

Effects and Consequences of U.S. Policies

Detainee operations since 2001 have been lengthy and fraught with complications including the numerous prisoner abuse scandals in Iraq, Afghanistan, Guantánamo Bay, and those associated with the CIA's extraordinary rendition program. The detention program continues to evolve in response to internal and external criticisms.

Legal and Political Consequences of U.S. Detention Operations

International Legal Consequences

U.S. and international human rights groups have launched campaigns to have President George W. Bush, along with key administration officials, arrested abroad. In 2011, Bush was forced to call off a planned trip to Switzerland amidst fears of large anti-torture demonstrations and threats from human rights organizations that had sent a dossier of detention-related information to Swiss prosecutors to trigger a criminal investigation.¹ “What we have in Switzerland is a Pinochet opportunity,” said a spokesman for the European Centre for Constitutional and Human Rights, who along with the U.S.-based Center for Constitution Rights and Amnesty International, supported Bush’s arrest in Switzerland.² “Bush will be pursued wherever he goes as a war criminal and torturer.”³

Rumsfeld has faced numerous threats of arrest in the years since the Abu Ghraib scandal. In 2005, Rumsfeld was threatened with arrest in Germany, where he was planning to attend a defense conference.⁴ The charges of war crimes were filed by U.S. lawyers for Iraqi detainees at Abu Ghraib and stemmed from the torture and abuses that occurred there.⁵ Rumsfeld eventually attended the conference after the German prosecutor dismissed the charges on the grounds that there was insufficient evidence to show that the United States was unable or unwilling to prosecute Rumsfeld.⁶ (This argument has seemingly been eliminated by President Obama’s clear statement regarding prosecutions or inquiries). In 2007, another lawsuit alleging war crimes was filed in Germany against Rumsfeld and 13 other former Bush administration officials, along with a lawsuit in France against Rumsfeld alone.⁷ Both lawsuits were dismissed on the grounds of immunity, but not before Rumsfeld was reportedly forced to flee a breakfast meeting in France when his staffers learned of the court filing.⁸

In 2009, the Center for Constitutional Rights also initiated two investigations at the National

Court of Spain: the first concerning the use of torture and other cruel, inhuman or degrading (CID) treatment or punishment at U.S. detention facilities, and the second a criminal complaint against the so-called “Bush Six” — David Addington, Jay Bybee, Doug Feith, Alberto Gonzales, William Haynes, and John Yoo.⁹ The first investigation is ongoing, while the second was temporarily stayed following an April 2011 transfer of the case by the Spanish judge to the U.S. Department of Justice for continuation.¹⁰ The second investigation was finally dismissed in February 2013 following a ruling by the Spanish court that there was sufficient legal recourse in the United States.¹¹ Human rights groups have also attempted to have charges brought against Bush and Cheney in Canada.¹²

In May 2012, Bush, Cheney, Rumsfeld, and five of the “Bush Six” (excepting Doug Feith) were, *in absentia*, convicted of war crimes in a specially convened tribunal in Malaysia.¹³ Although the ruling was largely symbolic, the tribunal heard testimony from a number of witnesses and former detainees before issuing its verdict.¹⁴

Similar to the Italian convictions of 23 CIA officials for rendition and torture [see Chapter 5], the Malaysian verdict and the ongoing attempts to hold Bush administration officials legally accountable for torture and CID reflect the outrage in the international community over the excesses of U.S. detention operations since 2001. A spokesman for the Vatican pronounced the evidence of torture by U.S. forces “[a] more serious blow to the United States than Sept. 11. Except that the blow was not inflicted by terrorists but by Americans against themselves.”¹⁵ British judge Lord Bingham (former Senior Law Lord in the House of Lords), severely criticized U.S. detention operations in Iraq and Guantánamo Bay, saying that “[p]articularly disturbing to proponents of the rule of law is the cynical lack of concern for international legality among some top officials in the Bush administration.”¹⁶

In addition to the lawsuits abroad against U.S. officials, lawsuits have been filed against foreign governments and officials for their roles in detention operations and particularly the extraordinary rendition program. On December 13, 2012, the European Court of Human Rights ruled in favor of former detainee Khaled El-Masri in his lawsuit against Macedonia for their responsibility for his torture and rendition by the CIA¹⁷ [see Chapter 5 for further details]. There are currently three similar cases pending against rendition partners Poland, Lithuania, and Romania before the European Court of Human Rights, and one case ongoing against Djibouti before the African Commission of Human and Peoples’ Rights.¹⁸

In 2010, the United Kingdom issued a settlement in a case brought by 12 former detainees for the government’s complicity in their renditions and torture/abuse.¹⁹ Additionally, the UK issued a £2.2 million (approximately \$3.5 million) settlement with Libyan national Sami Al Saadi over his allegations that MI-6 was involved in his rendition back to Muammar el-Gaddafi’s Libya.²⁰ Al Saadi was allegedly tortured while imprisoned in Libya.²¹ There have been a number of inquiries by UK bodies into the rendition program to date, including one by the House of Commons’ Foreign Affairs Committee, and one by the All-Party Parliamentary Group, headed by Conservative MP Andrew Tyrie.²² Prime Minister David Cameron has pledged that there will be an official government inquiry following the culmination of pending litigation by Libyan national Abdel Hakim Belhadj against former Foreign Secretary Jack Straw regarding his rendition to Libya by the CIA and MI-6 in 2004.²³ Further incentive for a UK inquiry can be found in Lord Peter Goldsmith’s (former British attorney-general) statement of January 2012, noting his view that “that Guantánamo was damaging us, too. It was one of the images that was causing the radicalization of young Britons.”²⁴

International Political Consequences: Libya Case Study

The treatment of several Libyan detainees by U.S. forces and allies provides a valuable demonstration for policymakers of the potential problems of short-term tactical thinking and actions. History can take sudden turns and decisions that may have seemed reasonable or even clever in the moment can bring unfortunate consequences when circumstances change.

This is what occurred when the perception of Libya's ruler, Muammar el-Gaddafi, shifted in the West; he went from being regarded as a dangerous and unstable despot to someone who was to be courted as a valuable ally in the war against terrorism and an example of a leader renouncing dangerous weapons. Then, when he tried to crush a rebellion, the view of him shifted again as he was regarded once more as a dangerous tyrant whose overthrow we were proud to have aided.

During the course of these changes, several leaders of the principal nationalist Libyan movement were abused in U.S. custody — and in some cases, their wives were as well. One of the detainees was even subjected to waterboarding by U.S. forces. Then, in an effort to reward el-Gaddafi during the time he was in favor with the West, they were secretly handed over to his regime, where they faced further abuse. One of the detainees, Sada Hadium Abdulsalam al-Drake, estimated that about a dozen members of the Libyan Islamic Fighting Group (LIFG), were handed over to Libya by the Americans and British authorities during the period the West was trying to improve relations with el-Gaddafi. Those Libyan detainees who were mistreated and likely tortured by U.S. or allied forces had been in exile in Afghanistan or Pakistan before September 11.

Within a few years, those same Libyan nationalists who suffered under allied detention and rendition to el-Gaddafi became figures of some importance to the United States. They were even regarded as heroic democratic examples in the West as they toppled el-Gaddafi. There is a deep and unsettling irony in this as the United States would soon become instrumental in the NATO effort to help Libyans overthrow el-Gaddafi, and that meant depending on those same individuals who had been rendered and abused (some by U.S. forces) just a few years prior.

The worst of the potential consequences of the earlier U.S. actions appears to have been averted. In interviews with Task Force staff, the leaders of the revolt that overthrew el-Gaddafi expressed surprisingly little bitterness or even anger toward America. (Their attitude toward Britain is a different story.) This is significant and fortunate as the U.S. struggles to make sense of current Libyan politics.

However, it is difficult to evaluate the assertions of the Libyan nationalists interviewed who said they bear no lingering animosity to the United States. As to whether they were ever any threat to the United States, two of the leaders provided to Task Force staff fascinating accounts of their direct dealings and conversations with Osama bin Laden in Afghanistan before September 11. These encounters, they say, demonstrate that the Libyan rebels had mistakenly been regarded as threats to the United States from the beginning. In their accounts, bin Laden tried persistently and unsuccessfully to bring their nationalist movement into the Al Qaeda fold and he became exasperated when they declined. The accounts below provide some details of those conversations.

The history recounted in this section indicates that some Libyans who have been recently regarded as important national figures by American policymakers (such as U.S. Ambassador J.

Christopher Stevens, murdered by genuinely anti-American terrorists) are people we appear to have previously tortured or turned over to el-Gaddafi for torture. It is a complicated story — some of the people we apparently tortured were not mistreated by el-Gaddafi, and vice versa.

Apparently someone (almost certainly at the CIA) thought that since the United States was sending people all around the world in our secret rendition program to combat terrorism aimed at the United States, it would be a good idea to take advantage of the system to transfer some people to Libya in an effort to gain favor with that country's rulers at a time we were having a diplomatic rapprochement with the el-Gaddafi regime. The evidence that this was the thinking behind these renditions — that we and the British government thought we were buying favor with el-Gaddafi's secret service — is in seized cables found in the headquarters of Libya's former secret service chief after Tripoli fell. The cables were found in a remarkable discovery by researchers for Human Rights Watch who had the foresight to rush to the office of the chief of Libya's security service in downtown Tripoli after its sudden downfall. The files were discovered left unsecured in the haste of the retreat and translated. They were included in a September 2012 Human Rights Watch report, "Delivered Into Enemy Hands."²⁵

In that report, one of the LIFG leaders, Mohammed al-Shoroeiya, provided an account of how he was subjected to waterboarding at the hands of Americans in Afghanistan. Al-Shoroeiya was not one of the three people the CIA has acknowledged waterboarding. Another LIFG leader, Khalid al-Sharif, provided Task Force staff with an account of being subjected to a similar water-suffocation procedure (which did not involve an actual board). Al-Sharif's account seemed credible to the Task Force staff for several reasons: He did not know anyone was coming to interview him when he was approached in Tripoli; he told the story of the water suffocation matter-of-factly in the middle of the interview; and he seemed to recall the terror he faced as he recounted the incidents. He was asked if, after he was subjected to water suffocation thesecond or third time, the procedure began to seem less threatening as he realized they did not intend to kill him, just torment him.

