camps." He found that "large amount[s] of winter clothing have already [been issued] greatcoats, jackets or else warm underwear." Under medical care, Bieri reported that while nutrition that had been poor on arrival, it improved greatly after 10-14 days. In addition, of the more than 3,000 patients in the POW hospital, since September 9th only 226 had died—"of these most died on arrival."²⁷

This same source noted that when this "pastoral idyll" setting changed after civil war broke out among these same prisoners, there was not to be the slightest difference between the food the U.S. provided to Communist and anti-Communist compounds. Indeed, "The Communists who were to stone our soldiers and kidnap our unwary generals fought us on plump bellies, and smoking their daily share of our America cigarettes."²⁸

²⁵ Raymond B. Lech. *Mass Murder of US Pows in the Korean War. A review of - Broken Solder*. Urbana and Chicago: University of Illinois Press, 2000.
[Http://www.cyberussr.com/hcummm/e-asia/Korea-pow.html](http://www.cyberussr.com/hcummm/e-asia/Korea-pow.html).

²⁶ William Lindsay White. *The Captives of Korea: An unofficial white paper on the treatment of War Prisoners*. Westport Ct.: Greenwood Press, p. 265.

²⁷ *Ibid.*, pp. 37-38.

²⁸ *Ibid.* p. 39.

The Americans experienced difficulties controlling the partisan groups within the prison system, specifically the Communists and the anti-Communists. Attempts to screen those groups for separation into different camps caused several violent outbreaks and deaths. At times these deaths could be attributed to the training and competence of our garrison troops.²⁹

There were some reports about the difficulties the U.S. experienced in controlling partisan Communists in its POW camps. In August 1952, British Major Dawney Bancroft, of the King's Shropshire Light Infantry, wrote a report that accused the Americans of "incompetence, ill-discipline, abuse and breaking the Geneva Conventions" regarding the treatment of prisoners. Bancroft referenced a prison camp on the island of Koje-do where 132,000 Northern Korean POWs were held. He reported that American soldiers on sentry duty often fell asleep, or abandoned their post to spend the night in local brothels. They rarely searched the prisoners' quarters and mail was distributed erratically. He added that the Americans often addressed the prisoners as "slant-eyed, yellow bastards."³⁰ Major Dawney claimed that the fanaticism of the North Korean commissars ruled prison life. He added that on one occasion he witnessed 100 prisoners die in a clash with American troops attempting to clear the camp.³¹

Comparisons of U.S. MIAs Reported³²

World War II

18% returned
79% returned alive later
3% died

Korea

12% returned
30% returned alive later
57% died

²⁹ *Ibid.* pp. 152-57.

³⁰ Richard Ford and Richard Beeston. *U.S. Soldiers Abused POWs During the Korean War*. Source: *War London Times*, January 3, 2003, found on <http://www.kimsolft.com/2003/nk-pow.htm>.

³¹ Dawney, who later became a brigadier general, died in 1995. His 1952 report was kept secret until early 2003. In part, the report blamed the training of these garrison troops.

³² Oglesby, Samuel C. *Communist Treatment of Prisoners of War: A Historical Survey*. Prepared for the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate. Washington, D.C.: GPO, 1972.

During the Korean War, of the 75,000 United Nations and South Korean troops captured by the Communists, only 12,000 returned; 63,000 were unaccounted for. North Korean and Chinese armies were accused of numerous war crimes against their UN and South Korean POWs: "murder; assaults; torture; starvation; coerced indoctrination; and other illegal practices." The Geneva Convention was ignored, specifically articles that forbade isolation, shackling, extraction of false confessions, coercive interrogation, exposure to the local populace, denial of medical attention, poor clothing, inadequate food, and physical mistreatment; 5,000 American POWs died in captivity.³³ About 1.6 million Americans served in Korea. 4,428 survived imprisonment.³⁴

The North Koreans had no formal POW camp system and confined U.S. personnel at collection points, known as valleys. In late 1950, on a forced march of 120 miles, 130 of 700 men died. The Communist Chinese had also captured thousands of U.S. servicemen. At the Valley near Oyoktong, between 500 and 700 of 1,000 POWs died. At the Valley near Pukchin, 800 of 2,000 POWs died. At Kanggye 30 of 300 POWs died. Of 7,245 U.S. servicemen POWs held by North Korea, 2,800 died in captivity, 4,418 were returned to military control, and 21 refused repatriation. The North Koreans also killed thousands of South Korean civilians.³⁵

UN camps were also poorly prepared and control was problematic, but conditions improved over time. UN forces held some 132,000 North Korean POWs, guarded by 2,500 personnel. They were moved to Koje-do Island. There, an American general named Dodd was nabbed by the POWs and held by them until their demands were met.³⁶

By 1951, the Chinese decided that the propaganda value of POWs was more important than the POWs' conversion to Communism. There were no

³³ Oglesby, Samuel C. *Communist Treatment of Prisoners of War: A Historical Survey*, Prepared for the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate. Washington, D.C.: GPO, 1972.

³⁴ U.S. Defense Advisory Committee on Prisoners of War. *The Fight Continues After The Battle: The Report of the Secretary of Defense's Advisory Committee on Prisoners of War*. 1955.

