

<b>Forum:</b>	Disarmament and International Security Commission
<b>Issue:</b>	The use of enhanced interrogation techniques by military officers
<b>Student Officer:</b>	Angelos Petrovas
<b>Position:</b>	Co-Chair

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## PERSONAL INTRODUCTION

Dear delegates,

My name is Angelos Petrovas, I am 16 years old and I attend the 11th grade at the German School of Athens. I must admit that it is a huge honor to serve as the Co-Chair of the Disarmament and International Security Commission in this session of PSMUN. This year's topics of the Disarmament Committee, provide delegates with the chance to diplomatically discuss some of the highest threats towards international security, a domain that dominates the landscape we live in. As a chair in GA1 it is my duty to -along with the fellow chairs- guide you through the issues and help you understand them better, in order to be able to discuss it. However, this study guide -focusing on our third topic-should not be your only source and I strongly urge you to read more upon it. Should you come up with any questions, do not hesitate to contact me in my **email address: [aggelospetrovas@gmail.com](mailto:aggelospetrovas@gmail.com)** I am really looking forward to meeting you all in PSMUN 2018!

Best regards,  
Angelos Petrovas

## INTRODUCING THE TOPIC

*"It is not an opinion that enhanced interrogation techniques are torture. It is a legal fact. And it is also a legal fact that the president is a war criminal."*  
-Andrew Sullivan, British author

*"Enhanced interrogation gleaned information that saved American lives and – I was informed- prevented incoming terrorist attacks on this country from being successful."*  
-Mike Pence, current vice president of the USA

Right from the start of my research, I have witnessed multiple similarly distant opinions regarding enhanced interrogation techniques, which shows how controversial and significant this issue is, even today and even among public figures. But what are those “enhanced interrogation techniques”? Difficult call and more intriguingly, quite nebulous. Let’s shed some light into this term though.

"Enhanced interrogation techniques" or "enhanced interrogation" is an euphemism for the U.S. government's program of innovative interrogation (often compared to systematic torture) of detainees by the Central Intelligence Agency (CIA), the Defense Intelligence Agency (DIA), and various components of the U.S. Armed Forces at black sites around the world, including Bagram, Guantanamo Bay, and Abu Ghraib, authorized by officials of the George W. Bush administration. Thus it is important to clarify that the period we are addressing is 2002-2009 following the attacks of September 2001.

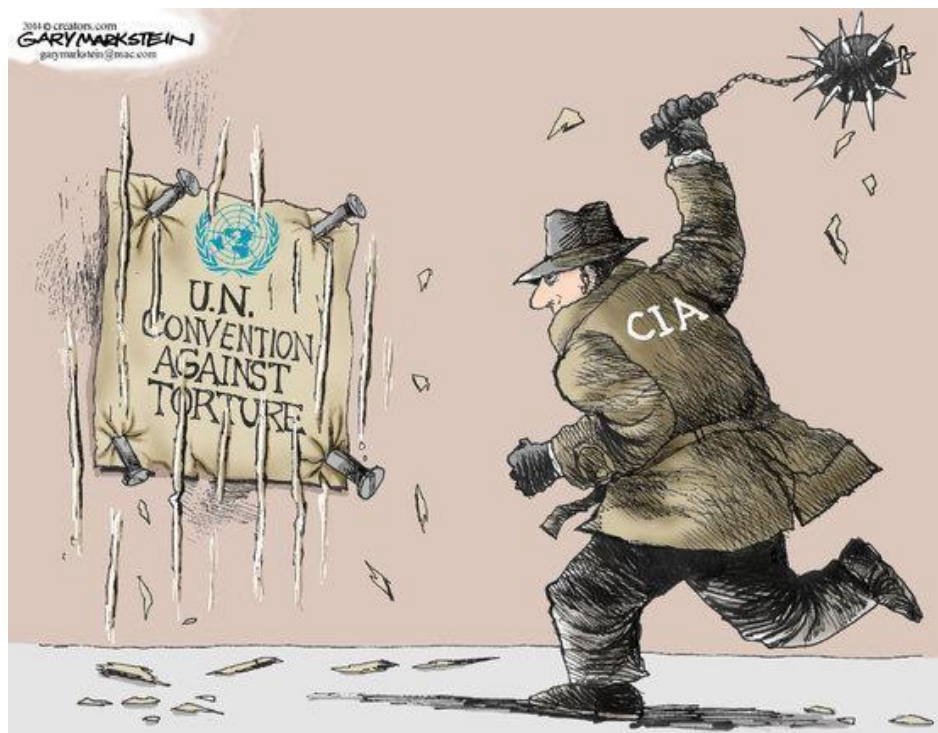
Methods used included beating, binding in contorted stress positions, hooding, subjection to deafening noise, sleep disruption, sleep deprivation to the point of hallucination, deprivation of food, drink, and withholding medical care for wounds, as well as water boarding, walling, sexual humiliation, subjection to extreme heat or extreme cold, confinement in small coffin-like boxes, and repeated slapping. Apart from those, testimonies and evidence showing that a policy of intimidation applied exist, with threats targeting family members and a lot of other practices as such being said to have been widely used.