"It wasn't the idea of killing me," he said through a translator. "You know the person doesn't want to kill you. But the torture is harder than death."

Human Rights Watch's disclosures of al-Shoroeiya's waterboarding and al-Sharif's suffocation by water caused some consternation at the CIA, which had always maintained that only three people had been waterboarded.

Asked his occupation, al-Sharif said he was in the National Guard. When asked his rank, he responded that he was the commander. He is, in fact, the leader of the 8,000-member Libyan National Guard, a force relied upon by U.S. authorities. During the interview with Task Force staff, he took a call from the American embassy. This and other interviews with Libyan nationalists were conducted in Libya in August and September 2012.

Abdel Hakim Belhadj

Belhadj was interviewed by Task Force staff at his political party's headquarters on the outskirts of Tripoli on September 5, 2012. As a senior rebel military commander, he led the successful assault on Tripoli in the summer of 2011.²⁶

Yet in 2004, Belhadj and his wife, Fatima Bouchar, were seized by U.S. agents in Thailand,

questioned harshly, and within days bundled aboard a plane to be delivered to el-Gaddafi. It was an operation conducted with the cooperation of British intelligence.

Belhadj told the Task Force interviewer that he bore no continuing anger toward the United States, but noted that it has been especially difficult for him to reach that view because of how his wife was treated. “What happened to my wife is beyond belief,” he said through a translator. She was not part of his political life, he said, and “what my wife went through doubled my pain.”²⁷

In an account given to the *Guardian* newspaper, his wife, Fatima Bouchar, said that when she and Belhadj were seized, she was 4½ months pregnant. She said they were taken to a secret prison near the Bangkok airport where they were separated. “They took me to a cell and they chained my left wrist to the wall and both my ankles to the floor,” she told the *Guardian*. She was given water but no food over the next five days.

At the end of that period, she was forced to lie on a stretcher and was wrapped tightly from head to toe with tape. When they got to her head, she said, she made the mistake of keeping one eye open and it was taped in that position. It remained that way for the duration of a long flight to Libya, later determined to have lasted about 17 hours. “It was agony,” she said.²⁸

Belhadj said he was shackled to the floor of the plane in an uncomfortable position for the journey and occasionally kicked.²⁹

When they landed in Tripoli, they were driven separately to Tajoura prison where Bouchar would spend the next four months in a cell. She was released just before giving birth to a son. Belhadj would spend another five years in prison before being released.³⁰

He described the treatment he and his wife endured as barbaric and said, “I can confirm to you that if I wanted revenge or wanted to rally people around me who would seek revenge, I would have done it. But I didn’t and I will never think about the idea of revenge.”³¹

Instead, he said, he would be grateful to all who had helped in the overthrow of el-Gaddafi and indicated that he distinguished between the Bush and Obama administrations. “The American government and the new administration had a positive role in backing this revolution,” he said. “And we thank them for that.”³²

Belhadj’s son born during his imprisonment is now almost nine years old and he and Bouchar have since had a baby girl born to them. He told the Task Force interviewer that he had met several times with Ambassador Stevens, the U.S. envoy who would be killed less than a week after the interview. “During all those meetings what we talk about is the mutual common interest we have, the relationship between Libya and the world, including the United States,” he said.³³

Asked about the relationship between the LIFG, the Libyan nationalist movement, and Al Qaeda in Afghanistan, he replied: “There was never a relationship. On the contrary, I have met with Osama bin Laden on many occasions and whenever we met and discussed ideas, I make sure to say these ideas (of killing) are not acceptable to Muslims.”³⁴ He also said that he argued with bin Laden over Al Qaeda’s tactics. “I told him, ‘how is it possible that Islam allows killing non-Muslims who are civilians? In what part of our Koran does it say that?’ ”³⁵

The documents found in the office of el-Gaddafi’s intelligence chief, Moussa Koussa, included

messages from British intelligence officials whose contents were deeply embarrassing for Britain.³⁶ One particular message found in the bombed office of Gaddafi's intelligence chief was from Mark Allen, then head of MI-6's anti-terrorism unit, who wrote to Moussa Koussa: "I congratulate you on the safe arrival of [Belhadj as identified by his *nom de guerre*]. This was the least we could do for you and for Libya to demonstrate the remarkable relationship we have built over the years."³⁷

Two weeks after Belhadj and his wife were rendered to Libya, Tony Blair visited Tripoli and praised el-Gaddafi, declaring that Libya had come to recognize "a common cause with us in the fight against al Qaeda extremism."³⁸ Around the same time, the *Guardian* reported, Shell, the Anglo-Dutch oil conglomerate, announced it had signed a lucrative deal to obtain gas exploration rights off the Libyan coast.³⁹ Within days of the Blair visit and the Shell contract, British agents helped render a second leading member of the Libyan resistance to el-Gaddafi.⁴⁰

Belhadj is suing Mark Allen and Jack Straw, who was foreign secretary at the time. He told the Task Force interviewer that he would not have brought suit or sought damages if the British government had simply apologized to him.⁴¹

Sami Al Saadi

If Belhadj was the military leader of the Libyan nationalist militant group, LIFG, Sami Al Saadi was its chief intellect and religious figure. He was interviewed by Task Force staff in Tripoli on Sept. 5, 2012.

Al Saadi came from a wealthy merchant family, one of the oldest in Tripoli. He said that most of the family wealth was seized by el-Gaddafi and his supporters. Both of his brothers were killed in a notorious massacre at Abu Salim prison in 1996.⁴²

He first went to Afghanistan in 1988, he said, as part of the Libyan exile group (LIFG) opposed to el-Gaddafi. There were many such groups in Afghanistan, he said and, "[i]n the 90's, we were asked by al Qaeda to join them. We had refused because we were concentrating on the resistance against the Libyan regime. ... All of the groups and the Arabs who were in Afghanistan at the time, they know us as a group we were opposing the ideology of Al Qaeda."⁴³

Al Saadi said that he had a few meetings with Osama bin Laden, the last in Kandahar a month before September 11. The subject was the legitimacy of using Afghanistan as a base to stage strikes against the United States. Al Saadi described the meeting as being in a big tent where lunch was served. The Libyans arrived late, he said, but bin Laden gestured to him to come sit by him at the center of the gathering. "I said I was uncomfortable here, but he gestured I must sit next to him," Al Saadi recounted. He said that bin Laden knew that the Libyan group did not support Al Qaeda, especially in using Afghanistan as a base to launch strikes. "He said he heard about our stand and wanted to discuss it."⁴⁴

Al Saadi said that bin Laden argued he was justified in using Afghanistan as a base even if the Taliban government did not approve. He eventually got up to walk out and bin Laden followed him and said, "I wish you would review your stand."

"I told him, 'this is our stand and we had discussed this so many times' and that was the last time I met with Osama bin Laden."⁴⁵

On September 11, 2001, he was walking to buy some bread when someone urged him to get into a car and listen to the news about a strike in the United States. Asked if he and others were happy, he said the mood was not one of celebration but of analyzing what would happen next. The next day he and other Libyans left Afghanistan for Pakistan to avoid what they expected would be a swift reaction from U.S. forces. Al Saadi then traveled with his family to Malaysia and then China where he was arrested about February or March, 2004. He arrived in Libya on March 28, 2004.⁴⁶

“You know the person doesn’t want to kill you. But the torture is harder than death.”

Al Saadi, his wife and four children spent months in Tajoura prison. The family members were released in a few months, but he stayed there for three years before being transferred to Abu Salim prison, where he remained for another three years.⁴⁷ He said he was tortured in Tajoura with beatings on his hands and feet using electrical wires. After he was transferred to Abu Salim prison, he was visited by some outside groups — he believes that the International Committee of the Red Cross (ICRC) was among them — and he credits the awareness of prison authorities that his conditions were being monitored with the cessation of torture. However, on March 23, 2010, he was sentenced to death by a court inside the prison and given a certificate attesting to that.⁴⁸

Both Belhadj and Al Saadi, along with other members of the LIFG, were eventually pardoned through the efforts of el-Gaddafi’s son, Seif al-Islam, who had been assigned to broker some peace with the rebels.⁴⁹ In December 2012, Al Saadi received a £2.2 million (approximately \$3.5 million) settlement (without admission of liability) from the UK government over his claims that MI-6 was involved in his rendition back to Libya and responsible for his subsequent torture.⁵⁰

Khalid al-Sharif

Another leader of the LIFG who was rendered to Libya, Khalid al-Sharif, said that while in the custody of U.S. forces in Afghanistan, he was subjected to a treatment that was very much like waterboarding (described above). Here is a partial transcript of al-Sharif’s interview as conducted through a translator:

Q: You were waterboarded? How?

Al-Sharif: They lay you down this way, on your back. On a big piece of plastic and there will be personnel holding the plastic from the corner so the water wouldn’t get out. The piece of plastic. It’s like a carpet but it’s made out of plastic.

Q: Are you lying on this?

[Clarification by translator]: He’s lying on this.

Al-Sharif: There are people holding the plastic from the edges so the water doesn’t get out. And then the interrogator starts pouring the water on your face and your face is, of course, covered — there’s a cover on your face.

