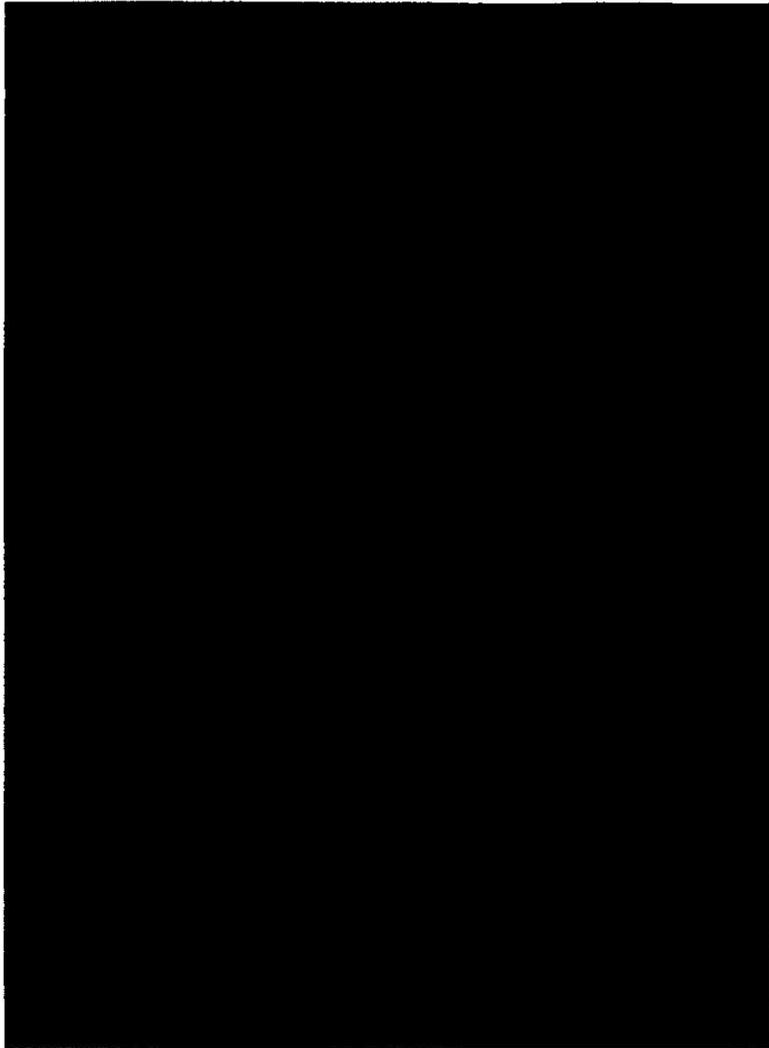


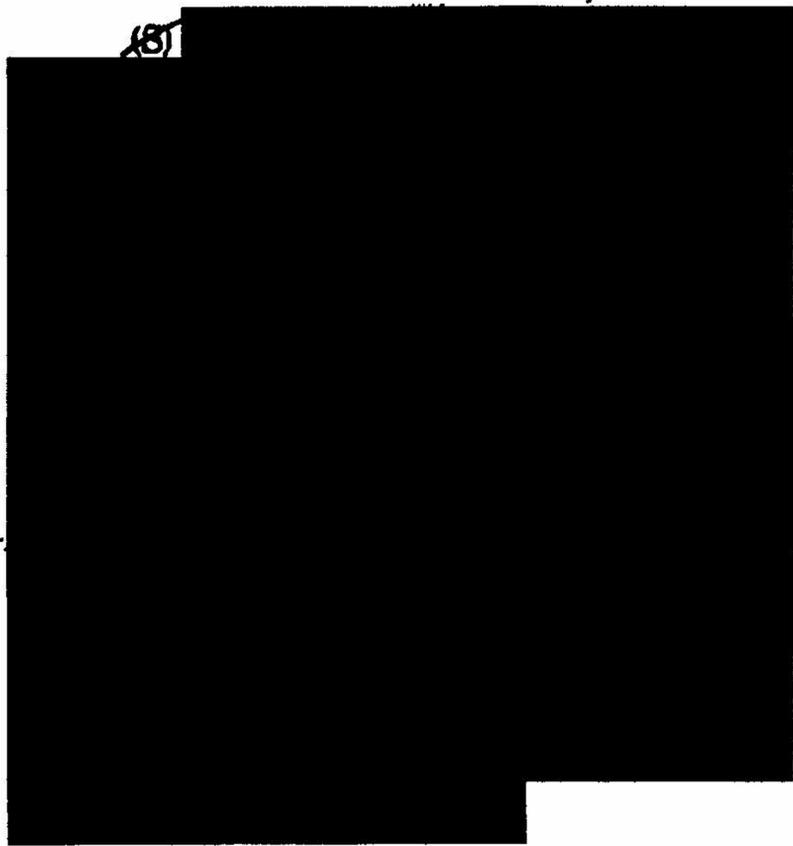
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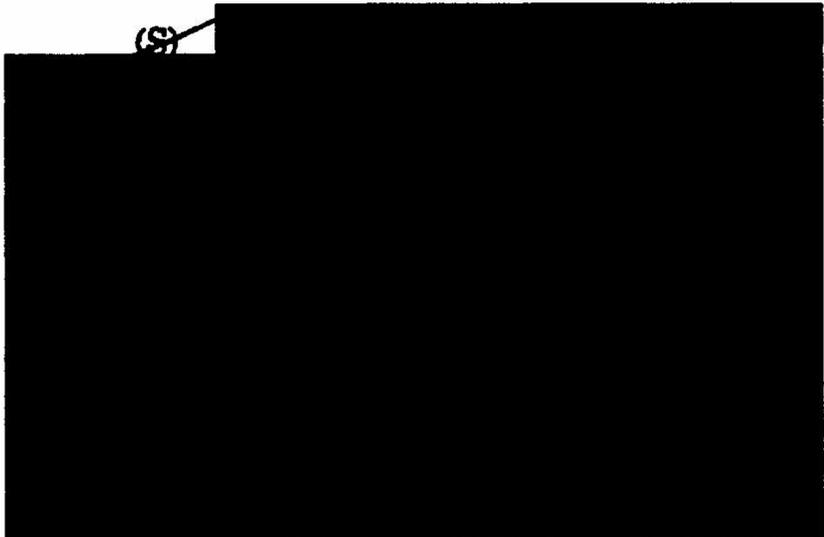
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forces grew and their scope of action increased, LTG Mikolashek deployed MG Frank "Buster" Hagenbeck, USA, commander of the 10th Mountain Division, as CFLCC (Forward) in Afghanistan.



(U) On November 25, 2001, Task Force 58 (TF 58), composed of US Marines from the 15th and 26th Marine Expeditionary Units (Special Operations