³⁵ U.S. Department of Defense, *Commemoration of the 50th Anniversary of the Korean War*. "Fact Sheet: Prisoners of War in the Korean War." <http://korea50.army.mil/history/factsheets/pow.shtml>

³⁶ U.S. Congress, House, Committee on Appropriations. *The Prisoner of War Situation in Korea*. Hearings before the Subcommittee on Department of the Army Appropriations. Washington, D.C.: GPO, 1952.

confirmed cases of brainwashing. Although the Chinese abused prisoners, but no proof that prisoners died as a result of brainwashing. Still, 2,600 American POWs died officially listed as due to physical abuse, many due to extreme cold, malnutrition, disease, and no treatment of wounds. About 670 or 10 percent escaped. The central issue was repatriation. In Operation Little Switch, between April-May 1953, UN forces turned over 5,195 North Koreans and 1,030 Chinese and got back 684 sick and wounded, including 149 Americans. In August 1953, under Big Switch, the UN turned over 75,823–70,183 North Koreans and 5,640 Chinese—and got back 12,773 troops, including 7,862 South Koreans, 5,397 Americans, 945 British, and 229 Turks. On September 23, the UN turned over more than 20,000 Chinese and North Koreans. There were 359 UN repatriates: 35 South Koreans, 23 Americans, and one Briton.³⁷

Gen. Matthew B. Ridgway, commander UN Forces, Korea, testified that Communist brutality against American POWs was “a studied and calculated course of criminal misconduct . . . carried out with such callous disregard to human life and suffering as to indicate a design on the part of the Communist leadership.” The Communists’ policy was connected to political ends. “As the peace talks progressed the treatment of [American] war prisoners would improve or revert dependent upon the Communist gains in these negotiations.”³⁸

French Indochina War, 1946-1954

Of some 37,000 French captives of the Viet Minh in the Indochina War, fewer than 11,000 returned. A large number of deaths were attributed to the denial of medical care and to subjecting prisoners to long marches. Many of the French returnees were very ill and emaciated, resembling Auschwitz concentration camp survivors.³⁹

³⁷ U.S. Department of Defense, Commemoration of the 50th Anniversary of the Korean War. “Fact Sheet: Prisoners of War in the Korean War.”
<http://korea50.army.mil/history/factsheets/pow.shtml>

³⁸ U.S. Congress. Senate. Committee on Government Operations. Subcommittee on Korean War Atrocities. “Korean War Atrocities, Report of the Senate Committee on Government Operations, Subcommittee on Korean War Atrocities,” 11 January 1954.

³⁹ Oglesby, Samuel C. *Communist Treatment of Prisoners of War: A Historical Survey, Prepared for the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate*. Washington, D.C.: GPO, 1972.

Vietnam War, 1965-1973

On November 27, 1965, the Joint Vietnamese-United States Military Committee ironed out details on the application of the Geneva Convention governing the treatment of POWs by the American, South Vietnamese, and Free World forces. Under the plan, five prisoner of war camps would be built, one in each corps tactical zone and one in the Saigon region, each having an initial capacity of 1,000 prisoners. Each camp would be staffed by Vietnamese military police, with U.S. military police POW advisers assigned to each stockade. The plan was approved in December, with a temporary camp to be established at Bien Hoa in early January 1966 and permanent camps to follow. POW camp construction continued to receive priority command attention throughout 1966. The Bien Hoa camp in III Corps was opened in May, the Pleiku camp in II Corps was completed in August, and the Da Nang camp in I Corps was opened in November. Late in the year work was begun on the Can Tho Camp in IV Corps.⁴⁰

The prisoner of war program for 1967 had several ambitious objectives: identify and transfer prisoners of war in civilian jails and prisons to Vietnamese Army prisoner of war camps; establish a program of repatriation of prisoners of war; establish an accountability process for handling prisoners; establish prisoner of war labor and educational programs; and promulgate the provisions of the Geneva Convention with respect to mail, education, medical attention, Red Cross visits, visiting privileges, and health and welfare.⁴¹

By the end of 1967, the prisoner of war camp capacity had exploded from 3,000 to 13,000. In March 1968, a camp for female prisoners of war was established at Qui Nhon, and in April steps were taken to concentrate all Viet Cong prisoners of war under age eighteen at Bien Hoa, where they received special rehabilitation, education, and vocational training. A central prisoner of war camp was constructed at Phu Quoc Island, off the coast of Cambodia. By the end of 1968, the prisoner of war camps could house 21,000 prisoners normally and 32,000 in an emergency. All the camps had gradually

⁴⁰ Chapter IV *Prisoners of War and War Crimes*, page 68, <http://www.Army.mil/cmh-pg/books/Vietnam/law-war/law-04.htm>

⁴¹ *Ibid.*

expanded until by December 1971 the Vietnamese government held 35,665 prisoners of war in six camps. Of these, U.S. forces had captured 13,365.⁴²

Initially, the South Vietnamese government was reluctant to cooperate with the ICRC, with respect to permitting inspections and furnishing lists of prisoners. This position followed the refusal by the North Vietnamese to allow the Red Cross access to their prisoners. Finally, at the urging of the U.S., South Vietnam's Minister of the Interior, the official responsible for confinement facilities, relented. He agreed to allow visits by Red Cross representatives to Vietnamese civil prisons and re-education centers. As a result of U.S. efforts, representatives of the International Committee of the Red Cross visited prisons at Tam Hiep, Con Son, Da Nang, and the camp under construction at Bien Hoa. The representatives were favorably impressed with the camp and agreed to provide health and welfare items on their next visit. Despite the many problems they encountered, the record is clear the United States and Vietnam made a vigorous effort to adhere to the exacting standards of the Geneva Prisoner of War Conventions.⁴³

The Communists, on the other hand, murdered and mutilated POWs, assassinated, kidnapped, and terrorized their enemies. Americans captured in the Vietnam War were "tortured, publicly paraded, pressured in broadcasting confessions, and denied medical treatment." The Communists treated their prisoners as human pawns to be broken without pity and turned against their country, to be used as instruments of political warfare.⁴⁴

Throughout 1965, 1966, and 1967 the most grievous breaches of the Geneva Conventions continued to be those committed by the Communists. There were several cases where American troops were murdered and their bodies mutilated by the Viet Cong or North Vietnamese. The Viet Cong policy of kidnapping civilians, assassinating public officials, and terrorizing entire

⁴² *Ibid.*

⁴³ *Ibid.*, p. 69.