Q: Covered like with a cloth?

Al-Sharif: It’s that bag that they put on the detainees.

Q: A hood?

[Clarification by translator] The whole face.

Q: What is it made of, is it cloth?

Al-Sharif: Yes, it's cloth. You can't see from it but you can breathe and water could obviously come in.

Q: There's a bag on your face and the water is poured on it?

Al-Sharif: Yes. So with the constant pouring of water on your face you start suffocating.

Q: Did you think you were going to drown?

Al-Sharif: Of course, because you start moving your face to the right and left and looking to breathe and you completely smothered by the water pouring on you.

Q: How long did this go on?

Al-Sharif: Depends on the interrogation.

Q: How many times did it happen? They were asking questions at the same time?

Al-Sharif: While pouring the water they are asking questions.

Q: How many times?

Al-Sharif: I don't remember. It was several times.

Al-Sharif said he was tortured during the three months he was held by Americans but the water torture was only in the beginning.

Q: After it was repeated, did you then realize they weren't going to kill you?

Al-Sharif: It wasn't the idea of dying or killing me, the problem was how many times they bring you close to death because you start looking for air.

Q: It did not make it better that you knew you weren't going to die?

Al-Sharif: You know the person doesn't want to kill you, but the torture is harder than death.

Q: This was at the airbase? Were there Americans in uniform?

Al-Sharif: Some people were wearing the uniform, some people weren't. For example, one of the people who were torturing was the prison warden and he was wearing a uniform.

Q: American?

Al-Sharif: Yes.

Q: And this was Afghanistan?

Al-Sharif: Yes.

Q: What was the room like where this occurred?

Al-Sharif: There were basically two rooms. The first room was for when they ask you the questions. The room had carpets all over its walls — red carpets — all over its walls. The wall and the ceiling, it was all covered with carpet. Red carpet, to be exact. And it had headlights pointed at you.

That's for the interrogation.

The other room was for the torture.

Q: What questions were asked in the interrogation? Questions about Al Qaeda?

Al-Sharif: Basically they would ask you — the first question is whether you're Al Qaeda and they would ask you about what are the next operations that Al Qaeda will carry out in the States. All the questions about the operations and people from Al Qaeda even though I told them from the first day that I was not Al Qaeda that I belong to a different group. This group is solely an opponent to the Libyan regime. We left our country in the 1980s and couldn't go back — that's why we live here.⁵¹

The ongoing release of information regarding U.S. detention operations, including CIA operations abroad, have stilted relations between the United States and other countries in several notable cases, and have had the potential to destroy relations with post-el-Gaddafi Libya. The United Kingdom, Sweden, Ireland and Finland have also requested further information from the United States about alleged rendition flights through their territories, and have imposed strict regulations on CIA aircraft, which have frustrated U.S. authorities⁵² [see Chapter 5]. It can be expected that the continued release of information regarding U.S. detention operations spanning the globe will trigger further inquiries and lawsuits abroad in the next few years.

Operational Consequences for the U.S. Military

As detailed in this report [see Chapters 2 and 3], the use of harsh techniques that sometimes amounted to torture had widespread consequences. In both Iraq and Afghanistan, detention operations, including use of torture by U.S. forces, were changed dramatically after they contributed to rising insurgencies and breakdowns in command authority. Aside from these strategic changes, U.S. personnel were affected by the abuse in two ways: The negative mental consequences for them after engaging in abusive tactics and negative practical consequences for their collaborations with foreign military personnel. Both influenced the efficiency and success of U.S. military operations in Iraq and Afghanistan.

The Impact of Abuse on U.S. Personnel

Although Abu Ghraib was the most visible example of soldiers abusing detainees, there were many similar situations in Bagram Detention Facility in Afghanistan, Camp Bucca in Iraq, National Directorate of Security detention facilities throughout Afghanistan, and detainee deaths at the point of capture in the field.⁵³ The culture of abuse, in turn, spawned further insurgency movements.

In 2003, after the release of the Abu Ghraib photos, a reporter asked a young Iraqi man about the reasons for the rise in violence against U.S. soldiers. His response emphasized the imperative for revenge: 'It is a shame for foreigners to put a bag over their heads, to make a man lie on the ground with your shoe on his neck. ... This is a great shame for the whole tribe. It is the duty of that man, and of our tribe, to get revenge on that soldier — to kill that man. Their duty is to attack them, to wash the shame. The shame is a stain, a dirty thing — they have to wash it. We cannot sleep until we have revenge.'⁵⁴

At Camp Bucca in Iraq, six sailors were accused of abusing detainees by means that included throwing them into a cell they had filled with pepper spray.⁵⁵ When appointed to command detention operations in Iraq, Major General Doug Stone placed improved treatment in detention at the heart of the larger strategy to win over public support. Poorly conceived and executed "detention [operations] would kill the war [and] the service ... there is no question," he told Task Force staff.⁵⁶

An often-overlooked problem, perhaps because of the dearth of empirical studies, is the impact of detainee abuse on the U.S. forces involved. As explained by Jennifer Bryson, a former Guantánamo interrogator,

Engaging in torture damages the torturer. The starting point for torture is the dehumanization of a detainee. Those who dehumanize others corrupt themselves in the process; dehumanization of other is a paradigm shift in how two people relate to each other, and as such it has an impact on both sides of the relationship. Once the detainee's human status no longer matters in the mind of the torturer, he or she can unleash personal, even national, aggression. The detainee is subjected to suffering and the torturer lets go of reason, one of the marks of humanity, and descends into rage.⁵⁷

Psychologists Mark Costanzo and Ellen Gerrity point out that studies examining the effects of torture on the torturers extend back to post-World War II: "It may be only later, outside of that specific environment, that the torturer may question his or her behavior, and begin to experience psychological damage resulting from involvement in torture and trauma. In these cases, the resulting psychological symptoms are very similar to those of victims, including anxiety, intrusive traumatic memories, and impaired cognitive and social functioning."⁵⁸

There is abundant anecdotal evidence of psychological trauma affecting U.S. forces who engaged in abuse of detainees. Damien Corsetti, a notorious former interrogator, was responsible for the death of the detainee named Dilawar [see Chapter 2] and the alleged abuse of then-teenager Omar Khadr.⁵⁹ He is now a disabled veteran of two wars, suffering from post-traumatic stress disorder (PTSD).⁶⁰

Ben Allbright, a former prison guard in Iraq who arrived in 2003 at the beginning of U.S. operations, reported the techniques he was ordered to use to “soften up” detainees during interrogations, which were often “crowded with guards, military-intelligence officers, and OGAs [CIA officials].”⁶¹ The techniques included banging pots and pans to scare the detainees, blaring loud music, and severe beatings.⁶² “The sounds were meant to disorient, but also to mask the screams.”⁶³ If the detainees sustained injuries during beatings, the military intelligence officers who had medical training “could stitch up or bandage injuries, avoiding a call to the medics and an entry in the logbooks that the Red Cross could read.”⁶⁴

“Engaging in torture damages the torturer. Those who dehumanize others corrupt themselves in the process.”

From there, Allbright’s experiences became only grimmer.

In the summer of 2003, the interrogators threw a detainee against a concrete wall, punched him in the neck and gut, kicked him in the knees, threw him outside, and dragged him back in by his hair. For the entire two-hour ordeal, the prisoner wouldn’t talk; Ben later found out he spoke Farsi and couldn’t understand the interrogators’ English and Arabic. Afterward, Ben hid behind a building and cried for the first time since his dad’s death. ‘It was like a loss of humanity. Like we were trading one dictator in for another. I had to weigh my integrity against my duty. Why couldn’t I stand up more? Why was I hesitant?’⁶⁵

When Allbright returned from Iraq in 2004, he had “nightmares and couldn’t remember things. ... A psychiatrist diagnosed him with PTSD, but he refused medication. Instead he blew \$14,000 on bar tabs his first four months home.”⁶⁶

At a 2008 meeting of the American Academy of Forensic Sciences, psychologist John Smith (a retired Air Force captain) described treating former Guantánamo guards. One guard in particular, a National Guardsman in his early 40s, served at Guantánamo in the initial months:

Mr. H reported that he found conditions at the camp extremely disturbing. For example, in the first month two detainees and two prison guards committed suicide. ‘He was called upon to bring detainees, enemy combatants, to certain places and to see that they were handcuffed in particularly painful and difficult positions, usually naked, in anticipation of their interrogation,’ said Smith. On occasion he was told to make prisoners kneel, naked and handcuffed, on sharp stones. To avoid interrogation the prisoners would often rub their wounds afterwards to make them worse so that they would be taken to hospital. Some of the techniques used by interrogators resulted in detainees defecating, urinating, vomiting and screaming. ... The prisoners also threatened Mr. H. ‘They would tell him ... they would see to it that his family suffered the consequences.’⁶⁷

When the guardsman returned to the United States, he was “suffering from panic attacks, insomnia, nightmares, flashbacks and depression.”⁶⁸

Former military intelligence specialist Tony Lagouranis, who served in Iraq in 2004–05, bluntly admits: “I tortured people. You have to twist your mind up so much to justify doing that.”⁶⁹ The techniques used by Lagouranis included beatings, stress positions, mock executions and extreme hypothermia.⁷⁰ While still in Iraq, Lagouranis began suffering from panic attacks as a result of

his torture of detainees, and was diagnosed with adjustment disorder and honorably discharged from the Army.⁷¹ He continued to experience extreme anxiety attacks and psychological episodes.⁷² When Lagouranis was diagnosed by an Army psychologist, he was told that he needed to leave the Army (the cause of the stress) because otherwise, he “would continue to be a discipline problem and a drain on morale.”⁷³

