

# Enhanced Interrogation, the CIA and Struggle to End Torture



Leonard S. Rubenstein, JD  
President, Physicians for Human Rights

# Baseline: US Army Field Manual (1987)

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. ...

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# Baseline: *Army Field Manual*

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.

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# Baseline: CIA

- Kubarck Manual (1963): advised use of coercive interrogation methods on resistant subjects, including threats, exploitation of fear, imposition of pain, sensory deprivation
- Human Resource Exploitation Training Manual (1983): goal is to  
“induce psychological regression by the subject by bringing a superior outside force to bear on his will to resist. . . .”  
Techniques include isolation, humiliation, sensory overload and deprivation, sleep deprivation

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# 2001-2002 Sources of new techniques: resistance training

- Survival, Evasion, Resistance Escape (SERE) – training U.S. soldiers to withstand treatment by forces “that don’t abide by the Geneva Conventions.”
- Training includes stress positions, isolation, temperature extremes, threats of death to detainee or family, feigned suffocation
- Never intended to be used affirmatively

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# Post 9/11: CIA Moves Ahead

- Psychologists develop and implement highly coercive techniques at “black sites” -  
- waterboarding, stress positions, isolation, exploitation of phobias, and cultural and sexual humiliation, sleep deprivation.

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# Defense Department follows

- Spring 2002 – dissatisfaction with intelligence from Guantanamo detainees
- August 2002 – Justice Department reinterprets anti-torture statute to eviscerate prohibition
- September 2002 – psychologists from SERE, Guantanamo, and special operations to develop plan for SERE techniques as “standard operating procedure”
- Psychologists in Behavioral Science Consultation Teams expected to incorporate SERE methods
- Sec. of Defense approves many techniques and torture becomes routine.

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# 2003-2004: The routinization of torture

- Super-max unit at GTMO held detainees in isolation for months.
- Schmidt reports “frequent-flyer” “program” at GTMO, in effect in 2003 until March 2004 to move detainees every few hours from one cell to another to disrupt their sleep
- Nakedness used routinely at GTMO and Abu Ghraib during some periods.
- At Abu Ghraib, Army finds Later Army investigation found the use of total isolation at Abu Ghraib to be “routine and repetitive”.
- ICRC reports conditions of confinement tantamount to torture

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# Struggle to stop torture by the United States

- 2005: Congress enacts Detainee Treatment Act – reaffirms ban on cruel, inhuman and degrading treatment and requires Defense Department to adhere to Army Field Manual (Bush signing statement)
- 2006: Supreme Court holds that Common Article 3 applies to all detainees in US custody
- September 2006: in new Field Manual Defense Department affirms adherence to Geneva Conventions and abandons use of torture in interrogation: golden rule standard
- 2006: Military Commissions Act – defines war crimes

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# War Crimes Under the Military Commissions Act

- *Leave No Marks (2007)*. Analysis by Physicians for Human Rights and Human Rights First: “enhanced” interrogation techniques are *war crimes*
  - Stress Positions
  - Beatings
  - Temperature Manipulation
  - Waterboarding
  - Threats of Harm to Person Family or Friends
  - Sleep Deprivation
  - Sensory Bombardment: Noise and Light
  - Violent Shaking
  - Sexual Humiliation
  - Prolonged Isolation
  - Sensory Deprivation

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# Response of the health professional community

- American Medical Association and American Psychiatric Association – no participation in interrogation (2006)
- American Psychological Association
  - Allows participation but
  - Condemns 21 specific interrogation techniques, including all “enhanced” techniques (2007)

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# 2007: White House affirms use of “enhanced” interrogation

- New executive order applies to persons who are not prisoners of war, claims CIA program complies with law
- Purports to prohibit torture but is non-specific – refusal to identify techniques authorized
- Redefines humiliating and degrading treatment: “willful and outrageous acts of personal abuse done for the purpose of humiliating or degrading the individual in a manner *so serious that any reasonable person, considering the circumstances, would deem the acts to be beyond the bounds of human decency*”

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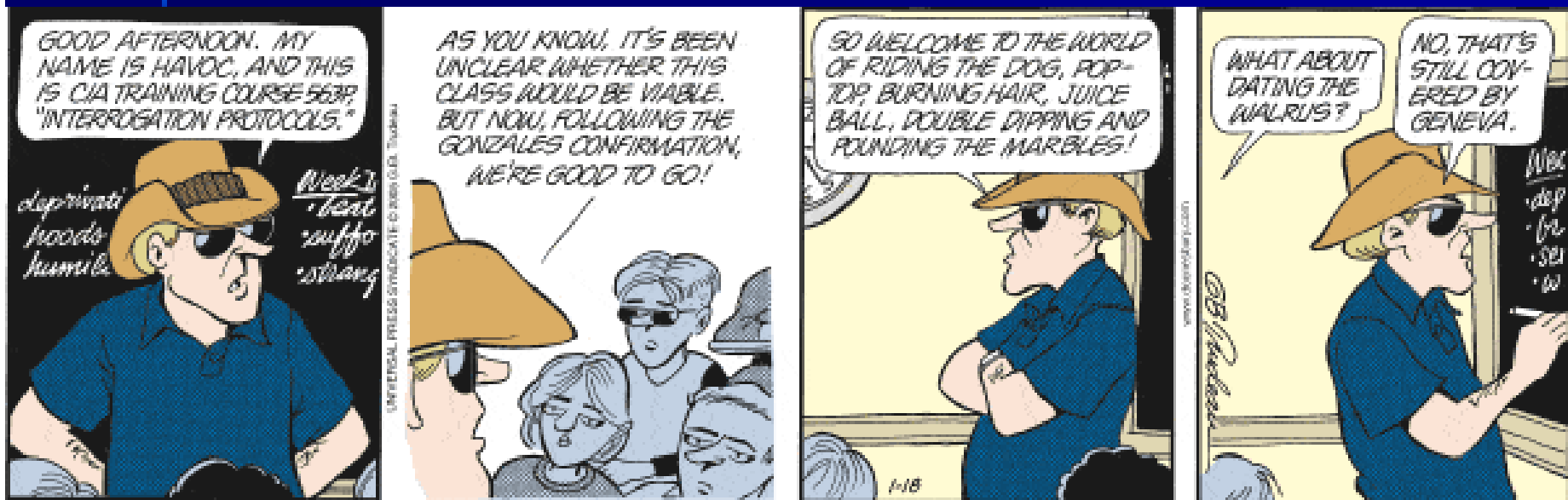
# Current CIA view

- CIA Director rejects compliance with Army Field Manual
  - “No one has ever claimed that the Army Field Manual exhausts all the lawful interrogation techniques that the American republic can use to defend itself.”
  - torture depends “on how badly it shocks the conscience.”

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# CIA: Current state of play



# Implications and legacy of Bush policy

- Redefined torture to permit torture
- Created enormous space for torturers everywhere
- Undermined human rights values throughout the world
- Legalistic approach ends the clarity and absolutism needed to stop torture
- Thousands of people's lives destroyed

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# The way forward

- Restoration of national and professional values – beyond rhetoric, in practice and law. *Techniques used by CIA need to be banned*
- Investigate the past and promote accountability
- End professional role in supporting interrogation.
- Health Professional Campaign Against Torture:  
[www.physiciansforhumanrights.org](http://www.physiciansforhumanrights.org)

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