⁴⁴ Oglesby, Samuel C. *Communist Treatment of Prisoners of War: A Historical Survey, Prepared for the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate.* Washington, D.C.: GPO, 1972; Between August 1967 and August 1968, Cuban interrogators tortured 19 U.S. airmen at Hanoi's "Zoo." See U.S. Congress. House. Committee on International Relations. "The Cuban Program: Torture of American Prisoners by Cuban Agents," Hearing before the Committee on International Relations, House of Representatives, 4 November 1969.

populations continued. Communist tactics against the Montagnards, indigenous mountain tribes, were particularly vicious.

On the American side, the massive U.S. troop buildup in Vietnam created many problems for the U.S. command, and incidents of war crimes by U.S. troops began to be reported. From January 1965 to August 1973, there were 241 cases (excluding My Lai), involving allegations of war crimes against United States Army troops. Upon investigation, 163 of these cases were determined to be unsubstantiated. During the same period, 36 cases involving war crimes allegations against Army personnel were tried by court-martial. In 16 cases, involving thirty men, the results were acquittal or dismissal of charges after arraignment. Only the remaining 20 cases resulted in convictions. By the time the U.S. troop buildup was in full swing, various MACV (Military Assistance Command, Vietnam) directives contained a clear body of law to define, prohibit, and provide for the investigation of war crimes. The constant rotation of troops created a continual need to get the information to the troops.⁴⁵

At a hearing before the House Armed Services Committee on March 6, 1970, it was noted that the Communists held about 1,400 American POWs. Although North Vietnam was a signatory to the Geneva Convention, the committee reported that the Communists had "rejected the most elemental codes of human decency" in their treatment of the Americans. On the other hand, the 33,000 Communist POWs held by the South Vietnamese were treated according the Geneva code.⁴⁶

Americans freed in Operation Homecoming, from February 12 to April 1, 1973, included 591 American POWs: 457 from North Vietnam, 122 from South Vietnam, 9 from Laos, and 3 from China. Of these, 566 were U.S. servicemen—325 Air Force, 138 Navy, 77 Army, 26 Marines, and 25 civilian government employees.⁴⁷

⁴⁵ *Ibid.*, p. 74.

⁴⁶ U.S. Congress. House. Committee on the Armed Services. *Hearing on Problems of Prisoners of War and Their Families before the Committee on Armed Services*. Washington, D.C.: GPO, 1970, pp. 5987-89.

⁴⁷ U.S. Congress. Senate. Select Committee on POW/MIA Affairs. *POW/MIA's*. Report no. 103-1. Washington, GPO: 1993, chap. 5, pp 247-48.

Cold War

CIA interrogation manuals, written in the 1960s and 1980s, described "coercive techniques" such as those used to mistreat detainees at Abu Ghraib prison in Iraq. "KUBARK Counterintelligence Interrogation-July 1963" contains a section assessing use of "threats and fear," "pain," and "debility." The agency's "Human Resource Exploitation Training Manual-1983" drew from the 1963 manual and from Army manuals from the mid-1960s generated by "Project X," training guides drawn from the counterinsurgency experience of the Vietnam War.

Among the guidelines provided in the manuals was that an interrogator ought not make threats unless he "had approval to carry out the threat." The 1983 manual allowed the interrogator "to create [an] unpleasant and intolerable situation, to disrupt patterns of time, space, and sensory perception."

In the mid-1980s, after Congress investigated reports of atrocities in Honduras, the 1983 CIA manual was edited to alter passages suggesting use of stress and coercion on prisoners. A new prologue was added, stating, "The use of force, mental torture, insults or exposure to inhumane treatment. . . is prohibited by law, both international and domestic; it is neither used, nor condoned." Similar material was incorporated into seven Spanish-language training guides and more than 1,000 copies distributed in Latin America. In mid-1991 an inquiry was triggered when U.S. Southern Command evaluated the manuals for use in Colombia.

In 1992, Secretary of Defense Dick Cheney received a secret report, "Improper Material in Spanish-Language Intelligence Training Manuals," which warned that U.S. Army intelligence manuals had incorporated CIA techniques for training Latin American military officers in interrogation and counterintelligence techniques. These contained "offensive and objectionable language" that "undermines U.S. credibility and could result in significant embarrassment." The report recommended that the manuals be recalled.⁴⁸

⁴⁸ National Security Archive Update. E-mail from NSARCHIVE [mevans@GWU.EDU] to NSARCHIVE@hermes.GWU.EDU, May 12, 2004

Persian Gulf War, 1990-1991

As Coalition ground forces advanced into southern Kuwait on Sunday morning, February 24, 1991, the defending front-line Iraqi infantry divisions collapsed. "We captured 5,000 Iraqi prisoners the first day," Lt. Gen. William M. Keys, commander of the 2d Marine Division, later stated. The large number of Iraqi regulars who surrendered on the first morning confirmed what many Coalition members had suspected: many of the defenders had lost their will to fight before the ground campaign began. "On more than one occasion, a military police unit reported, " the [enemy prisoners of war] were so eager to reach the EPW camps that they volunteered to drive."⁴⁹

During the 100 hours of the February 24-28 ground campaign, Coalition forces accepted more than 65,000 surrenders. The total number of Iraqis captured during the entire war was 86,743. When U.S. forces captured Iraqi soldiers, they registered them and then transferred them to Saudi custody. During the entire Gulf War, no escape attempts were made from any Coalition prisoner of war camp.⁵⁰

Summary

Several common factors determining the nature of the treatment of prisoners emerged from this survey. Among these was the incompetence of garrison and prison guards, as a result of inadequate training. Poorly trained prison guards may not know how to treat unruly or recalcitrant POWs and

⁴⁹ Lt. Gen. William M. Keys, "Rolling with the 2d Marine Division," *U.S. Naval Institute Proceedings*, November 1991, 79; DoD, "Conduct of the Persian Gulf War: Final report to Congress," April 1992, 389, and appendix L, 13.