In September 2003, Army Specialist Alyssa Peterson died at the Tal Afar base near the Syrian-Iraqi border following what was initially reported to be a “non-combat weapons discharge,” which often connotes accidental or friendly fire.⁷⁴ The details of the investigation into her death were made public in 2005 following a request under the Freedom of Information Act.⁷⁵ According to the investigation, Peterson opposed the interrogation techniques being used by U.S. forces, and the official report noted that she had been “reprimanded” for showing “empathy” to the detainees.⁷⁶ Peterson also refused to participate in interrogations after two days of involvement.⁷⁷ Army spokespersons refused to describe the specific techniques to which Peterson objected.⁷⁸ However, a colleague of Peterson’s, Kayla Williams, described the interrogations she witnessed in Tal Afar as including burning prisoners with lit cigarettes and stripping prisoners naked to humiliate them.⁷⁹ The official report of Peterson’s death stated that “[Peterson] said that she did not know how to be two people; she ... could not be one person in the cage and another outside the wire.”⁸⁰ Finally, the official report acknowledged that days after refusing to participate in the interrogations, Peterson had committed suicide.⁸¹ Williams told the press that “[a]t the memorial service, everyone knew the cause of [Peterson’s] death.”⁸²

The Impact of Torture on Collaboration with Allied Personnel

The abuse of detainees by U.S. forces also had a significant impact on relations with foreign militaries. In an interview with Task Force staff, former General Counsel of the Navy Alberto Mora described the changes in cooperation:

“The country doesn’t really understand the cost. ... [O]ne JAG officer came in and said that British military captured a terrorist — not a terrorist suspect, a terrorist — in Basra and released him. They gave him 48 hours head start and only then notified American authorities. They did not have detention facilities [at that time], and they did not trust either the United States or the Iraqi forces not to abuse this individual. So rather than engage in potentially aiding and abetting criminal activity, [the British forces] thought that the least worst option was to release a terrorist back into the field.”

Mora continued,

British deputy commander of NATO operations in Afghanistan would get up and leave any meeting in which detention operations were discussed, because he would not take a role in all of this. Australian Navy refused to train with the United States Navy in detention operations [because of the abuse]. I was [at] the Pacific Military Law Conference [in Singapore], the premier meeting of international military lawyers in the world. At one point I get cornered ... by the uniformed TJAGs of the UK, Canada, Australia, and New Zealand. And they’re around me, fingers in my chest, and they say, “We’ve trained with the United States military all our lives, and we deeply respect everything you do ...

but you need to know that our issues with detainee treatment and interrogation, we can't go along with that. Our countries won't do it. It's not a question of failure of communication; we know what you're doing. It's a question of criminal activity in our countries and we can't be party to this.

Speaking to Task Force staff, Mora concluded, "So towards the end of my tenure, [I told the service vice-chiefs that] we need to document the operational impact of these war on terror legal decisions [on interrogation techniques], because it's sizeable. I always knew that this was extracting a cost."

Even defenders of the CIA's "enhanced interrogation" technique program have recognized that relationships with allies can weigh in the decision of whether to engage in such practices. At a panel discussion on January 29, 2013, at the American Enterprise Institute, former CIA Director Michael Hayden acknowledged: "Look, even though we say it is effective, the consequences of doing it *vis-à-vis* our allies could outweigh any benefit we might gain."

No empirical study has been done on the consequences in terms of operational impact of U.S. forces suffering from torture-related mental problems.

Impact on Detainees

The detainees from the "War on Terror," whether held at Guantánamo or abroad, occupy a unique position in the international legal framework — that is to say, none at all. They are not criminals or convicts in the traditional sense, nor are they accorded the rights and protections of armed combatants under the Geneva Conventions [see Chapter 4, on Legal Process]. Detainees have not traditionally been objects of sympathy, but it is undeniable that a significant number are innocent and have suffered undeserved and life-shattering consequences that remained unaddressed.

The detainees in U.S. custody since 2001 bear the greatest resemblance in treatment to criminals in a prison system. Those who undertake hunger strikes to protest their detention are force-fed according to long-standing U.S. policy; they are not allowed food or clothing shipments; and as demonstrated in this report, they have often been the victims of violence and intimidation. Most importantly, when detainees are released from the Guantánamo Bay Detention Facility or from detention abroad, they retain the designations of "No Longer Enemy Combatants," which carries the clear implication that they were, at one time, enemy combatants of the United States and therefore previously involved in acts of terrorism.⁸³ Released prisoners from jails in the United States also forever carry the stigma and record of having been imprisoned for crimes committed. The key difference is that those prisoners have been tried and convicted for their crimes. Most detainees at Guantánamo Bay or any of the many former CIA prisons and proxy detention sites abroad have never been accorded a trial, although most have been cleared for release. The legal framework currently allows for this "twilight state" for detainees, whereby they have not been proven guilty, but are yet not considered innocent. Allowing this system of release without exoneration carries problematic ambiguities.

Although empirical studies on post-release effects are nearly impossible to conduct, given the international spread of former detainees, Task Force staff interviews along with NGO reports support the assertion that those individuals have been placed in extremely difficult situations. They are often tarred by social stigma, unable to obtain work or social benefits, without financial support, and suffering from a number of post-detention physical and mental issues stemming from their treatment while detained. Former detainees have, in many cases, been left in worse situations than before they were captured, leaving them vulnerable to health issues and family troubles. As Senator Dick Marty of the Council of Europe⁸⁴ said in his 2006 report on U.S.-administered secret detention, "Personal accounts of this type of human rights abuse speak of utter demoralization ... on a daily basis, stigma

and suspicion seem to haunt anybody branded as 'suspect' in the 'war on terror.'”⁸⁵ *The most common refrain among former (uncharged and released) detainees seems to be the request for an apology for their treatment.*

Practical Issues Upon Release

In 2007, the U.S. Federal Bureau of Prisons (BOP) released a statement on their “Release Preparation Program” for convicted inmates. The document states that “The Bureau of Prisons recognizes that an inmate’s preparation for release begins at initial commitment and continues throughout incarceration and until final release to the community.”⁸⁶ Moreover, “[t]he Release Preparation Program’s purpose is to prepare each inmate to re-enter the community successfully and particularly, the work force.”⁸⁷ The statement includes the use of “appropriate community resources” and creation of “employment folders” for releasing inmates to assist them upon release.⁸⁸ The purpose of all of these efforts and use of resources by the U.S. government: *“Inmate recidivism will be reduced through participation in unit and institution Release Preparation Programs and contact with community resources.”*⁸⁹

In stark contrast to the BOP’s careful procedural guidelines for convicted criminals, and despite the U.S. government’s concern about recidivism among the released detainees [see Chapter 9], there are no agreed-upon public guidelines whatsoever regarding reintroduction of detainees into communities, primarily because they retain a new and ill-defined status in a “law of war” context, in contrast to domestic prisoners. Many of them may also not properly fall into the category of “recidivists,” having never taken up arms against U.S. forces. A 2008 study by the Berkeley Human Rights Center and International Human Rights Clinic entitled “Guantanamo and Its Aftermath,” discussing the after-effects of detention on former detainees, detailed:

With one exception, none of those yet released from Guantánamo has been convicted or punished for a crime by the U.S. government. [Three convicted detainees have now been released from Guantánamo; David Hicks, Salim Hamdan, and Omar Khadr, although Hamdan’s conviction was overturned in October 2012.]⁹⁰ Nor have they received any official acknowledgement of their innocence. The U.S. government has repeatedly stated that its decision to release detainees is not an admission that they are cleared of wrongdoing or that U.S. forces committed an error in capturing them or later detaining them in Guantánamo. Without a formal exoneration, people in some communities to which former detainees have returned have regarded them as suspect, even a threat to public safety.⁹¹

The problem is compounded by the fact that each receiving country takes different approaches to resettling former detainees, although some American and European groups are lobbying to standardize release procedures.⁹² Even the best of circumstances, when families were supporting the detainees in every way possible during detention, has yielded difficulties post-release due to the “great sacrifices” many families made in obtaining legal counsel and making lobbying efforts.⁹³ “[My father] sold our land in order to seek my release,” one [former detainee] reported. And another said: “[T]hey spent all the money I had at home just looking for me. ... And at the moment, there isn’t anything I have to survive on or to make a better life.”⁹⁴ The Berkeley study states that most of the former detainees they interviewed “said they received little or no support from *any* group — government or private — upon their arrival in their country of origin or a third country. One respondent in Europe noted that convicted criminals in his country receive more assistance than he did.”⁹⁵

Enduring Stigma

“I had to weigh my integrity against my duty.”