The number of detainees subjected to these methods has never been officially established nor how many casualties were caused. The CIA admits to waterboarding three people implicated in the September 11 attacks. Former guards and inmates at



Guantánamo have claimed that detainees having been pronounced dead of suicide from the US military were in fact tortured to death.

Controversy arose over whether "enhanced interrogation" violated U.S. anti-torture statutes or international laws such as the UN Convention against Torture, whereas the applicability of the Geneva Conventions on the topic was also discussed. The United Nations special rapporteur on torture, Juan Mendez stated that waterboarding constitutes torture whereas he characterized it "immoral and illegal". In 2008, fifty-six House Democrats asked for an independent investigation. American and European officials including former CIA Director Leon Panetta, former CIA officers, a Guantanamo prosecutor, and a military tribunal judge, have called "enhanced interrogation" a euphemism for torture. In 2009 both President Barack Obama and Attorney General Eric Holder said that certain techniques amount to torture, and repudiated their use. In July 2014, the European Court of Human Rights formally ruled that "enhanced interrogation" is torture, and ordered Poland to pay restitution to men tortured at a CIA black site there. In December 2014, the U.S. Senate made public around 10% of the Senate Intelligence Committee report on CIA torture, a report about the CIA's use of torture during the George W. Bush administration.



The picture above clearly shows the heavy criticism targeting the CIA and as follows the US government for allegedly breaking the UN Convention against Torture. As a

matter of fact, the UN and human rights groups have called for the prosecution of US officials involved in the use of "enhanced interrogation techniques".

## DEFINITION OF KEY TERMS

Euphemism<sup>1</sup>: an inoffensive word or phrase substituted for one considered offensive or hurtful.

Interrogation: to formally ask questions of (a person), sometimes to seek answers or information that the person questioned considers personal or secret.

Torture: the act of inflicting excruciating pain, as punishment or revenge, as a means of getting a confession or information, or for sheer cruelty.

Detainee: a person held in custody, esp. for a political offense or for questioning.

Waterboarding: Waterboarding is a form of water torture in which water is poured over a cloth covering the face and breathing passages of an immobilized captive, causing the individual to experience the sensation of drowning. Ordinarily, the water is poured intermittently so as to prevent death during torture, however, if the water is poured uninterrupted it will lead to death by asphyxia with the sensation of drowning, also called dry drowning. Besides death, waterboarding can cause extreme pain, damage to lungs, brain damage from oxygen deprivation, other physical injuries including broken bones due to struggling against restraints, and lasting psychological damage. Adverse physical consequences can manifest themselves months after the event, while psychological effects can last for years.

\*Enhanced interrogation techniques may be referred to as EIT throughout the study-guide

\*\*Waterboarding was added to the key terms and clarified rather than other "enhanced interrogation techniques", due to its catalytic role during the application of this EIT policy

## HISTORICAL INFORMATION

### The start of the "EIT"

As mentioned previously, the "enhanced interrogation techniques" as a term was established in the US after the terrorist attacks of September 2001. Back then the George W. Bush administration enriched their agenda with multiple security

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<sup>1</sup><http://www.wordreference.com/definition/euphemism>

measures, which they assigned to the respective agencies. Hence, shortly after the attacks on 11 September 2001, the CIA were to draw up a list of new interrogation techniques that included sleep deprivation, slapping, subjection to cold and simulated drowning, known as "waterboarding" and many others addressed in the introduction. The objective of the techniques was to acquire information from suspects, so that further terrorist and criminal acts could be avoided.

### The area of conduction of the "EIT"

#### Airports used by the CIA in the extraordinary rendition of terror suspects



Airports used as "one-off pick-up points" have not been included  
Source: Council of Europe, 2006

This chart, created by the Council of Europe in 2006, perfectly depicts the landscape in which the "EIT" were unfolded. As one can observe three subsequent steps until the detainee would reach the detention center existed: the staging points, the stopover points and the drop-off points. It is also interesting to take notice of the fact that those points existed in various countries, while an overwhelming amount of them was outside the USA and even the American Continent. Last but not least, it is also worth attention that none of the drop-off points was located in the USA.

