

WHATEVER HAPPENED TO MUHAMMED KHUDAYR AL-DULAYMI?

On the same day the NYT published the latest in a series of reports of how ISIS has incorporated Baathists from Saddam's regime, the WaPo reported that ISIS had tortured some of its captives, including James Foley, using some of the same techniques employed by the US.

The NYT described how Abu Bakr al-Baghdadi teamed up with some of Saddam's old officers.

He had a preference for military men, and so his leadership team includes many officers from Saddam Hussein's long-disbanded army.

They include former Iraqi officers like Fadel al-Hayali, the top deputy for Iraq, who once served Mr. Hussein as a lieutenant colonel, and Adnan al-Sweidawi, a former lieutenant colonel who now heads the group's military council.

The pedigree of its leadership, outlined by an Iraqi who has seen documents seized by the Iraqi military, as well as by American intelligence officials, helps explain its battlefield successes: Its leaders augmented traditional military skill with terrorist techniques refined through years of fighting American troops, while also having deep local knowledge and contacts. ISIS is in effect a hybrid of terrorists and an army.

And WaPo described the waterboarding used with Foley – but it described it exclusively as a CIA torture technique.

James Foley was among the four who were waterboarded several times by Islamic

State militants who appeared to model the technique on the CIA's use of waterboarding to interrogate suspected terrorists after the Sept. 11, 2001, attacks.

Waterboarding often involves strapping a person down on a gurney or bench and pouring cold water over a cloth covering the face. It causes the sensation of drowning. "The wet cloth creates a barrier through which it is difficult – or in some cases not possible – to breathe," according to a Justice Department memo in May 2005 about the CIA's use of the technique.

True, waterboarding – as opposed to simulated drowning by submersion – has only been admitted in 3 known cases, all CIA detainees – Abu Zubaydah, Abd al Rahim al-Nashiri, and Khalid Sheikh Mohammed (as well as Egypt's waterboarding on our behalf of Ibn Sheikh al-Libi).

But waterboarding was at least contemplated for use on Baathists. Charles Duelfer admitted that OVP suggested a Mukhabarat officer Duelfer names as Muhammed Khudayr al-Dulaymi be waterboarded, though Duelfer claims he ultimately wasn't waterboarded.

At the end of April 2003, not long after the fall of Baghdad, U.S. forces captured an Iraqi who Bush White House officials suspected might provide information of a relationship between al Qaeda and Saddam Hussein's regime. Muhammed Khudayr al-Dulaymi was the head of the M-14 section of Mukhabarat, one of Saddam's secret police organizations. His responsibilities included chemical weapons and contacts with terrorist groups.

[snip]

Duelfer says he heard from "some in

Washington at very senior levels (not in the CIA)," who thought Khudayr's interrogation had been "too gentle" and suggested another route, one that they believed has proven effective elsewhere. "They asked if enhanced measures, such as waterboarding, should be used," Duelfer writes. "The executive authorities addressing those measures made clear that such techniques could legally be applied only to terrorism cases, and our debriefings were not as yet terrorism-related. The debriefings were just debriefings, even for this creature."

Duelfer will not disclose who in Washington had proposed the use of waterboarding, saying only: "The language I can use is what has been cleared." In fact, two senior U.S. intelligence officials at the time tell The Daily Beast that the suggestion to waterboard came from the Office of Vice President Cheney.

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"Everyone knew there would be more smiles in Washington if WMD stocks were found," Duelfer said in the interview. "My only obligation was to find the truth. It would be interesting if there was WMD in May 2003, but what was more interesting to me was looking at the entire regime through the slice of WMD."

But, Duelfer says, Khudayr in fact repeatedly denied knowing the location of WMD or links between Saddam's regime and al Qaeda and was not subjected to any enhanced interrogation. Duelfer says the idea that he would have known of such links was "ludicrous".

There's a lot that's dodgy about this story. Duelfer's book is, generally, very pro Cheney.

And Khudayr does not appear on detainee lists from the period; others are listed as the head of M14 (search on Khudayr, M14, and Special Operations to see the others). Was he still a ghost detainee three months after this happened? Did Duelfer give a cover name?

But whatever happened with Khudayr, it's quite clear that Baathists were brutally tortured in US custody – often by JSOC, as opposed to CIA, which continued the worst kinds of torture even after CIA had halted them. And of course, some even died.

ISIS' leader, Abu Bakr al-Baghdadi also went through (and reportedly grew closer to al Qaeda) in US prisons in Iraq, though Camp Bucca rather than Abu Ghraib or Camp Nama. (And I think there's still quite a story to be told about the jail breaks across the Middle East that preceded the recent ascension of ISIS.)

CIA was, obviously, quite active in Iraq, along with JSOC. But even accounting for DOD's more central role in detention in Iraq, there's reason to believe the torture of ISIS is more closely associated with the torture the US conducted in Iraq than it did in black sites on the other side of the world.

That is, some people associated with ISIS may have a very personal understanding of how the US tortured.