ABU ZUBAYDAH: WATERBOARDED 83 TIMES FOR 10 PIECES OF INTELLIGENCE

The torture apologists are out in force, insisting that torture produces useful information. Cheney's even promising to release information from CIA cataloging all the useful information that came from torture.

But we don't have to wait for Cheney to make good on his promise. We already have a way to assess how much intelligence we got directly from torturing Abu Zubaydah and Khalid Sheikh Mohammed: the 9/11 Report. After all, the 9/11 Report integrates a huge amount of information from interrogation reports, and cites them all meticulously. As early as June 6, 2003, the 9/11 Commission asked for, ""all TDs and other reports of intelligence information obtained from interrogations" of forty named individuals, including Abu Zubaydah and (apparently) Khalid Sheikh Mohammed, and they used what they got in return to write their report. So if there was useful information in those reports, they presumably got it.

Here was a bipartisan group—including many staffers and members with extensive national security backgrounds—attempting to learn everything it could about al Qaeda, poring through interrogation reports produced as a result of torture, tracking inconsistencies in the intelligence, corroborating that intelligence where possible with documents and other testimony, and ultimately selecting what it felt was useful in telling the story of al Qaeda. While certainly not a perfect assessment of what was useful (I'll explain why below), it provides one of the best unbiased ways to measure how useful this intelligence was.

And in the case of Abu Zubaydah, such an

assessment is horrifying.

In the entire 9/11 Report, just ten pieces of information are sourced to Abu Zubaydah's interrogation reports.

Ten.

And there are several other damning details that come from this analysis. One of the ten pieces of intelligence that appears in the 9/11 Report—regarding Abu Zubaydah's role running terrorist training camps—came from July 10, 2002, before the CIA first received oral authorization to use torture. Thus, it either came from persuasive, rather than coercive, techniques. Or it came from treatment that had not been legally approved.

In addition, the 9/11 Report doesn't cite interrogation reports addressing [the lack of] ties between Iraq and al Qaeda directly; it cites a 2003 memo from Doug Feith that in turn cites 2003 interrogations of AZ and KSM. It's unclear whether AZ's and KSM's earlier denials of links between al Qaeda and Iraq simply don't show up in the earlier interrogation reports, or whether such information was deemed not credible in earlier reports. But the absence of such references, when we know interrogators were pushed to ask about them, raises questions about the integrity of the interrogation reports.

Of the ten pieces of information that appear in the Report, just one comes from the month when AZ was under most intensive interrogation. As it pertains to Rahim al-Nashiri, who had not yet been captured, it might be said to have an influence on his capture. Though appears to be background on who he was rather than details about how to find him.

Finally, it was not until the Commission started submitting specific questions to be asked of detainees that AZ is reported to have discussed one key detail: why so many Saudis took part in the attacks.

I've got caveats and further discussion on this

below. But a review of what the 9/11 Commission found useful from AZ suggests we waterboarded a man 83 times for ten pieces of intelligence.

The Timeline

Here are the ten references to Abu Zubaydah's interrogation reports that appear in the 9/11 Report's notes, along with other key dates from the chronology:

March 28, 2002: Abu Zubaydah captured

July 10, 2002: Abu Zubaydah describes his role running the Khaldan and Derunta training camps and the arrangement he has withal Qaeda (chapter 6, footnote 5)

> Khaldan and Derunta were terrorist training camps in Afghanistan controlled by Abu Zubaydah.While the camps were not al Qaeda facilities,Abu Zubaydah had an agreement with Bin Ladin to conduct reciprocal recruiting effort whereby promising trainees at the camps could be invited to join al Qaeda.

July 24, 2002: CIA first receives oral guidance from Jay Bybee on interrogation techniques

August 1, 2002: Bybee memo formally authorizes enhanced interrogation techniques

August 29, 2002: Abu Zubaydah describes Rahim al-Nashiri's success as a recruiter (chapter 5, footnote 31)

> Nashiri also enjoyed a reputation as a productive recruiter for al Qaeda.