⁵⁰ Steven L. Head, DD/TWP, "The Conduct and Performance of the Air Campaign in Operation Desert Storm, March 21, 1991 briefing: Final Report, Appendix L, 2, 3; William G. Pagonis, *Moving Mountains: Lessons in Leadership and Logistics from the Gulf War* (Boston, 1992), p. 153.

are unfamiliar with the detailed provisions of the Geneva Conventions. In the Korean War, American personnel were not well trained for prison duty and their neglect of and inability to grasp the internal workings and hierarchy of their prisoners often resulted in needless confrontational instances.

If inadequate training can be pointed to as a prescription for disaster, so can improper planning. Before entering a war there ought to be in effect adequate procedures for the processing and protection of prisoners of war, accompanied with an adequate realization that suitably trained personnel need to be in the pipeline to affect that process. In planning for the detention of prisoners, it is important to consider the capacity of the facility as well as its features. Also, the ratio of guards to prisoners is important in order to ensure that guards can carry out their assignments and that prisoners are not mistreated due to inattention by overworked guards.

Another factor determining the treatment of prisoners is the time and place of incarceration. Prisons located within a combat zone may create unusual stress on the guards and create conditions inimical to the treatment of POWs. Thus, enemy firing on the facility resulting in death or injury of friendly forces may result in mistreatment of POWs as a form of retribution. On the other hand, incarceration facilities, located well behind the front lines, are more likely to promote a benign environment. For example, in World War II, German prisoners in American camps performed labor and in return they were well fed, clothed, and cared for. Guards were under less stress and often able to lead normal lives with their families. In the Korean War, however, an unintended consequence of the good treatment of North Korean prisoners held by the Americans may have abetted a "healthy belligerence" on the part of those incarcerated. Conversely, a starving prisoner would find it difficult to speak out in protest.

A nation's culture or ethnocentrism is another decisive factor in that it shapes the guards' attitude toward the POWs entrusted to them. Thus, Japan's code of Bushido considered captives as lower than slaves and without honor. Nazi Germany professed racial superiority over non-Aryan people, including Slavs, Jews, and other races. Europeans treated colonial people as inferior beings. Communist ideology helped to determine how prisoners would be treated. In 1972, Senator James Eastland's Judiciary Committee found similarities in the pattern of the treatment of prisoners by Communist nations—by the Soviets in World War II, the Chinese and North Koreans in

the Korean War, and the North Vietnamese in the Vietnam War. These findings did not surprise investigators "because in the eyes of Communists everywhere POWs are not human beings but political pawns—to be broken psychologically...used against their own country...exploited, without pity...as instruments of political warfare."⁵¹ Communists treated captives as pawns to be exploited for political purposes. Many nations looked at POWs as a free or cheap source of labor.

In making their cases for gaining public support for going to war, national governments tend to demonize their enemies, sometimes to the point of dehumanizing them. Consequently, prison guards, like other citizens have been conditioned to feel an animus towards the enemy POWs and might feel justified in abusing the prisoners because "they deserved it and were not worthy of humane treatment."

Of course, nations that were not signatories to the Geneva Convention, including Japan in World War II and Communist nations—USSR, China, North Korea, and North Vietnam during the Cold War—did not observe Geneva Convention provisions with respect to their captives. In some cases, these nations noted that since the U.S. had not declared war, it therefore was not entitled to the protection of the Convention. Similarly, American pilots were classified as "air pirates," not enemy soldiers. One manifestation of this legalism is that even today the United States has defined terrorists as outside the protection of the Convention because they do not belong to an army of any recognized nation. The primary motivation for adhering to the Geneva Convention was the expectation that humane of enemy prisoners would be reciprocated.

Despite the existence of the Geneva Convention providing for the humane treatment of prisoners, no nation in the Twentieth Century had an unblemished record. Still, the overall treatment of prisoners of war by the United States—while it was marred by many cases of mistreatment—can serve as a model for other nations.

⁵¹ Oglesby, Samuel C. *Communist Treatment of Prisoners of War: A Historical Survey*, Prepared for the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate. Washington, D.C.: GPO, 1972.

The War of Ideas: How Detainee Treatment Relates to National Security

Add to context after Alizaid' etc

"We will use the power of our values to shape a free and more prosperous world."
U.S. National Strategy for Combating Terrorism, February 2003

"Some worry that it is somehow undiplomatic or impolite to speak the language of right and wrong. I disagree. Different circumstances require different methods, but not different moralities."

President Bush
West Point, New York
June 1, 2002

The importance of the "war of ideas" and the need to champion human dignity are related topics advanced in both the *United States' National Security Strategy* (Sep 2002) and the *United States' National Strategy for Combating Terrorism* (Feb 2003), as well as in the recently released 9/11 report. These concepts are critical to our country's strategic efforts to combat terrorism, and are directly relevant to discussions on detainee treatment. Specifically, these concepts make a compelling case that our policies and procedures with respect to detainee management must be wholly consistent with our value of upholding human dignity in all circumstances. Failure to do so may jeopardize our efforts to combat terrorism.