### Steps towards, controversy and the apparent end of the "EIT"

On December 14, 2005, the Detainee Treatment Act entered in law, setting the Army policy as standard for all agencies and prohibiting "cruel, inhuman, or degrading treatment or punishment." On February 13, 2008 the U.S. Senate, in a 51 to 45 vote,



approved a bill clarifying this language, allowing only "those interrogation techniques explicitly authorized by the 2006 Army Field Manual." The Washington Post stated: "The measure would effectively ban the use of simulated drowning, temperature extremes and other harsh tactics that the CIA used on al-Qaeda prisoners after the September 11, 2001, attacks."

President George W. Bush has said in a BBC interview he would veto such a bill after previously signing an executive order that allows "enhanced interrogation techniques" and may exempt the CIA from Common Article 3 of the Geneva Conventions. On March 8, 2008 President Bush vetoed this bill. "Because the danger remains, we need to ensure our intelligence officials have all the tools they need to stop the terrorists", Bush said in his weekly radio address. "The bill Congress sent me would take away one of the most valuable tools in the war on terror – the CIA program to detain and question key terrorist leaders and operatives." Bush said that the methods used by the military are designed for interrogating "lawful combatants captured on the battlefield", not the "hardened terrorists" normally questioned by the CIA. "If we were to shut down this program and restrict the CIA to methods in the Field Manual, we could lose vital information from senior al Qaida terrorists, and that could cost American lives", Bush claimed.

Massachusetts senator Edward Kennedy on the other hand described Bush's veto as "one of the most shameful acts of his presidency". He characteristically said, "Unless Congress overrides the veto, it will go down in history as a flagrant insult to the rule of law and a serious stain on the good name of America in the eyes of the world."

According to Jane Mayer, during the transition period for then President-elect Barack Obama, his legal, intelligence, and national-security advisers had met at the CIA's headquarters in Langley to discuss "whether a ban on brutal interrogation practices would hurt their ability to gather intelligence". There was unanimity among Obama's expert advisers, that to change the practices would not in any material way affect the collection of intelligence.

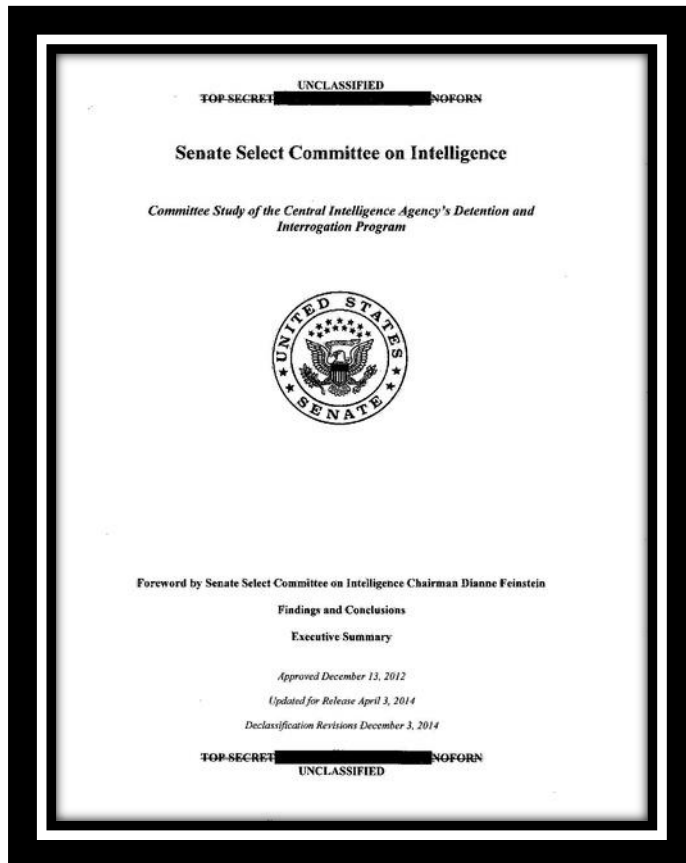
On January 22, 2009 President Obama signed Executive Order 13491 requiring the CIA to use only the 19 interrogation methods outlined in the United States Army Field Manual on interrogations "unless the Attorney General with appropriate consultation provides further guidance."

### The known numbers and estimations

During the period the "EIT" policy was applied (2002-2009) 119 detainees were documented to be held in CIA custody, while at least 39 of them were subjected to these techniques. It is though widely believed that the "enhanced interrogation

techniques” were applied in a far larger scale with the number of people having been subjected to them estimated to be hundreds and the deaths caused to outreach 100. Yet, everything is so nebulous and unclear that one cannot make anything but assumptions.