The struggle to resettle/return detainees begins with the stigma associated with being held on terror suspicions by the United States, as detailed to Task Force members by former detainee Moazzam Begg, director of British charity CagePrisoners (which raises awareness about Guantánamo prisoners). “I’ve gone to many governments within Europe and asked for them to accept GTMO prisoners who can’t return to their homes. ... [O]ne of the things I’ve been presented by the governments, whether it’s Luxembourg or Germany, is that ‘The United States is not taking these people, why should we?’ And I say to them in response almost incredulously ‘You’ve taken refugees from Bosnia, to Afghanistan, to Iraq. ... [T]he problem here is you’re using the same language [as] the United States government, to determine us not as victims but rather still as terrorist suspects — as convicted terrorists, in fact.’ ”⁹⁶

The Berkeley study confirms the impact of the stigma in former detainees’ home countries, stating:

The stigma of Guantánamo interfered with the ability of several ... former detainees to regain their former positions. Those who were government employees found they could not reclaim their jobs. “The government authorities think we are terrorists,” said one respondent. “I want my job back,” exclaimed another. “I want my rights, like the salaries that I was supposed to receive, and I want [a] promotion.” Another respondent, a highly-educated man, expressed frustration that his time in Guantánamo indelibly marred his reputation and career. He was a practicing physician, who had operated a clinic before his arrest. Now he had to “start again from a drugstore so that people can trust me.”⁹⁷

Another released Guantánamo detainee reported the same stigma: “It doesn’t matter I was found innocent. It doesn’t matter that they cleared my name by releasing me. We still have this big hat on our heads that we were [considered] terrorists.”⁹⁸ “The big problem is after their release,” said Lal Gul, a Kabul lawyer who heads the Afghan Human Rights Organization. In an interview with Task Force staff, Lal described how prisoners released by Americans who go back to their villages are typically left in a difficult position, often saddled with psychiatric problems and no position. “They have a bad name in society,” because of their imprisonment. “They are unable to settle back in. That’s why some of these people have been easily forced to go back to the Taliban.”⁹⁹

Former Moroccan detainee Kassim el-Britel faced the stigma after his release from CIA proxy detention in Morocco after nearly 10 years of imprisonment (following a sham trial) and gruesome torture [see Chapter 5].¹⁰⁰ El-Britel had been held in Morocco since May 2002 and was abruptly released in April 2011, following a royal pardon. He rejoined his wife in Italy shortly thereafter.¹⁰¹

[I wasn’t told that I was being released] until the very last minute, when they called me to release me. I wasn’t expecting to be released until September 2012, when the sentence was finished. There was no reason given for my early release, but I think it was because of the Arab Spring riots ... probably a political move to calm the rage that was felt in Morocco as well as other countries. I returned home [to Italy] after about nine days from Morocco.¹⁰²

Also disappointing to el-Britel was the lack of assistance from NGOs following his release. As Khadija Anna told Task Force staff, “In Italy, no NGOs have offered any real help. People don’t know about Kassim’s case; they know more in the rest of the world than in Italy.”¹⁰³ In the absence of any monetary, legal, or social support, el-Britel’s life post-release has been “very bad.”¹⁰⁴

Although he has attempted to continue his former Arabic translation business, his wife says that “he now has trouble because his Italian is not as good as it used to be after his imprisonment.”¹⁰⁵ El-Britel has searched for work, but said:

If you want work, you cannot find work. I’ve been free now for 1.5 years, but I still don’t have a job, not able to find a job. The problem [with job applications] is that one has to submit a *curriculum vitae*, and I have a ten year gap which dissuades anyone from calling me back. There was one case where I tried to explain my situation to a co-op where I was looking for a job. They went to visit my website [“Giustizia per Kassim” (“Justice for Kassim”) at <http://www.giustiziaperkassim.net>], but as soon as they saw the “terrorist” charge, they were very scared and didn’t call me back.¹⁰⁶

El-Britel and his wife participated in the *Mohamed v. Jeppesen Dataplan* lawsuit,¹⁰⁷ which was thrown out of the Ninth Circuit after the government’s invocation of the State Secrets Doctrine [see Chapter 5], and they continue to explore their legal options with respect to the United States, Italy and Morocco.¹⁰⁸

Australian citizen Mamdouh Habib echoed el-Britel’s dismay over the stigma following him post-release:

When I first came back to Australia, I was deeply disappointed by the reaction of many people, especially fellow Muslims. I had naively thought that, once people knew I had been kidnapped, sent to Egypt by the Americans and Australians, tortured, sent back to Afghanistan, and finally to Guantánamo Bay, people would be outraged. Instead many asked, “But what were you doing in Afghanistan? Explain yourself.” Despite my having been held for nearly four years by the Americans in Guantánamo Bay and having been interrogated continually — with not a shred of evidence to support their terrorist accusation ever being produced — some people were still uncertain about me. ... Any suspicions that people do have about me have been fomented by the government, which still treats me as a terror suspect.¹⁰⁹

As can be seen by the economic hardship and limits on mobility faced by former detainees, the stigma associated with being a former detainee released from U.S. custody permeates every aspect of life post-release.

Economic Hardship

Despite the fact that educational/language programs are now provided to most detainees at Guantánamo or in detention facilities in Afghanistan and Iraq [see “Operational Consequences,” above], many former detainees are released without any contacts, money, or guidance on job opportunities.¹¹⁰ In its report *Broken Laws, Broken Lives*, the group Physicians for

Human Rights [PHR] noted: “All the former Guantánamo detainees [interviewed] reported losing their employment or being in a precarious financial situation as a result of their detention. All former Guantánamo detainees reported having been unable to find employment since release.”¹¹¹ As recounted by Begg, “I think one of the things we get is constant phone calls and messages from people who have been released from GTMO who need help, financial, medical, and finding a job, and we try to do from our limited resources as much as we can.”¹¹²

Former Guantánamo Bay detainee Sherif El-Mashad, an Egyptian national, had been living and working in Italy for four years before his capture in Afghanistan while on what he described as a business and charity trip (for which he had booked a round-trip ticket from Italy).¹¹³ El-Mashad, who had arrived in Afghanistan in July 2001, tried to leave after September 11, but when he made it over the Pakistani border, he was captured and handed over to U.S. authorities.¹¹⁴ He spent the next 8.5 years in U.S. custody, first in Kandahar and then at Guantánamo Bay.¹¹⁵ He was cleared of any charges in military review boards at Guantánamo Bay, and by President Obama’s Interagency Task Force, and released to Albania in February 2010.¹¹⁶ In an interview with Task Force staff, El-Mashad described his release (along with Saleh Bin Hadi Asasi and Rauf Mohammed Omar Abu Al-Qusin, two other GTMO detainees):

“When the guardsman returned to the United States, he was ‘suffering from panic attacks, insomnia, nightmares, flashbacks and depression.’”

I didn’t care where I was going; the most important thing for me was to leave. [On the flight leaving Guantánamo] I was blindfolded, there was something in my ears, and I was in chains. But it was only 12 hours, easier than the flight to Guantánamo. When we arrived, we were in Albania. An Albanian official came to meet us at the plane. We took a bus to a refugee camp [the Babrru Reception Centre outside Tirana]. Everyone at the camps were from neighboring countries; they were normal refugees. We had no money, and were told by Albanian officials at the camp that we could try to find work, but it never happened. We were never allowed any identity documents; we just eat and sleep in the camp and that’s it. If you go to the hospital, there’s no space, and if you want to buy medicine you have to pay for it yourself. The Albanians give me \$400 per month as allowance, which is hardly enough for ten days. I pay everything from that; utilities, medicine. All of Albania knows that we are from Guantánamo — even the children in the street. The reaction has been totally negative and we feel as if we are not human beings. The surveillance is so excessive. Sometimes the Albanians walk behind you, just a meter behind you. I just wish they would let us live a semi-normal life now.

The Berkeley study contains details regarding other detainees released to Albania, which closely mirror El-Mashad’s account.¹¹⁷ They were initially transferred to the Babrru Reception Centre: “None of the refugees spoke Albanian, and language instruction was halting, making social integration particularly difficult. The new arrivals struggled to learn the language, but twice the language course offered at the refugee center was discontinued. At the time of the interviews, none of the refugees was employed and their job prospects were bleak, especially since some potential employers did not want to hire anyone who had been held in Guantánamo.”¹¹⁸ El-Mashad still resides in Albania, albeit more recently in his own house, but has not been allowed to work for wages.¹¹⁹ Until August 2012, he was told, without explanation, that he would not be allowed to leave Albania, even though he wished to return to Egypt where his family resides. He

was informed in late August 2012 that he would finally be allowed to return to Egypt, but had not yet been issued travel documents.¹²⁰ His goal, as told to Task Force staff, is to go back to school and start a new business in Egypt.¹²¹

Each former detainee's account is slightly different, but for those transferred to third countries, the theme of being left without contacts or resources is constant. Former detainee Mohammed el-Gharani was captured in Pakistan in 2001, aged 14 at the time.¹²² He was released from Guantánamo in 2009 at age 22 (after a U.S. federal court determined that the accusations against him were based on unreliable testimony).¹²³ He had been born and lived his entire life in Medina, Saudi Arabia, and his family was still there.¹²⁴ However, el-Gharani was a Chadian citizen through his parents, who were (legal) foreign workers in Saudi Arabia, and he was therefore sent to Chad from Guantánamo.¹²⁵ Upon arrival, el-Gharani was imprisoned for a week and questioned about his nationality, then released without any identification papers so he was unable to travel to see his family.¹²⁶ He tried to enroll in English classes, but could not do so without identification.¹²⁷ He was also assaulted by armed men in N'Djamena who believed that he had been given a multi-million dollar settlement by the U.S. government — which was untrue.¹²⁸ After release, el-Gharani relied on “handouts from friends to support himself,” and said that he has “no job.”¹²⁹ “I have a hard time finding somewhere to live.”¹³⁰

Economic hardship is not limited to detainees released to new countries. The Berkeley study details how

[m]any Afghan former detainees in particular said they were destitute and had little hope of recouping lost capital. They had lost wealth in a variety of ways: their property was destroyed or confiscated during capture or seized in their absence, sold by their families, or expended by family members to pay bribes or search for them. Several also remarked they were struggling to buy medicines prescribed in Guantánamo for their mental health. Recalled one Afghan respondent: “I am now needy and destitute. . . . I even have to ask people to lend me money to buy medicines.” For some, physical impairments compounded difficulties in paying off debt and supporting their families. One former detainee lost not only his business and built up debts to his family while he was in U.S. custody, he also lost the use of his leg from an untreated injury sustained when he was arrested.¹³¹