Section III of the *National Security Strategy* states, "We will also wage a war of ideas to win the battle against international terrorism." This is consistent with one of the stated objectives in the *National Strategy for Combating Terrorism*, which is to "win the war of ideas." Our strategy states we will work with the international community to "wage a war of ideas" and support democratic values. In an interview on Oct. 23, 2003, Defense Secretary Rumsfeld also employed this phrase when he said, "We are in a war of ideas, as well as a global war on terror." The recently released 9/11 Commission report also relates that we must engage more deeply in a "struggle for ideas" in order to combat terrorism. While the need to engage in a "war of ideas" has been highlighted, there currently are no specific national strategies or programs in place to achieve this objective.

out of scope

Our efforts to win the war of ideas involve the advocacy of the democratic values and ideals we ascribe to in an attempt to promote security and freedom. Chief among these ideals is the need to champion human dignity, which is the first imperative listed in our *National Security Strategy*, which states: "America must stand for the nonnegotiable demands of human dignity." Our *National Strategy for Combating Terrorism* echoes this imperative, noting that the "best antidote to the spread of terrorism" involves building a world "consistent with the interests and values we share with our partners-values such as human dignity, the rule of law, respect for individual liberties, open and free economies and religious tolerance." In his Sep 2003 address to the United Nations, President Bush noted that the United States and the United Nations share similar traditions which assert that "dignity is inherent" in all human beings.

The evolution of terrorism clearly requires new strategies, which include a deliberate and comprehensive effort to engage in the struggle of ideas. Championing human dignity through policy and action is an essential component to efforts in the advocacy of the ideals of freedom and democracy. As stated by the 9/11 Commission: "We should offer an example of moral leadership in the world." Failure to treat all we encounter with human dignity, no matter the circumstance, undermines the war of ideas and ultimately our war against terror.

By ensuring our policies and actions are grounded in the value of upholding human dignity, President Bush's comments about American Service members during his Sep 2003 address to the nation will be as true in the future as it was when he spoke them:

"We are grateful for their skill and courage, and their acts of decency, which have shown America's character to the world."

Internment/Resettlement Facilities									
	Case ID	Inv Agency	Type	Location	Date	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
1	(b)(5)			Camp Bucca	18-Apr-03	Closed		N/A	N/A
2				Abu Ghraib	28-Mar-04	Closed		N/A	N/A
3				Abu Ghraib	11-Apr-04	Closed		N/A	N/A
4				Camp Cropper	12-Jul-03	Closed		N/A	N/A
5				Abu Ghraib	7-Aug-03	Closed		N/A	N/A
6			Assault	Abu Ghraib	22-Nov-03	Closed	No	N/A	N/A
7				Abu Ghraib	24-Nov-03	Closed		N/A	N/A
8				Camp Cropper	3-Aug-03	Closed		N/A	N/A
9				Abu Ghraib	8-Aug-03	Closed		N/A	N/A
10				Abu Ghraib	11-Aug-03	Closed		N/A	N/A
11				Abu Ghraib	13-Aug-03	Closed		N/A	N/A
12				Abu Ghraib	20-Aug-03	Closed		N/A	N/A
13				Abu Ghraib	8-Jan-04	Closed		N/A	N/A
14				Abu Ghraib	16-Jan-04	Closed		N/A	N/A
15			Sex Assault	Abu Ghraib	7-Oct-03	Closed	Yes	Yes	N/A
16				Abu Ghraib	19-Feb-04	Closed		N/A	N/A
17				Camp Cropper	7-Mar-04	Closed	No	N/A	N/A
18			Assault	Camp Bucca	22-Sep-03	Closed	No	N/A	N/A
19			Assault	Abu Ghraib	18 Dec 03--31 Jan 04	Open	Yes	Yes	N/A
20			Assault	Camp Cropper	13 Jan--31 Jan 04	Open	Yes	Yes	N/A
21			Assault	Bagram	Jan--Oct 02	Open	Yes	Yes	N/A
22			Assault	Abu Ghraib	29 Nov--Dec 03	Open	Yes	Yes	N/A
23			Sex Assault	Abu Ghraib	3 Oct 03--18 Jan 04	Open	Yes	Yes	N/A
24			Assault	Camp Bucca	12-May-03	Closed	Yes	Yes	N/A
25			Assault	Camp Bucca	12-May-03	Closed	Yes	Yes	N/A
26			Assault	Abu Ghraib	Oct--Dec 03	Open	Yes	Yes	N/A
27				Bagram	4-Dec-02	Open	Yes	Yes	N/A
28				Bagram	10-Dec-02	Open	Yes	Yes	N/A
29				Abu Ghraib	4-Nov-03	Open	Yes	Yes	N/A
30			Assault	Abu Ghraib	25-Oct-03	Closed	Yes	Yes	N/A
31			Assault	Camp Bucca	5-Feb-03	Closed	Yes	Yes	N/A
32				Camp Cropper	19-Apr-04	Closed	UNK	UNK	
33				Abu Ghraib	19-May-04	Open	UNK	UNK	
34				Abu Ghraib	22-May-04	Open	UNK	UNK	
35				Camp Cropper	31-Jan-04	Closed	UNK	UNK	
36				Camp Cropper	3-Nov-03	Reopened	UNK	UNK	
37				Abu Ghraib	11-May-04	Open	UNK	UNK	
38				Camp Cropper	13-Jun-03	Open	Yes		N/A

