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JITF-CT Guidelines for Personnel Supporting Interrogation and Debriefing Activities

Purpose and Scope

These Guidelines regulate the activities of JITF-CT analysts whenever they support any interrogation and debriefing activities, to include those conducted by DoD personnel, as well as by personnel from other U.S. Government agencies. These Guidelines apply to all JITF-CT members.

These Guidelines implement and require adherence to the principles of pertinent international treaties to which the U.S. is a party, and U.S. laws, directives, policies, and guidelines. These documents and legal provisions include, but are not limited to, the Geneva Conventions of 1949, primarily the Geneva Convention Relative to the Treatment of Prisoners of War (GPW) and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, both dated 12 August 1949; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, entry into force on 26 June 1987; DoD Directive 5100.77, "DoD Law of War Program," dated 9 December 1998; and U.S. Army Field Manual 34-52, "Intelligence Interrogation," dated 28 September 1992 (hereinafter FM 34-52).

Support to Interrogations and Debriefings

The JITF-CT directs collection, exploitation, analysis, fusion, and dissemination of all-source intelligence for DOD counterterrorism (offensive) and antiterrorism (defensive) operations, planning, and policy.

As such, JITF-CT personnel may be directed or assigned to support DoD and other interrogation and debriefing activities conducted by interrogators, debriefers, other HUMINT personnel and law enforcement personnel relating to persons of potential intelligence value. Persons of potential intelligence value include cooperating assets, Prisoners of War, Enemy Combatants, Persons Under U.S. Control, and other special detainees or prisoners.

JITF-CT support consists of:

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1. Supplying information regarding intelligence gaps and requirements to interrogators/debriefers.
2. Supplying background intelligence materials to interrogators/debriefers.
3. Accompanying government employed interrogators/debriefers and interacting with cooperative or non-cooperative persons of potential intelligence value.
4. Directly posing questions to, and otherwise dialoguing with, cooperative or non-cooperative persons of potential intelligence value. However, contract analysts may only question detainees in the presence of government employed (e.g., GS or U.S. military) specialists. Contractor personnel will not be allowed unaccompanied access to detainees.
5. Providing post-interrogation assessments to interrogators/debriefers.

Other Activities

Generally during the course of supporting interrogations or debriefings, JTF-CT personnel will not have physical contact or other interaction with persons of potential intelligence value. JTF-CT personnel are authorized, however, to have physical contact with, or spend periods in proximity to, persons of potential intelligence value when such activity is required for self-defense, to enhance the temporary safety or security of other U.S. persons in local proximity, or to reasonably ensure the acquisition of combating terrorism intelligence information.

Proscribed Activities

As indicated in FM 34-52.

"The use of force, mental torture, threats, insults, or exposure to unpleasant and inhumane treatment of any kind is prohibited by law and is neither authorized nor condoned by the US Government. Experience indicates that the use of force is not necessary to gain the cooperation of sources for interrogation. Therefore, the use of force is a poor technique, as it yields unreliable results, may damage subsequent collection efforts, and can induce the source to say whatever he thinks the interrogator wants to hear. However, the use of force is not to be confused with psychological ploys, verbal trickery, or other nonviolent and noncoercive ruses used by the interrogator in questioning hesitant or uncooperative sources.

The psychological techniques and principles outlined should neither be confused with, nor construed to be synonymous with, unauthorized techniques such as brainwashing, mental torture, or any other form of mental coercion to include drugs. These techniques and principles are intended to serve as guides in obtaining the willing cooperation of a source. The absence of threats in interrogation is intentional, as their enforcement and

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use normally constitute violations of international law and may result in prosecution under the UCMJ.

Additionally, the inability to carry out a threat of violence or force renders an interrogator ineffective should the source challenge the threat. Consequently, from both legal and moral viewpoints, the restrictions established by international law, agreements, and customs render threats of force, violence, and deprivation useless as interrogation techniques."

To ensure compliance with these principles, JTF-CT personnel will not engage in the following activities relating to persons of potential intelligence value:

1. Physical abuse.
2. Mental abuse.
3. Contacting, questioning or dialoguing with persons of potential intelligence value without approval of the senior JTF-CT individual in charge of all JTF-CT personnel.
4. No JTF-CT contractors will be allowed unaccompanied (i.e., without a government employed specialist) access to detainees.

Education

Copies of the Geneva Conventions, appropriate DoD Directives and other guidelines are available through the JTF-CT General Counsel or the JTF-CT Chief of the Exploitation Branch.

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