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Abuse Inquiry Finds Flaws

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WASHINGTON - A Pentagon investigation of interrogation techniques at military detention centers in Cuba, Afghanistan and Iraq concludes that senior defense officials exercised little or no oversight of interrogation policies outside of Guantánamo Bay, leaving field commanders to develop some practices that were unauthorized, according to a draft summary of the classified report.

The inquiry by Vice Adm. Albert T. Church, the naval inspector general, found that by January 2003, military interrogators in Afghanistan were using techniques similar to those that Defense Secretary Donald H. Rumsfeld had approved for use only at Guantánamo Bay. They included stress positions, and sleep and light deprivation.

But when the command in Afghanistan submitted in January its list of techniques to the military's Joint Staff and Central Command, as requested, and never heard any complaints, it "interpreted this silence to mean that the techniques were unobjectionable to higher headquarters and therefore could be considered approved policy," the summary said.

Nor did Pentagon or Central Command officials offer the high command in Baghdad much help in developing its interrogation procedures, the summary said, noting that by September 2003, the headquarters "was left to struggle with these issues on its own in the midst of fighting an insurgency."

The investigation, ordered in May by Mr. Rumsfeld, also reaffirms two important findings of previous military inquiries into detainee abuse: that at least 20 substantiated cases of abuse occurred during interrogations, contrary to the Pentagon's original claims; and that the Central Intelligence Agency kept some 30 "ghost detainees" at Abu Ghraib prison and at other detention centers in Iraq off official rosters. Other investigations have found this practice was to hide the prisoners from Red Cross inspectors.

The Church report, however, does not blame the detainee abuses in Iraq and elsewhere on the flawed interrogation policies, blaming mainly a breakdown in "good order and discipline." It found no evidence that senior Pentagon or White House officials pressured interrogators to use abusive tactics to wring information from recalcitrant detainees to help fight the insurgency.

But these findings are unlikely to satisfy critics, who have accused defense officials in Washington of allowing, or even creating, an environment conducive to misconduct.

The findings are in an unclassified 30-page executive summary of the classified report, which runs more than 400 pages. A copy of the summary was reviewed by The New York Times. Lawrence Di Rita, the Pentagon spokesman, said in an interview this week that the draft report has been circulating for comment inside the department for several weeks. It was unclear what changes Admiral Church might incorporate into his final version, to be submitted in the coming days.

As preliminary findings of the Church report emerged, new details from other inquiries into prisoner abuse were also coming to light.

A December 2003 report on intelligence-gathering operations in Iraq criticized the treatment of high-value prisoners like Tariq Aziz, a former top aide to Saddam Hussein, who were held at Camp Cropper, a secret detention and interrogation center on the outskirts of Baghdad International Airport.

Its author, Stuart A. Herrington, a retired Army colonel who visited Iraq in 2003 at the request of the military's top intelligence officer in Iraq, called the prisoners' accommodations "primitive." He said this treatment was not only counterproductive to gaining information from high-ranking prisoners, but might also violate the Geneva Conventions' protections for treating prisoners with regard to rank and stature.

The report also disclosed that C.I.A. officers in Iraq were ordered to stay away from a separate military interrogation center operated by a secret unit of Special Operation Forces, Task Force 121, because agency officials feared the military might be abusing prisoners. The concerns about abuse were passed up the chain of command, but in February, an investigator, Lt. Col. Natalie Lee, found no evidence that the unit had abused detainees.

Colonel Herrington's report was included as a classified annex to a report released in August by Maj. Gen. George R. Fay and Lt. Gen. Anthony R. Jones, who investigated the role of intelligence personnel in prisoner abuse. A copy of the 13-page annex, which was sent to Congress but was not publicly released, was also reviewed by The New York Times. Some of the contents of the annex were reported this week by The Washington Post and The Los Angeles Times.

In a new development involving the Navy Seals in Iraq, the Naval Special Warfare Command in Coronado, Calif., has opened an investigation into photographs that appear to show Navy Special Operations forces sitting on hooded and handcuffed detainees, Cmdr. Conrad Chun, a Navy spokesman, said Friday.

Some of the photos, which an Associated Press reporter found on a commercial photo-sharing Web site, have date stamps suggesting they were taken in May 2003, making them evidence of some of the earliest possible abuse of prisoners in Iraq. The Web site has since shut down.

The Church report, which based its conclusions on more than 800 interviews with personnel who served in Iraq, Afghanistan and Cuba, contrasted the rigorous review of interrogation techniques at Guantánamo Bay with a much more haphazard process in Afghanistan and Iraq.

The Church report concluded that despite their similarities, "these techniques did not migrate from Guantánamo Bay to Afghanistan," as another inquiry by an independent panel headed by former Defense Secretary James R. Schlesinger suggested in August, the summary said. Instead, it said, the techniques were developed independently by interrogators in both places who took a broad reading of the Army's field manual for interrogations.