Division Central Collecting Points									
	Case ID	Inv Agency	Type	Location	Date	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
1	(b)(5)		Assault	Tikrit CP	8-Sep-03	Reopened	No	N/A	N/A
2			Death	Ironhorse CCP	7-Feb-04	Closed		N/A	N/A
3			Assault	Kandahar CCP	Dec 01-Jul 02	Open	Yes	Yes	N/A
4			Assault	Tikrit CP	15-21 Apr 04	Open	Yes	Yes	N/A
5			Assault	Mosul CP	1-4 May 04	Open	Yes	Yes	N/A
Division Forward Collecting Points									
			Type	Location	Date	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
1			Assault	JSOTF CP	9-18 Apr 04	Closed	No	N/A	N/A
2			Death	LSA Diamondback	2-5 Apr 04	Open	Yes		N/A
3			Assault	Gardez CP	Feb-Apr 03	Open	Yes	Yes	N/A
4			Assault	Ammaria CP	17-21 Apr 04	Open	Yes	Yes	N/A
5			Assault	Khendilla Toiffa House	27 Apr-25 May 04	Open	Yes	Yes	N/A
6			Assault	H3 CP	11-12 Apr 04	Open	Yes	Yes	N/A
7			Assault/Theft	Balad CP	12-22 Jan 04	Open	Yes	Yes	N/A
8			Assault	Samarra CP	15-18 Dec 03	Open	Yes	Yes	N/A
9			Sex Assault	Gardez CP	1 Aug-30 Sep 03	Open	Yes	Yes	N/A
10			Death	Packhorse CP	11-Sep-03	Closed	Yes	Yes	N/A
11			Assault	FOB Gunner	20-Aug-03	Closed	Yes	Yes	N/A
12			Death	3rd ACR CP	26-Nov-03	Open	Yes	Yes	N/A
13			Assault	Samarra CP	15 Apr-1 Jul 03	Open	Yes	Yes	N/A
14			Death	FOB Rifles	9-Jan-04	Open	Yes	Yes	N/A
15			Assault	Unknown CP	24-Sep-03	Closed	Yes	Yes	N/A
16			Assault	BDE Holding Area	10-Dec-03	Closed	Yes	Yes	N/A
17			Assault	BDE Holding Area	18-Jan-04	Closed	No	No	N/A
18			Death	Gereshk CP	8-Nov-03	Closed	UNK	UNK	Unk Determination
19			Death	BDE CP @ Mosul	9-Dec-03	Closed		No	N/A

Point of Capture									
Case ID	Inv Agency	Type	Location	Date	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination	
1	(b)(5)	Death	BN CP	22-Aug-03	Closed	No	N/A	N/A	
2		Assault	non-doctrinal CP	6 Apr-1 May 04	Open	Yes	Yes	N/A	
3		Assault	BN CP	13-Jul-03	Closed	No	No	N/A	
4		Assault	BN CP	15-Oct-03	Closed	Yes	Yes	N/A	
5		Assault	Unit Holding Area	Nov-03	Closed	Yes	Yes	N/A	
6		Assault	non-doctrinal CP	1-Nov-03	Open	Yes	Yes	N/A	
7		Assault	Ammunition CP/IAD	1-Sep-03	Closed	Yes	Yes	N/A	
8		Death	Asadabad FOB	21-Jun-03	Closed	Yes	Yes	N/A	
9		Death	25ID Observation Pt	10-Apr-04	Open	No	No	N/A	
10		Theft	Checkpoint	11-May-04	Open	Yes	Yes	N/A	
11		Theft	Convenience Store	12-Jul-03	Reopened	No	No	N/A	
12		Theft	Checkpoint	23-Jul-03	Closed	Yes	Yes	N/A	
13		Assault	Unknown	1 Aug 03-31 Mar 04	Open	Yes	Yes	N/A	
14		Theft/Assault	Rulhwania Palace	24 Dec 03-31 Jan 04	Open	Yes	Yes	N/A	
15		Death	Unknown	28-Aug-02	Closed	Yes	Yes	N/A	
16		Death	Unknown	21-May-04	Open	Yes	Yes	N/A	
17		Theft	Checkpoint	10 Apr-30 Jul 03	Open	Yes	Yes	N/A	
18		Theft	Checkpoint	22 Apr-18 May 03	Closed	Yes	Yes	N/A	
19		Theft	Checkpoint	27-Apr-03	Closed	Yes	Yes	N/A	
20		Theft	Checkpoint	14-May-03	Closed	Yes	Yes	N/A	
21		Theft	Checkpoint	25 May-28 Jun 03	Closed	Yes	Yes	N/A	
22		Theft	Checkpoint	26-May-03	Closed	Yes	Yes	N/A	
23		Theft	Checkpoint	29-May-03	Open	Yes	Yes	N/A	
24		Theft	Unknown	1 Jun-30 Nov 03	Open	Yes	Yes	N/A	
25		Theft	Checkpoint	4-Jun-03	Open	Yes	Yes	N/A	
26		Theft/Assault	Checkpoint	6-Jun-03	Closed	Yes	Yes	N/A	
27		Theft	Checkpoint	30-Jun-03	Closed	Yes	Yes	N/A	
28		Theft/Assault	Checkpoint	7-Sep-03	Open	Yes	Yes	N/A	
29		Theft	Checkpoint	2-Dec-03	Closed	Yes	Yes	N/A	
30		Assault	Unknown	22-Jun-03	Closed	Yes	Yes	N/A	
31		Assault	Near Camp Eagle	7-May-04	Open	Yes	Yes	N/A	
32		Assault	Unknown	29 Dec 03-2 Jan 04	Open	Yes	Yes	N/A	
33		Assault	Gurjay Village, AFG	14-18 May 04	Open	Yes	Yes	N/A	
34		Assault	Iraqi House	1-22 Jun 03	Open	Yes	Yes	N/A	
35		Assault	Unknown	20 Jun-03	Closed	Yes	Yes	N/A	
36		Assault	Unknown	21-Jun-03	Closed	Yes	Yes	N/A	
37		Assault	BN HQs	31-Aug-03	Closed	Yes	Yes	N/A	
38		Assault	Unknown	31-Dec-03	Closed	Yes	Yes	N/A	
39		Death	Unknown	28-Feb-04	Closed	Yes	Yes	N/A	
40		Theft/Assault	Unknown	11 Jun-29 Jun 03	Closed	Yes	Yes	N/A	
41		Death	Bridge	3-Jan-04	Open	Yes	Yes	N/A	
42		Assault	Unknown	1-30-Apr 03	Open	Yes	Yes	N/A	
43		Assault	Unknown	1-Jul-03	Closed	Yes	Yes	N/A	
44		Assault	Near LSA Dogwood	3-Apr-04	Closed	Yes	Yes	N/A	
45		Assault	Various Locations	25-Jul-03	Closed	Yes	Yes	N/A	
46		Assault	Unknown	22-Nov-03	Closed	Yes	Yes	N/A	
47		Assault	Near BN FOB	2-Mar-04	Closed	No	No	Unk Determination	
48		Theft	Unknown	7-Jun-03	Closed	Yes	Yes	N/A	
49		Assault	Unknown	1-Aug-03	Closed	No	No	N/A	
50		Assault	Unknown	17-Dec-03	Closed	Yes	Yes	N/A	
51		Sex Assault	Unknown	11-31 Aug 03	Open	UNK	UNK	Unk Determination	
52		Theft	Checkpoint	4-Jul-04	Closed	No	No	N/A	