Monetary post-release problems were also reported by British ex-detainees Moazzam Begg, Bisher al-Rawi, and Omar Deghayes, who met with Task Force members Asa Hutchinson and David Irvine and Task Force staff in April 2012.¹³² The three former detainees insisted that “we are the more privileged ones, in the UK,” following a 2010 settlement from the British government made on the basis of claims of British involvement in their abuse or torture.¹³³ However, as al-Rawi described, “When I was [first] released from Guantánamo, I did not have a penny and I did not have any clothes. That's a fact, I only had the clothes that were on me. Nothing else and not a penny in my pocket. And I was [47] years old . . . and not a penny in my pocket. And I didn't really feel very comfortable asking my family. [Luckily], CagePrisoners gave me a gift of [around] 300 pounds. I had a couple of friends who also gave me something. And my mom supported me . . . I didn't feel comfortable asking my mom to support me. [Most of the people] leaving GTMO . . . they haven't got anything. There must be a system to assist them to become normal.”¹³⁴

Deghayes also described a piecemeal approach to reintegration, noting that Cage-Prisoners had given him £1000 (approximately \$1600) upon release.¹³⁵ However, outside of the UK and select NGOs, many former detainees are left to the charity of friends and acquaintances. Al-Rawi, who assists with resettling former detainees in Britain, said: “Although [some have said it can be] easy to collect money for people who left Guantánamo, I think that was on a small scale. In fact, I’ve found it very, very difficult to be able to help people from Guantánamo because generally when people hear you were in Guantánamo, they run away from you.”¹³⁶

“I tortured people. You have to twist your mind up so much to justify doing that.”

Limited Mobility

Former detainees are also severely limited in mobility. The Luxembourg Agreement makes special provision for European countries (whose borders are normally open to other Schengen member states) to share information such that nonreceiving states can voice concerns about the resettlement or movement of former detainees.¹³⁷ In practice, a number of former detainees like El-Mashad and el-Gharani, have been released without identification documents, which make travel an impossibility, even for those, like El-Mashad, who wish to return home to their families.

However, even those with valid passports must tread carefully. Former detainees have never been allowed to enter the United States [see Chapter 5, on Rendition], as Khaled El-Masri and Maher Arar learned when they needed to testify on their own behalf in lawsuits against former Bush administration officials and rendition flight operators.¹³⁸ They both testified via video link.¹³⁹

Begg, who speaks internationally about his experiences in U.S. custody, also recounted his problem traveling post-release:

I have been refused entry into two countries [Canada and Qatar]. [Both] said their reasons for why they weren’t letting me in is because “You were a Guantanamo prisoner.” I don’t know any free former Guantanamo prisoner who’s ever walked on the shores of North America, anywhere. ... [B]eing a former Guantanamo prisoner is enough to deny you, and that’s certainly what the Canadians told me. It wasn’t just that I came to immigration and they saw my passport and they said “Oh sorry, we can’t let you in,” — they had a team of armed police walk onto this [landed] plane, full of five hundred people, took me off. ... I couldn’t argue it any stronger than when I was refused entry into Canada. I said to them, “Do you understand what you are doing? That you are refusing entry based upon the fact that I was a Guantanamo prisoner and based upon evidence or statements that have come out under duress or under torture?” and so forth, *i.e.* the content of my “confession,” and they said “Well, we have the right to do so.” The more concerning one ... was Qatar. I’d been invited to Qatar to discuss the possibility of Qatar accepting some GTMO prisoners who are unable to return to their countries for fear of persecution. I was surprised when they said that my name had come up on a [watch] list, and I did ask them almost in tongue in cheek “Whose list is this?” and they said “It’s not a Qatari list.”¹⁴⁰

Establishing Post-Release Procedures

Efforts to address post-release problems have met with some success in Europe.¹⁴¹ The British NGO Reprieve, which represents a number of current and former detainees, has refocused post-release efforts on receiving countries, rather than the United States.¹⁴² The 2009 Luxembourg Agreement established, among member states of the European Union, modes of “information-sharing” regarding former detainees released to EU states, given the open borders of the Schengen.¹⁴³ However, the procedures established by the Luxembourg Agreement did not deal directly with former detainees.

To encourage the standardization of procedures regarding the treatment of former detainees in Europe, Reprieve first identified the “key challenges” facing former detainees in Europe. These include dealing with stigma (faced equally by resettled detainees and those sent to their native countries); seeking justice and reparations; contending uncertain legal status; finding accommodation; education/skills training and employment; and, accessing appropriate health care.¹⁴⁴ The Reprieve report discussed methods of offsetting these challenges, in particular the necessity of detailed conversations between the European delegations sent to Guantánamo Bay and the soon-to-be-released detainees prior to resettlement.¹⁴⁵

“Best practices” were also highlighted from certain countries. For example, for the purpose of relieving former detainees of stigma, Reprieve highlighted that in Switzerland, “the government stressed that [the former detainee] is a free man who has never been charged with any offense; he has committed to learning one of the national languages and intends to look for work to support himself.”¹⁴⁶ Based on Reprieve’s work with former detainees who lack resources, the report also issues a policy recommendation that “[a]ccommodation and a living stipend should be provided for 3 years to ensure the men have time to recover from their long incarceration without the threat of destitution. Other costs, such as family reunion, medical costs, language and vocational training should be budgeted for. If further funding is needed, host governments could consider making requests to the United States government.”¹⁴⁷

The Kingdom of Saudi Arabia runs a rehabilitation program for former detainees that incorporates a number of these ideas. The Care Rehabilitation Center, located outside Riyadh, is part of a counterterrorist campaign launched by the Kingdom of Saudi Arabia following a series of terrorist attacks beginning in 2003. At the center, detainees formerly engaged in terrorism participate in sports and art therapy, visit and even temporarily stay with family members, and make day trips outside the center — all opportunities designed to prepare a detainee for life in Saudi society.¹⁴⁸

Once released from the center, the men are offered various forms of social support, such as assistance in finding a job and other benefits, including additional government stipends, a car and an apartment.¹⁴⁹ Single men are also encouraged to get married. “The important thing is that these men should not be idle and frustrated, because that could send them back to their old haunts, their old friends,” said Brigadier General Mansour al-Turki, spokesman for the Saudi Interior Ministry, which runs the rehab program.¹⁵⁰ Although the detainees continue to be monitored occasionally by authorities, their families are primarily responsible for ensuring the detainees do not return to terrorism. The program has largely been praised by groups outside Saudi Arabia, although no specific statistics regarding recidivism from the Saudi program are available.¹⁵¹

Because many former detainees were never engaged in terrorist activity, the effects of a lack of social support upon release can be even more devastating.¹⁵² In Sen. Dick Marty's 2006 rendition report, he notes, following extensive interviews with rendition victims, that "[l]inks with normal society appear practically impossible to restore."¹⁵³ Al-Rawi seems more hopeful, while emphasizing the importance of supportive programs for former detainees post-release: "I got married after my release. ... I have two kids now. And [because of that], I actually don't much look back at Guantanamo; I actually try to have Guantanamo as something very, very distant. And I think ... people who have actually moved on and started a new life, got married, have kids, they've left it behind them. But if people linger where they are and they're not doing anything useful with their lives, I think they will always look back at Guantanamo. [In terms of eliminating the stigma], even just giving non-governmental bodies the green light to assist those people, re-education, getting married, starting up a small business [would be helpful]. That's my number one priority in my life today ... for people who've left GTMO to have a fresh start in life."¹⁵⁴

Lasting Impact: Physical and Mental Consequences

Even with more robust procedures in place to reintegrate former detainees, certain complications will continue to persist — physical and mental reminders of the years of detention and abuse. Exhaustive empirical studies have not been conducted due to the difficulty in locating and interviewing many former detainees post-release. However, the enormous amount of anecdotal evidence available provides a guide to the physical and mental issues faced by current and former detainees, and the Task Force highlights them here.

Physical Effects

According to the 2008 Berkeley study:

Many [former detainees] complained of a range of physical impairments, which they attributed to their incarceration by U.S. forces. The most common ailment was pain in the wrists, knees, back, and ankles as a result of prolonged short shackling, hanging, or stress positions. Another complaint was deteriorating eyesight. Some reported chronic pain, fatigue, or a generalized deterioration that interfered with their ability to perform physical labor for extended periods. One respondent, comparing his current state of health to his condition before Guantánamo, said, "I was a strong man. But at the moment, I am nothing."¹⁵⁵

In *Broken Laws, Broken Lives*, Physicians for Human Rights detailed how all of the individuals they evaluated reported that "after their incarceration they suffered from headaches ranging from occasional to chronic, occurring as often as three times a day or lasting up to three hours at a time. ... [T]hese reports were highly consistent with a history of head trauma. One detainee also reported hearing loss, which he believed was due to the loud music that was blared at him in Abu Ghraib."¹⁵⁶ In addition: "All of the former detainees ... reported [suffering from] diffuse musculoskeletal pain that they did not experience prior to detention. Many of the persistent pain reported, as well as the descriptions of the abuse that caused these injuries, were supported by findings from the physical examination."¹⁵⁷ In particular:

One individual reported arm numbness and weakness following suspension by his arms, which is highly consistent with a brachial plexus injury often resulting from the type of suspension

he described enduring. Since his release from Abu Ghraib prison, he has been suffering from chronic pain in his neck, legs, right shoulder, and feet, all of which he attributed to, and are consistent with, reports of injuries sustained during his incarceration (e.g., beatings, being suspended in stress positions).¹⁵⁸

British resident Omar Deghayes's eyesight was permanently affected by his detention at Guantánamo. According to Deghayes, his right eye was gouged by a guard when he refused to come out of his cell because he said he feared the sexual humiliation tactics used by the guards during cavity searches.¹⁵⁹

I was chained to the floor and the guards were holding my head. ... [T]here were many of them, seven or six or more, they were holding me down to the floor so there was no fear of [me] fighting [back] or anything like that. Both eyes were completely open so [one of the guards] put his fingers and ... started to push inside my eyes. ... I could feel the coldness of his fingers [as] he was pushing hard digging into my eyes and I didn't want to scream because I didn't want to frighten the people in the other cells and then the other thing is I didn't want to give them that satisfaction of me screaming on the floor. I didn't scream, so he was pushing even harder digging inside my eyes. The officer standing was saying "More, more" and this guard was saying "I am, I am," shouting to the officer. And then, what I know is lots of liquid coming out from both of my eyes, I couldn't see anything for three days, I think. I was thrown back into the cell and food was thrown, because [I was in] an isolation cell, the food was thrown from the bean hole and I was eating food and just sleeping. I couldn't see anything, there was lots of pain in my eyes. And then slowly one of them recovered sight. ... [T]here was [no medical care] till after couple of months, a medical doctor came in and all his advice was that he would be willing to take the eye out from my head because he thought it looks really bad.¹⁶⁰

Deghayes declined to have his right eye removed, but never regained his sight in that eye.