August 31, 2002 (approximately): Month-long intensive interrogation (including waterboarding) ends

October 2002: Rahim al-Nashiri captured

October 29, 2002: AZ describes Bin Laden's popularity (chapter 2, footnote 18, text from body of report; also supported by 2000 CTC

report)

> By 1998, Bin Ladin had a distinctive
> appeal, as he focused on attacking
> America. He argued that other
> extremists, who aimed at local rulers or
> Israel, did not go far enough.They had
> not taken on what he called "the head of
> the snake."

November 7, 2002: AZ gives tempered description
of KSM's popularity (chapter 5, footnote 19; the
report suggests AZ may have been jealous of KSM)

> KSM appears to have been popular among
> the al Qaeda rank and file. He was
> reportedly regarded as an effective
> leader, especially after the 9/11
> attacks. Co-workers describe him as an
> intelligent, efficient, and even-
> tempered manager who approached his
> projects with a single-minded dedication
> that he expected his colleagues to
> share. Al Qaeda associate Abu Zubaydah
> has expressed more qualified admiration
> for KSM's innate creativity, emphasizing
> instead his ability to incorporate the
> improvements suggested by others.

2003, undated: Doug Feith cites 2003
interrogations of AZ and KSM in a memo
summarizing ties between Iraq and al Qaeda
(chapter 2, footnote 76) [Note, Phillip Shenon's
The Commission notes that "in the early days of
the investigation, [Philip Zelikow] had pushed
for the commission's staff to try to find
evidence linking al-Qaeda and Baghdad." So we
know the Commission was looking for such
details. But the 9/11 Report cites no
interrogation report describing Iraq-Al Qaeda
ties directly.]

> We have seen other intelligence reports
> at the CIA about 1999 contacts. They are
> consistent with the conclusions we
> provide in the text, and their

> reliability is uncertain. Although there have been suggestions of contacts between Iraq and al Qaeda regarding chemical weapons and explosives training, the most detailed information alleging such ties came from an al Qaeda operative who recanted much of his original information.Intelligence report, interrogation of al Qaeda operative,Feb. 14,2004.Two senior Bin Ladin associates have adamantly denied that any such ties existed between al Qaeda and Iraq. Intelligence reports, interrogations of KSM and Zubaydah, 2003 (cited in CIA letter, response to Douglas Feith memorandum,"Requested Modifications to 'Summary of Body of Intelligence Reporting on Iraq—al Qaida Contacts (1990—2003),'" Dec. 10, 2003, p. 5).

May 16, 2003: AZ claims Bin Laden expanded the scope of KSM's original plan (chapter 5, footnote 25) [Note, this footnote appears because it contradicts KSM's claims—included in the text—that the 9/11 plan was originally much bigger than it ended up being. The Commission appears to find KSM's claim more truthful here.]

> Abu Zubaydah,who worked closely with the al Qaeda leadership, has stated that KSM originally presented Bin Ladin with a scaled-down version of the 9/11 plan, and that Bin Ladin urged KSM to expand the operation with the comment,"Why do you use an axe when you can use a bulldozer?" Intelligence report, interrogation of Abu Zubaydah, May 16, 2003.The only possible corroboration we have found for Abu Zubaydah's statement is Khallad's suggestion that Bin Ladin may have expanded KSM's original idea for an attack using planes. Intelligence report, interrogation of Khallad,Apr. 22, 2004. Neither Abu Zubaydah nor Khallad claims to have been present when

> KSM says he first pitched his proposal to Bin Ladin in 1996.

June 6, 2003: 9/11 Commission asks for "all TDs and other reports of intelligence information obtained from interrogations" of forty named individuals.

June 24, 2003: AZ provides description of the origins of "the Encyclopedia," a terrorist training manual created during the anti-Soviet campaign (chapter 6, footnote 8)

> The Encyclopedia is a multivolume instruction manual containing lessons on weapons handling, tactics, covert operations, bomb making, and other topics.The manual was originally created in the late 1980s by Afghanistan-based extremists, who considered it essential for waging terrorist operations and guerrilla warfare in the jihad against the Soviets.