Unknown/Other Locations								
Case ID	Inv Agency	Type	Location	Date	Closed or Open	No Abuse Found	Alleged Abuse	Unk Determination
(b)(5)		Assault	Taza Police Station	2-Aug-03	Closed	Yes	Yes	N/A
		Assault	Unknown Location	1-Oct-03	Closed	Yes	Yes	N/A
		Assault	Unknown Location	19-Apr-04	Closed	Yes	Yes	N/A
		Assault	Unknown Location	1-25 Feb 04	Open	UNK	UNK	Unk Determination
		Theft	Unknown Location	28-May-03	Closed	UNK	UNK	Unk Determination
		Assault	Azimiyah Palace	4-29 Apr 04	Open	UNK	UNK	Unk Determination
		Assault	Unknown Location	21-Dec-03	Open	UNK	UNK	Unk Determination
		Assault	Unknown Facility	11-15 May 04	Open	UNK	UNK	Unk Determination
		Assault	Unknown Facility	2-Apr-04	Open	UNK	UNK	Unk Determination
		Assault		1-Aug-03	Closed	No	No	N/A
		Assault	Near Fallujah	10-Jan-04	Closed	No	No	N/A
1								
2								

Remarks
No substantiation of incident
Natural Causes
No Ident Suspects
No Ident Suspects
No Ident Suspects

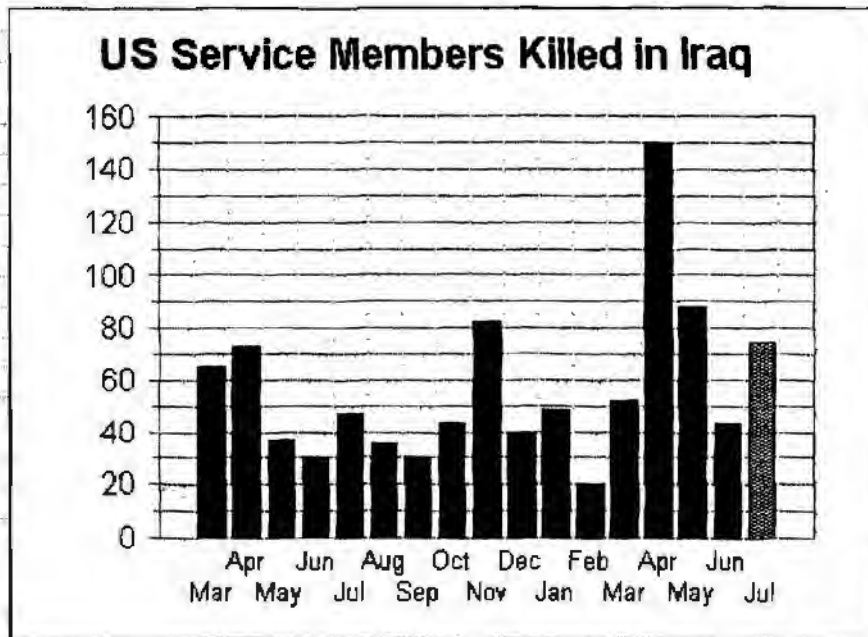
Remarks
Unsubstantiated Allegation
Navy Seals Suspected
No Ident Suspects
No Ident Suspects
No Ident Suspects
No Ident Suspects
No Ident Suspects
No Ident Suspects
No Ident Suspects
Navy Seals Suspected
ROE Violation
LTC Retired
Homicide/Vol Manslaughter
No Ident Suspects
Vol Manslaughter
FG NJP & Summary Art 15
GO memo of reprimand to WO
No abuse occurred
No Ident Suspects
No Sign of Abuse