Sami al-Hajj, a journalist who heads the Liberties and Human Rights Affairs section of Al Jazeera, was held for nearly seven years in Afghanistan and Guantánamo, during which he was subjected to severe beatings, sleep deprivation, and at one time undertook a 480-day hunger strike at Guantánamo, during which he was force-fed by the military.¹⁶¹ [See Chapter 6 for further details of al-Hajj's account.] To this day, al-Hajj said to Task Force staff, "I have some problem ... at the beginning of the stomach here [bottom of the esophagus], there is something [that should close], that now [does] not close." Al-Hajj takes medicine for the resulting reflux, and said that he knew other former detainees whose stomachs were so bad that they would not accept food.¹⁶² Following his release, al-Hajj also walked with a limp and used a cane "because of injuries he says were incurred when he was pushed from a military helicopter blindfolded after his arrest in 2001."¹⁶³

Adel Fattough Ali Al-Gazzar, an Egyptian national, signed up as a volunteer with the Red Crescent after September 11, 2001, to assist Afghan refugees from the bombings.¹⁶⁴ Shortly after he crossed the border from Pakistan, he was caught in an airstrike that injured his leg.¹⁶⁵ Al-Gazzar spent a month in a Pakistani hospital, but he was abruptly "moved" with several other patients to U.S. custody in Kandahar before he could undergo a necessary operation

on his leg.¹⁶⁶ He was held in Kandahar for 11 days and subjected to forced nudity, extreme temperatures, and beatings where guards “kicked my injured leg and I was screaming in agony, but they just laughed and danced like it was a joke.”¹⁶⁷ Al-Gazzar elaborated:

I was ... concerned about my leg, because I had severe pain and the environment was dirty so I was worried that it might get infected. The American doctors were telling me it had to be amputated. I resisted, arguing with them about what the Pakistani surgeons had said, that they could save my leg. I even showed them the X-rays that I had kept. The Americans just laughed and said the Pakistanis didn't know anything about medicine and treatments. In the end one of them admitted that they could save my leg but the operation would cost thousands of dollars and that America was a “poor country.”¹⁶⁸

After transfer to Guantánamo, Al-Gazzar again tried to explain to the doctors at Camp X-Ray that his leg could be saved.¹⁶⁹

I got the same as answer as I'd had in Kandahar: Pakistanis didn't know anything, the leg had to go. As the days passed the pain increased and the colour of my leg started to turn grey — almost black. I asked them to clean the wound, and to change the dressing every day and night but they wouldn't do it. When I asked them in the morning for a new dressing they said they will do it in the afternoon, and in the afternoon they said they will do it in the morning, like that. ... The wound was open and big — without any kind of treatment besides basic dressings. They forced us to take showers so the wound got wet many times — the pain became almost unbearable. ... [M]ost of the other prisoners advised me correctly that I had no option but to accept the amputation as it had passed the stage of being saved and had become gangrenous and could spread higher up the leg the longer it was left. I finally gave in.¹⁷⁰

Al-Gazzar was given a prosthetic leg six months later. He was released from Guantánamo and sent to Slovakia in 2010 after eight years of detention.¹⁷¹ Al-Gazzar has said that at least 13 other detainees received amputations at Guantánamo while he was there.¹⁷² In 2011, Al-Gazzar returned home to Egypt, but was arrested and detained upon arrival under a prison sentence issued *in absentia* while he had been detained at Guantánamo.¹⁷³ Although his co-defendants were cleared after a judicial finding that the conviction had relied on false statements, Al-Gazzar remained in detention for seven months largely “[b]ecause of his status as a Guantanamo prisoner,” according to his lawyers.¹⁷⁴ He was finally released on bail in January 2012. Deghayes also attested that he knew of numerous “broken arms” and at least one other detainee who lost an eye: “People lost their limbs [at Guantánamo].”¹⁷⁵

Mental Effects

The category of “torture/CID survivors” is increasingly applied to anyone who was in U.S. custody in Afghanistan, Guantánamo Bay, Iraq, or the “black sites” when enhanced interrogation techniques such as isolation, extreme temperatures, sleep deprivation, and sexual humiliation were used.¹⁷⁶ The category must also include individuals placed in CIA proxy detention in Morocco, Jordan, Syria, Egypt, or other areas where torture techniques were routinely used. Over the past five years, research has emerged showing that the psychological

effects of torture and abuse, even more than the physical effects, “can in fact have serious long-term mental health consequences.”¹⁷⁷

Former detainees who were held incommunicado, for extended periods of time, or abused face very real mental trauma [see Chapter 6]. In their exhaustive examination of mental effects of torture or CID on Guantánamo detainees, *Break Them Down*, PHR stated that “[t]he lack of physical signs can make psychological torture seem less significant than physical torture, but the consensus among those who study torture and rehabilitate its victims is that psychological torture can be more painful and cause more severe and long-lasting damage even than the pain inflicted during the physical torture.”¹⁷⁸ The U.N. Special Rapporteur on Torture confirms this: “Even when the most brutal physical means are used, the long term effects may be mainly psychological. . . . A common effect is the disintegration of the personality.”¹⁷⁹ As al-Rawi has said, following the sleep deprivation, isolation, and beatings/strippings he endured and witnessed at Guantánamo: “I came out of Guantanamo and physically, I could not show anything. But I have to tell you, the pain I carry inside and the memories I have are really very great, and I have nothing to show.”

Moreover, “psychological torture and cruel, inhuman and degrading treatment can have extremely destructive health consequences for detainees.”¹⁸⁰ As described by Sen. Dick Marty in his 2006 rendition report, “[Rendition] victims have described to us how they suffer from flashbacks and panic attacks, an inability to lead normal relationships and a permanent fear of death. Families have been torn apart.”¹⁸¹ Al-Rawi agrees:

I thought actually before I was released, “I can cope with this, no problem, I’ve survived Guantanamo, I can survive normal life.” Actually, I found normal life at that stage was harder than Guantanamo. I could deal with — I learned how to deal with GTMO. I can deal with the officers, I can deal with the guards, I can deal with the six or seven people who come into my cell and have a fight with me, but actually I could not deal with [normal] people.¹⁸²

Difficulty reconnecting with families is a constant theme among former detainees. Begg recounted his experience of coming home to teenage children after nearly three years of detention:

[Y]ou now have to face . . . children who don’t know their father, who are now going through the ages of adolescence where they would already be rebelling. [Now you enter the family], where you are and for several years have been a stranger. Your introduction to the family and the fabric of family life doesn’t help to keep it together, it actually starts to break it apart. And there is nothing, no amount of compensation, psychiatric treatment, communal help, societal reference, whatever, that will ever fix that. And for those who are still in Guantánamo and those who have recently returned, it is a terrible ordeal.¹⁸³

The difficult of reintegration combined with the years of detention and abuse have resulted in acute mental illnesses in current and former detainees. PHR noted that “[s]ymptoms shown by victims of psychological torture are typically those associated with anxiety disorders, including acute stress disorder, depression, and posttraumatic stress disorder [PTSD]. . . . One-third of PTSD sufferers fail to recover even after many years.”¹⁸⁴ PHR further describes how most, if not all, of the 11 former detainees in their 2008 *Broken Laws, Broken Lives* study suffer from

diagnosed severe depression, PTSD, and other disorders.¹⁸⁵ “It is like in my head I have never left Abu Ghraib,” said one former detainee to PHR.¹⁸⁶ Additionally, “[t]he persistent nature of PTSD symptoms may eventually lead to personality changes in torture survivors.”¹⁸⁷

Kassim el-Britel experienced such a personality change following his rendition and torture for nine years in CIA proxy detention in Morocco. His torture allegedly included a Moroccan interrogation technique known as “bottle torture,” whereby a broken bottle is forced into the anus of a prisoner.¹⁸⁸ “I can’t bear the injustice I suffered; I will not find peace until justice is served. I have to take antidepressants and sometimes I feel aggressive and sometimes I feel depressed. It was very hard to bear. Of course, nothing can erase all the torture, there is no way to recover the years I have lost in prison.”¹⁸⁹ During the Task Force staff’s interview with el-Britel, he became visibly disturbed when asked about the lasting mental and physical effects of his detention, responding only that “[t]here are clinical results that show the effects of my trauma.”¹⁹⁰

El-Britel’s wife, Khadija Anna, also attests to the changes in her husband.