### The Senate Intelligence Committee report on CIA torture



This very Committee report (picture above), created by the Senate Select Committee on Intelligence, is about the Central Intelligence Agency (CIA)'s Detention and Interrogation Program and its use of various forms of torture ("enhanced interrogation techniques") on detainees between 2001 and 2006 during the "War on Terror". The final report was approved on December 13, 2012, by a vote of 9–6, with seven Democrats, one Independent, and one Republican voting in favor of publication and six Republicans voting in opposition. The report details

actions by CIA officials, including torturing prisoners, providing misleading or false information about classified CIA programs to the media, impeding government oversight and internal criticism, and mismanaging the program. It also revealed the existence of previously unknown detainees, that more detainees were subjected to harsher treatment than was previously disclosed, and that more forms of torture were used than previously disclosed. It concluded that torturing prisoners did not help acquire actionable intelligence or gain cooperation from detainees and that the program damaged the United States' international standing.

### The effectiveness of the "EIT"

A lot has been said and assumed regarding the effectiveness of "EIT". According to ex-CIA officer John Kiriakou, al-Qaeda suspect Abu Zubaydah "broke" within half a

minute of being waterboarded. Abu Zubaydah said later he had made things up to satisfy his interrogators.



\*George W. Bush claimed that the “EIT” have helped stop several terrorist attacks in London

The practices were brutal and produced little intelligence of value, a leaked White House memo said in July 2014. The Senate committee concluded that the CIA's use of "enhanced interrogation techniques" was not an effective means of acquiring intelligence or gaining co-operation from detainees. It also criticized the CIA for allowing two psychologists, who had no background in counter-terrorism and who were hired to develop procedures, to assess the effectiveness of their own program.

#### A potential comeback of the “EIT”

Just after his election and during his time in the presidency, Donald J. Trump has clearly clarified his being in favor of torture. “Torture absolutely works” and “you have to fight fire with fire” were some of his quotes when referring to torture and as follows a potential comeback of “enhanced interrogation”, while he described his upcoming policy on the matter as “a hell of a lot worse”. Thus, the window for the return of the “EIT” in the US is widely open, when it comes to the President. Though, it is important to mention that numerous Senates, FBI and CIA former and current agent, journalists, officials, public figures and American people have expressed their absolute disapproval of torture, making the “resurrection” of the “EIT” seem pale.



## COUNTRIES INVOLVED IN THE ISSUE

### United States of America

As a matter of fact, quite a lot has already been mentioned about the USA in regard with the “enhanced interrogation techniques”. The involvement of the USA in this very issue is undeniable, as it was the state to create and shape it is in the form that we know it today. The USA created a huge network for the coordination and execution of the “EIT” policy, which the George W. Bush government and administration officials invented and put forward.

### Other countries

As mentioned throughout the whole study-guide the “enhanced interrogation techniques” are a term referring to the according US practices and hence they do not have to do with other countries. But if one looks at the bigger picture and at the wider meaning of the term, they would understand that violent interrogation techniques, that are used by many of the world’s powerhouses and not only, could be compared to the “EIT”. Thus, when creating resolutions, you have to keep in mind to adjust your solutions and proposals on a worldwide scale, trying to trace and seize such actions by any and all member states.

## TIMELINE OF EVENTS

<b>17 September 2001:</b> President Bush authorizes CIA to detain suspected terrorists in the aftermath of the 9/11 <sup>th</sup> terrorist attacks
<b>August 2002:</b> Abu Zubaydah, a Saudi terror suspect, subjected to persistent "coercive interrogation", including waterboarding
<b>November 2002:</b> Abd al-Rahim al-Nashiri transferred to CIA custody and subjected to waterboarding.
<b>March 2003:</b> Khalid Sheikh Mohammed, suspected 9/11 mastermind, captured - later waterboarded 183 times
<b>2 November 2005:</b> Washington Post reveals existence of global CIA interrogation program
<b>8-9 November 2005:</b> CIA authorizes destruction of "coercive interrogation" videotapes
<b>September 2006:</b> President Bush publicly acknowledges the “EIT” program for the first time

**March 2008:** President Bush vetoes legislation to limit CIA interrogation techniques.

**January 2009:** President Barack Obama bans the CIA's detention authority and limits interrogation to techniques authorised by the Army Field Manual.

**December 2012:** The Senate votes 9-6 in favor of the public release of parts of the for 7 years ongoing Senate Intelligence Committee report on CIA torture

**November 2016:** Recently elected President Donald J. Trump expresses his being in favor of torture practices

## POSSIBLE SOLUTIONS

### Spreading Awareness

A solution that nearly fits all issues and this is not unjustified. Spreading awareness is a feasible measure, while informing the people is always significant and could be catalytic. In our particular issue, spreading awareness through ways that I will let you figure out could put pressure on governments promoting and using torture as means of interrogation.

### Strengthening anti-terrorist surveillance

This measure mainly concentrates on the gathering of valuable intelligence and information through other ways, something that would highly restrict interrogation on the matter, let alone the existence of the mainly linked to terrorism “enhanced interrogation techniques”.

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