Remarks
Accidental/Heat Injury
Harsh Interrogations
Accidental Discharge/No charges
2 FG NJP & 1 Summ Art 15
FG NJP for 3 Soldiers
AR 15-6 continues
Court Martial to 4 Soldiers
OGA IG/DOJ investigation continues
Justifiable Homicide
No Ident Suspects
2 FG NJP
Disciplinary Action Pending
No Ident Suspects
No Ident Suspects
GO Letter of Reprimand
Homicide (CPT)
C CO. 2-8 IN BN, 4th ID
Court Martial for 3 Soldiers
No Ident Suspects
Ch 10 Discharges
BCD Court Martial for 1 Soldier
FG NJP & Court Martials
C CO. 1-8 IN BN, 4th ID
Howitzer Battery, 2-3 ACR, 3 ACR
1-325 IN BN, 82d ABN
Court Martial for 3 Soldiers
Disciplinary Action Pending
Disciplinary Action Pending
Disciplinary Action Pending
Disciplinary Action Pending
2/5 CAV, 1CAV
No Ident Suspects
No Ident Suspects
Sum CM for 2 Soldiers
LT Resigned with OTH Discharge
FG NJP & Court Martials
FG NJP
Disciplinary Action Pending
Homicide, Awaiting Arraignment
BCD Special for 2 Soldiers
FG for 7 Soldiers, GCM for 2 Soldiers
2-325 IN BN, 82d ABN
Sum: CM & GO NJP
CPT to receive GCM--26 May 04
CPT CH 10 OTH Discharge Pending
5 received L of Rs, 2 received FG NJP
No Substantiated Abuse
Summ CM for 1 Soldier
NCO acquitted at BCD Special
FG NJP
No Ident Suspects
Lack of detainee cooperation

Remarks
CH 10 Discharge
CPT received GO NJP and relieved
LT received L of R, Civ terminated
Not sufficient credible info on abuse
No Suspects
No physical trauma found
No Ident Suspects or Location
No Ident Suspects or Location
No Ident Suspects or Location
Cdrs Inquiry--No violations
15-6--No Abuse

[Home](#) >> [Military](#) >> [Operations](#) >> [Southwest Asia](#) >> [Occupation](#) >>

Casualties in Iraq



Casualty No

Monthly Sum

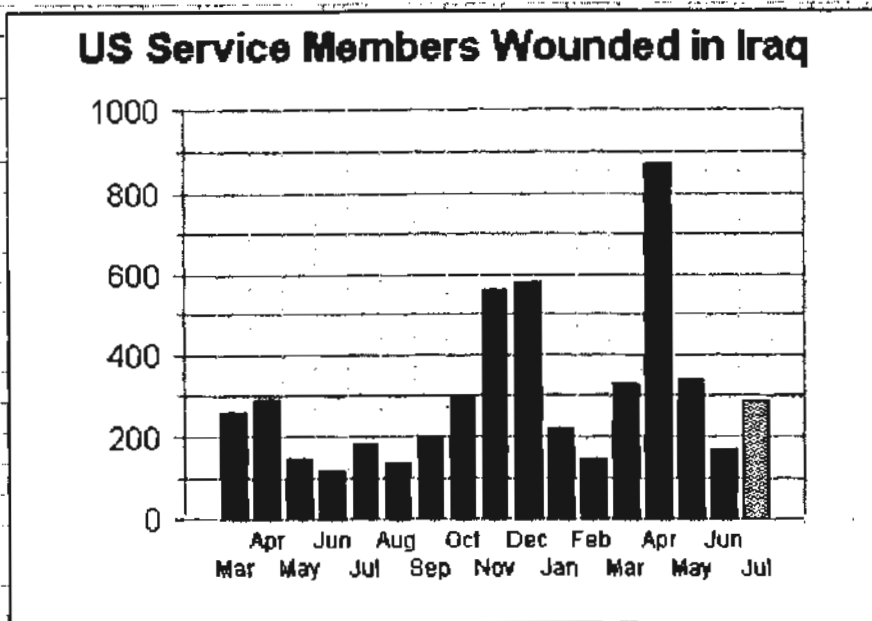
- [2003 - Mar](#)
- [2003 - Apr](#)
- [2003 - May](#)
- [2003 - Jun](#)
- [2003 - July](#)
- [2003 - Aug](#)
- [2003 - Sep](#)
- [2003 - Oct](#)
- [2003 - Nov](#)
- [2003 - Dec](#)
- [2004 - Jan](#)
- [2004 - Feb](#)
- [2004 - Mar](#)
- [2004 - Apr](#)
- [2004 - May](#)
- [2004 - Jun](#)
- [2004 - July](#)

Prior US Ca:

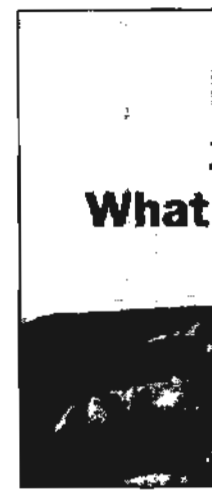
Sources

- [CENTCOM Cast](#)
- [MNF-I/MNC-I](#)
- [Army Medical St](#)
- [Military Casualty](#)
- [US DOD Press R](#)
- [Casualties in Ira](#)
- [Iraq Coalition](#)
- [List of Coalitio](#)
- [Google News &](#)
- [United States H](#)
- [Fallen Heroes of](#)
- [On Behalf of a C](#)
- [THE ULTIMATE I](#)
- [Casualties in A](#)

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• Iraq Body Count



Actual **Projected**
 ■ ▨
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Month	US Killed*	US Wounded**	Coalition Killed***	Coalition Wounded	Friendly Iraq Killed	Friendly Iraq Wounded
March 2003	65					
April 2003	73					
TOTAL	138	550				
May	37					???
June	30					???
July	47	570				???
August	35					???
September	30					???
October	43	1052				???
November	82					???
December	40	581				???
January 2004	48	223				???
February	20	146				???
March	52	330				???
April	150	876				???
May	88	337				???

June	44					???
July	39					???
TOTAL	923	4682	115	?? 500	~1,000	????

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*Includes both hostile killed and non-hostile killed
 **Included both Wounded in Action and non-hostile prior to 01 Apr 04
 ***Includes only Wounded in Action since 01 Apr 04
 See the Casualty Notes for explanations.

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http://www.globalsecurity.org/military/ops/iraq_casualties.htm
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