[I]t’s hard to [live a normal life], given the circumstances. It is hard to understand the moments of depression and sadness that Kassim experiences. He went through some horrible experiences, which no human being should ever suffer. ... Kassim still experiences deep exhaustion. What happens is that people who seem normal, still suffer from the consequences [of torture]. It is hard to live in society, because you feel as if you are always alone even though you live in a modern society. When something like this happens, it eats at something inside of you, so the pain and sorrow is very deep.¹⁹¹

Sami al-Hajj reported similar social problems. “When I get my release, it’s not easy for me to talk. I can’t talk continuously. Even movie[s] [are] difficult for me, even to deal with other people, even my family. I don’t want [them] to talk to me, too much noise, I don’t want noise. ... Even with my child, it’s not easy.”¹⁹² Al-Hajj confirmed that he has post-traumatic stress disorder, and that to this day he continues to see therapists.¹⁹³

Anecdotes like these abound among former detainees. In 2009, doctors with PHR met with a former detainee using the name Adeel in Pakistan. Adeel had spent four years in U.S. custody in Afghanistan and Guantánamo, and subjected to sexual humiliation, isolation, extreme temperatures, loud music, and stress positions.¹⁹⁴ According to Adeel, since his release, “the sound of approaching footsteps or the sight of someone in a uniform can trigger bad memories and set off a panic attack. ... ‘I feel like I am in a big prison and still in isolation. I have lost all my life.’ ”¹⁹⁵ The doctors diagnosed him with PTSD and severe depression.¹⁹⁶

In a March 2012 article for *Annals of Internal Medicine*, Dr. Sondra Crosby described meeting a former detainee, “Rashid,” during a visit to Pakistan on behalf of Physicians for Human Rights. According to Crosby,

[Rashid] described the horrors of his arrest, during which he was beaten so badly that he was admitted to a hospital with multiple fractures and internal injuries.

“There are accounts, however, of the six confirmed suicides that have taken place at Guantánamo Bay in the 10 years since it opened, along with the hundreds of suicide attempts”.

He described how he was kidnapped from his hospital bed and survived a five-year ordeal in U.S. custody in multiple detention sites, including Afghanistan. ... [H]e detailed the methods of his torture: severe beatings, prolonged painful stress positions, prolonged solitary confinement, forced nakedness and humiliation, sleep deprivation, withholding of food, sexual assault (anal rape and sodomy), forced intravenous medications during interrogations that he thought might be a truth serum, and painful shackling. At times, he was denied medical and psychiatric care. Rashid's prominent symptoms [post-release] included extreme sleep disturbance, sadness, loss of appetite with substantial weight loss, and difficult interacting with other people (including family and friends), resulting in profound isolation. The lack of self-sufficiency has caused further depression, feelings of inadequacy, and shame and humiliation when he has to rely on his family for his basic needs. ... [H]e meets diagnostic criteria for post-traumatic stress disorder and major depression, but those Western-based diagnoses do not adequately characterize his palpable suffering.¹⁹⁷

At Crosby's behest, the U.N. Voluntary Fund for Victims of Torture (which has handled a number of post-release detainee cases) was able to arrange for Rashid's treatment.¹⁹⁸ The United States is not currently a donor to the fund.¹⁹⁹

German detainee Khaled El-Masri is another compelling PTSD case that supports the argument for medical and reintegration assistance for former detainees. El-Masri returned to his home in 2003 after five months of confirmed rendition and abuse by the CIA, which allegedly included beatings, sodomy, and malnourishment [see Chapter 5]. He found that his wife and children had moved to Lebanon, believing that he had abandoned them.²⁰⁰

In the nine years since his release, El-Masri's mental state has drastically deteriorated and manifested in a string of incidents, despite having no criminal record prior to his rendition. In 2007, El-Masri was convicted of arson, having set fire to an electronics store that had refused to allow him to return an allegedly faulty purchase.²⁰¹ His lawyer, Manfred Gnjjidic, argued that he had pleaded with doctors and the government to get El-Masri psychiatric care prior to the fire, but "no one had offered to take him."²⁰² Gnjjidic also pointed out that El-Masri "live[d] cooped up most of the time in his apartment and in constant fear that his children could be shot. He has suffered a complete nervous breakdown."²⁰³ During the trial, prosecutors also claimed that El-Masri had allegedly attacked a driving instructor who had criticized him for not attending lessons.²⁰⁴ The court gave El-Masri a two-year suspended sentence on the grounds that he had been severely traumatized by his rendition and abuse, and had no prior record.²⁰⁵

El-Masri ran into further trouble in 2009, after attacking the mayor of Neu-Ulm, his town in Germany. Taking three of his children with him, El-Masri stormed into the mayor's office (after first being turned away by police), punched the mayor repeatedly, and threw a chair at him.²⁰⁶ This time, El-Masri was sentenced to two years in prison.²⁰⁷ During a trial, a psychiatrist "deemed el-Masri responsible for his actions, but noted his abduction had caused him great suffering."²⁰⁸

These anecdotes illustrate only a few of the possible effects of prolonged detention and abuse on detainees. For those who endured sexual abuse while in U.S. or proxy detention, such as El-Masri, Begg, al-Rawi, Deghayes, and Binyam Mohammed [see Chapters 1, 2 and 5], clinicians

at a Berlin psychological center, “who treat a large population of Muslims, have found that Muslim victims of sexual torture forever carry a stigma and will often be ostracized by the community.”²⁰⁹ More generally, the International Committee of the Red Cross (ICRC) publicly warned the Bush administration in 2003 that “a system in which detainees were held indefinitely would inevitably lead to mental health problems.” During the ICRC’s June 2004 visit to Guantánamo, they “found a high incidence of mental illness produced by stress, much of it caused by prolonged solitary confinement.”²¹⁰

“This is a prison that does not know humanity, It does not differentiate between a criminal and the innocent”

The most extreme manifestation of the mental effects of abuse and prolonged detention are the suicides and attempted suicides that have occurred among current and former detainees. In *Broken Laws, Broken Lives*, the PHRs states: “Seven of the eleven individuals evaluated disclosed having contemplated suicide as a result of the abuses they suffered while in US custody. Suicidal ideation is particularly significant and pathological in these cases given the strict prohibition against suicide in the Muslim religion.”²¹¹ No empirical figures are available on self-harm incidents or suicides post-release.

There are accounts, however, of the six confirmed suicides that have taken place at Guantánamo Bay in the 10 years since it opened, along with the hundreds of suicide attempts.²¹² The Department of Defense has not regularly released statistics on “self-harm incidents” at Guantánamo, but there were over 350 such attempts in 2003 alone.²¹³ In September 2012, 32-year-old Yemeni detainee Adnan Latif was found dead of suicide in his cell at Guantánamo after 11 years of detention.²¹⁴ Latif had made several previous suicide attempts, including slitting his wrists in 2009.²¹⁵ It also may be significant that he and the six men who committed suicide, along with dozens of other detainees who have attempted suicide, were long-term hunger-strikers in the prison, protesting the reasons, length, and conditions of their detention.²¹⁶

Latif had been recommended for release three times, twice by the Department of Defense and once by President Obama’s Special Task Force for Guantánamo, on the grounds that he was “not known to have participated in any combatant/terrorist training.”²¹⁷ Latif consistently argued that he had been sold for bounty while he was in Pakistan for cheap medical care following a car accident in his native Yemen.²¹⁸ His immediate release was ordered by a U.S. district court in 2010, but the decision was overturned after the Department of Justice appealed, arguing essentially that the government’s evidence was entitled to a “presumption of accuracy” without accounting for the corroboration of and correction for interpretation/transcription errors and redactions that had terminated the DOJ’s case at the lower court.²¹⁹ Latif had a history of “depression and erratic behavior,” and was “mentally fragile and was at times sedated, placed on suicide watch and sent to the prison’s psychological ward.”²²⁰ According to his lawyer, David Remes: “Every hope held out to him was dashed. ... He felt that his spirit was dying, that he couldn’t continue to bear his conditions.”²²¹

In one of his last letters to Remes (from December 2010), Latif wrote

Do whatever you wish to do, the issue [of release] is over. ... This is a prison that does not know humanity, and does not know [anything] except the language of power, oppression and humiliation for whoever enters it. It does not differentiate between a criminal and the innocent. ... Hardship is the only

language that is used here. Anybody who is able to die will be able to achieve happiness for himself, he has no other hope except that ... [e]nding it is a mercy and happiness for this soul. I will not allow any more of this and I will end it. ... A world power failed to safeguard peace and human rights and from [*sic*] saving me.”²²²



The April 2012 meeting between Task Force members Asa Hutchinson and David Irvine,²²³ and al-Rawi, Begg, and Deghayes in London seemed to be the first time that high-ranking former U.S. officials had come face-to-face with former detainees.²²⁴ The long and often difficult discussion about the experiences of the three former detainees yielded samples of the challenges faced by all detainees.

Hutchinson later stated that “There is no doubt in my mind that these individuals suffered treatment that amounted, if not to torture, then cruel, inhuman, or degrading treatment.”²²⁵

At the end of the meeting, Irvine emphasized that the discussion had been enormously helpful, and commented that “I suspect that my country is at the beginning point of a long process of beginning to say ‘I’m sorry.’” All three men thanked Hutchinson and Irvine profusely, and noted that Irvine was “the most senior person who’s ever said something of that nature,” in keeping with the understanding that many former detainees are simply looking for acknowledgement of or apology for the abuse received at the hands of U.S. forces.

Deghayes added:

I always thought Guantanamo was [a missed] opportunity for the American government to explain the better side of the United States. To many youngsters who were imprisoned, seventeen years old, twenty years old, from all over the Middle East, to show them that there were other good things in America rather than what you hear in the news.