October 14, 2003: 9/11 Commission gives CIA "Questions for CIA Regarding Detainee Interrogation," which,

> posed dozens of very specific questions about puzzles in the interrogation reports themselves, including questions for anyone involved in the interrogations (e.g., interrogation administrators, interrrogators, or reporting officers) to clarify statements made in Abu Zubaydah's interrogations (among others) or to clarify statements with further questions to the detainees.

October 16, 2003: 9/11 Commision gives CIA "Evaluating Primary Information about the 9/11 Plot," which,

> … included questions about the translation process in the

> interrogations; the knowledge base of the interrogators; the way the interrogators had handled inconsistencies in the detainees' stories; the context of what particular questions had been asked in order to elicit the reported information; the context of how interrogators had followed up on particular lines of questioning; and more information to assess the credibility and demeanor of the detainees in making the reported statements — and the views or assessments of the interrogators themselves.

December 13, 2003: AZ provides a description of Bin Laden's actions after the *Cole* bombing (chapter 6, footnote 125, text from body of report)

> Back in Afghanistan, Bin Ladin anticipated U.S. military retaliation. He ordered the evacuation of al Qaeda's Kandahar airport compound and fled—first to the desert area near Kabul, then to Khowst and Jalalabad, and eventually back to Kandahar. In Kandahar, he rotated between five to six residences, spending one night at each residence.

January 26, 2004: After repeated negotiations with the 9/11 Commission, which still felt its information from detainees was insufficient, the Administration offered to take sets of written followup questions, pose them to detainees, relay answers back to the Commission, and take further questions.

February 18, 2004: AZ provides information on Abu Turab, who reportedly conducted the final training for the 9/11 plotters. (chapter 7, footnote 108)

> Abu Turab was the son-in-law of Ayman al

> Zawahiri.

February 19, 2004: AZ provides a comment on whether Saudis were selected for the 9/11 plot specifically (chapter 7, footnote 90, text from body of report)

> > Several other al Qaeda figures, however, have stated that ethnicity generally was not a factor in the selection of operatives unless it was important for security or operational reasons.

Now, as the Report makes clear, AZ was **not** the original source for a piece of intelligence the torture apologists credit to his torture—KSM's nickname, Mukhtar. Here's what the text of the report says about the nickname.

> > When additional pieces of the puzzle arrived in the spring and summer of 2001, they were not put together.
> >
> > The first piece of the puzzle concerned some intriguing information associated with a person known as "Mukhtar" that the CIA had begun analyzing in April 2001.The CIA did not know who Mukhtar was at the time—only that he associated with al Qaeda lieutenant Abu Zubaydah and that, based on the nature of the information, he was evidently involved in planning possible terrorist activities. 110
> >
> > The second piece of the puzzle was some alarming information regarding KSM.On June 12, 2001, a CIA report said that "Khaled"was actively recruiting people to travel outside Afghanistan, including to the United States where colleagues were reportedly already in the country to meet them, to carry out terrorist-related activities for Bin Ladin. CIA headquarters presumed from the details of the reporting that this person was Khalid Sheikh Mohammed. In July, the

> same source was shown a series of
> photographs and identified a photograph
> of Khalid Sheikh Mohammed as the Khaled
> he had previously discussed.111
>
> The final piece of the puzzle arrived at
> the CIA's Bin Ladin unit on August 28 in
> a cable reporting that KSM's nickname
> was Mukhtar. No one made the
> connection to the reports about Mukhtar
> that had been circulated in the spring.

As to the one other piece of intelligence
credited to AZ's torture (though FBI sources
dispute this, too), Jose Padilla's name never
appears in the Report. The 9/11 Commission, it
appears, did not find Padilla a notable player
in the threat posed by al Qaeda.

The Caveats

As I said above, this analysis is definitely not
a perfect measure of the value of AZ's
intelligence. While the 9/11 Commission includes
abundant details of the second half of KSM's
plan (to blow up US-flagged planes in Asia), and
that may have been perceived to be a real
ongoing threat when KSM was interrogated, the
9/11 Report does not provide information on
impending threats. So the 9/11 Report is not a
good measure of precisely what the torture
apologists want to claim torture is good for—for
quick discovery of ticking timebomb threats.

That said, we know from the IG Report fragments
cited in the May 30, 2005 torture memo that as
of May 2004, there was no conclusive data
connecting intelligence gained through torture
with preventing any attacks.

