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UNITED STATES GOVERNMENT

memorandum

DATE: 10 June, 2004

REPLY TO:

ATTN OF:

(b)(3)

SUBJECT: Memorandum for Record - Report of Violations of The Geneva Conventions and the International Laws of Land Warfare (U).

TO:

1. ~~(S)~~ From [REDACTED] I was employed by the Defense Intelligence Agency as an Intelligence Officer assigned and under the operational control to [REDACTED]. I have been in the civilian employment of the Department of Defense in the capacity of intelligence officer for approximately 14 years. I have received specialized on-the-job-training in HUMINT operations, to include interrogation. I spoke about the incidents reported in the document during a meeting with [REDACTED] at approximately 12:15 pm. Present at the meeting were [REDACTED]

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(U) This statement is in support of the following:

- a. (U) Two counts of violations of The Geneva Convention as it pertains to detainee abuse.
- b. (U) One count of violations of The Geneva Convention as it pertains to the illegal detainment of non-combatants.

3. (U) Details:

a. ~~(S)~~ ~~(NF)~~ (1st count, ref para 2.a.) On or about 11 May 2004, in Baghdad, Iraq, I witnessed the mistreatment of a TF 6-26 detainee during the initial interrogation after his capture. During the interrogation, conducted by a US Army interrogator, four or five non-interrogator personnel from the Task Force entered the room and began slapping the detainee while he was attempting to respond to the questioning. After approximately 15 minutes, a senior NCO, going by call sign "XO3" entered the room and asked most of the personnel to leave, to include ALL of the interrogators. I am not aware of what specifically occurred during my absence. [REDACTED] officer assigned to the Task Force, was present as well and witness the incident. [REDACTED] was observing the interrogation and I was assisting the lead interrogator, A 1st SF Group interrogator also augmenting the unit. I am not aware if this matter has been previously reported.

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b. ~~(S//NF)~~ (2nd count, ref para 2.a.) During another TF 6-26 operation in Baghdad, a [REDACTED] of the Coalition Provisional Authority's Counterintelligence office PA-CI) was arrested during a raid targeting an al-Qaida facilitator. [REDACTED] and two male family members were detained and moved to the TF 6-26 screening facility. [REDACTED] and his family members were released and during the initial debriefing of [REDACTED] he reported to TF 6-26 and CPA-CI handlers that he had been "slapped around" during initial interrogation at the place of his capture. The matter was reported in an internal TF contract report to the B Squadron commander by the DIA handling officer. [REDACTED]

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c. ~~(S//NF)~~ (Ref para 2.b.) On 9 May 2004, TF 6-26 personnel detained the wife of a suspected Iraqi terrorist, in Tarmiya, Iraq. The 28-year-old woman had three young children at the house, one being as young as six months and still nursing. Her husband was the primary target of the raid, with other suspect personnel subject to detainment as well. The house belonged to the primary target's in-laws, and it was believed his wife and children would be there as well. During the pre-operation brief it was recommended by TF personnel that if the wife were present, she be detained and held in order to leverage the primary target's surrender. I objected to the detainment of the young mother to the raid team leader, "X03". I believed it was a dead issue, since I would be on-target and responsible for screening the occupants of the house for suspects to detain. During my initial screening of the occupants at the target house, I determined that the wife could provide no actionable intelligence leading to the arrest her husband. Despite my protest,

a raid team leader detained her anyway. I concurred with the arrest of one of her brothers, who had been identified as likely having knowledge of the primary target's location. I reported the incident to the HUMINT support element operations officer, [REDACTED] as I understand it, the matter was in turn reported to the Task Force HQ. Approximately two day later, the wife and her brother were released into the custody of their tribal sheikh.

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4. (U) Concluding statement: The tactical interrogation report is a record of the interrogation and is more often than not the only written record forwarded with the detainees as they are moved through the detention system from screening facilities to final detention centers. Since those interrogation reports, as a matter of record, contain the names of the interrogators, any mistreatment of detainees, whether in the presence of the interrogator or not, reflects adversely and directly on the interrogator named in the report. This is a liability to the DHS collector and the DIA. It is my recommendation that any direct interrogation support to a DoD element by DHS be supported with an MOU clearly defining DoD interrogation and detainee treatment policies.

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