> As the IG Report notes, it is difficult
> to determine conclusively whether
> interrogations have provided information
> critical to interdicting specific
> imminent attacks. See id. at 88.

And even today, in a memo some point to as proof

that torture works, Dennis Blair emphasizes the importance of information gained through torture to provide a "deeper understanding" of al Qaeda; he makes no claims that the information prevented any imminent attack.

> High value information came from interrogations in which those methods were used and provided a deeper understanding of the al Qa'ida organization that was attacking this country.

Philip Zelikow describes the goal of the Commission as seeking precisely that kind of deeper undersanding of al Qaida.

> [The Commission] did seek information not only about the 9/11 plot, but also any intelligence information about the history and evolution of al Qaeda and its connections to other terrorist entities.

So while the 9/11 Report may not be a fair measure of whether intelligence gained through torture prevented any imminent attacks, it is a fair measure of what information gained through torture "provided a deeper understanding" of al Qaeda.

Another caveat: while the 9/11 Report uses almost nothing from Abu Zubaydah's interrogation reports, it relies heavily on KSM's interrogation reports. I'm just part of the way through collecting all the KSM references from the report, and I've tracked over a hundred references attributed to KSM interrogation. One of the interrogation reports—claiming Hambali helped Moussaoui—comes from the month he was tortured. And a few more of the reports from April, shortly after the waterboarding apparently ended, pertain to Hambali as well. Though I wonder whether the intelligence community still stands by the claim that an al Qaeda associate was attempting to create anthrax

in Kandahar for a year?

But even with KSM, the most substantive interrogation reports—the ones that "provided a deeper understanding" of al Qaeda, came after the waterboarding stopped. Interrogation sessions on July 12, 2003, August 18, 2003, January 9, 2004, and (presumably using questions that came from the Commission) mid-February, 2004 provided by far the most information appearing in the Report.

We will never know whether the later interrogation reports from AZ or KSM could have been gleaned without having used torture or not. Both AZ and KSM describe threats of ongoing torture after the month of intense torture (with AZ, they left the small confinement box in sight; with KSM they would occasionally place the "walling" collar on the table). But also during this time, AZ and KSM increasingly received solid food and clothing and other apparent rewards for cooperation. Thus, we can't say whether the later, much more productive interrogation sessions came because interrogators began to build rapport with these men—or at least a system of sticks **and** carrots, or because the threat of ongoing torture remained credible.

The Low-Quality Reports

One final point on the quality of the torture-based interrogations.

If intelligence is to be useful, then the interrogation reports must be accessible and meaningful to others, outside of the interrogation team, who read the reports. And on that level, at least as measured by the 9/11 Commission, the process that created the interrogation reports of AZ and KSM failed, utterly. As Zelikow explains, the first batch of interrogation reports received in fall 2003 were not very useful. "After reviewing and digesting this material, Commission staff concluded that this information was not as detailed as they had expected." The material raised questions about

information edited out between the operational cables [what was sent back to HQ] and the disseminated reports [what the Commission got to read]. It raised questions about the translation process used for the interrogations and the "knowledge base" of the interrogators. Ultimately, though, the Commission was never able to adequately address concerns about the "credibility and meaning" of the reports. So the experience of the 9/11 Commission—in addition to what they tell us about the inefficacy of the torture—also suggests that the entire interrogation system, with compartmented interrogators working in secret locations, who didn't have the appropriate language skills or a solid understanding of al Qaeda, did not produce **usable** intelligence. Cheney wants to argue that torture produced intelligence—but the 9/11 Commission makes it clear that it wasn't usable intelligence.

As I said, using the 9/11 Report to measure the value of the information we got through torture is imperfect—though it is a means of doing so outside of the inflamed debate we're currently in (though its publication did postdate the Abu Ghraib scandal that put torture on the front pages).

However imperfect a way to measure the intelligence we got, it still tells a really horrifying story. Abu Zubdaydah was waterboarded 83 times in a month. And for all that torture, he only revealed 10 (perhaps 9) pieces of intelligence deemed useful by the 9/11 Commission.