Capable), or MEU (SOC), assaulted and gained control of an airfield west of Kandahar, which was dubbed "Camp Rhino." Using Rhino as an operating base, TF 58 seized control of Kandahar airfield on December 13, 2001. In the east, on November 30, CFLCC had taken charge of the Bagram Air Base 20 miles north of Kabul, and in early December deployed Army units to Mazar-E-Sharif. As the number of conventional ground



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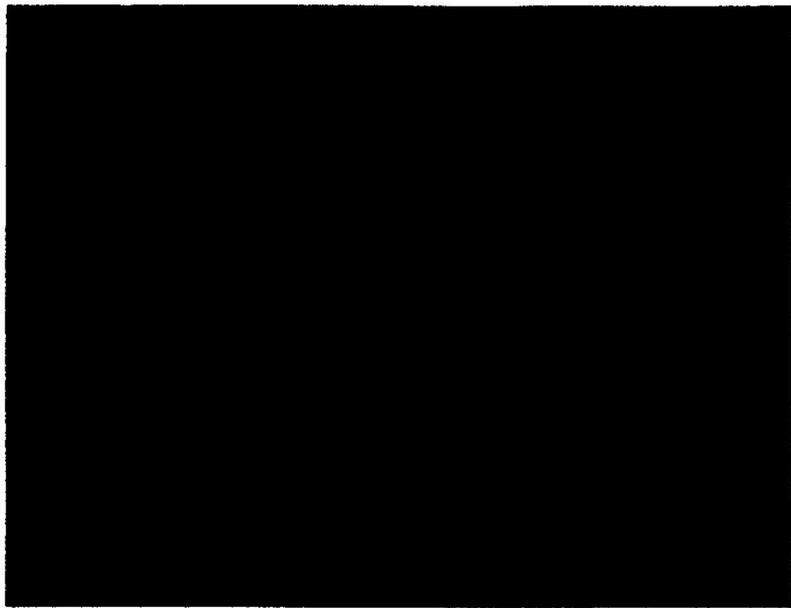
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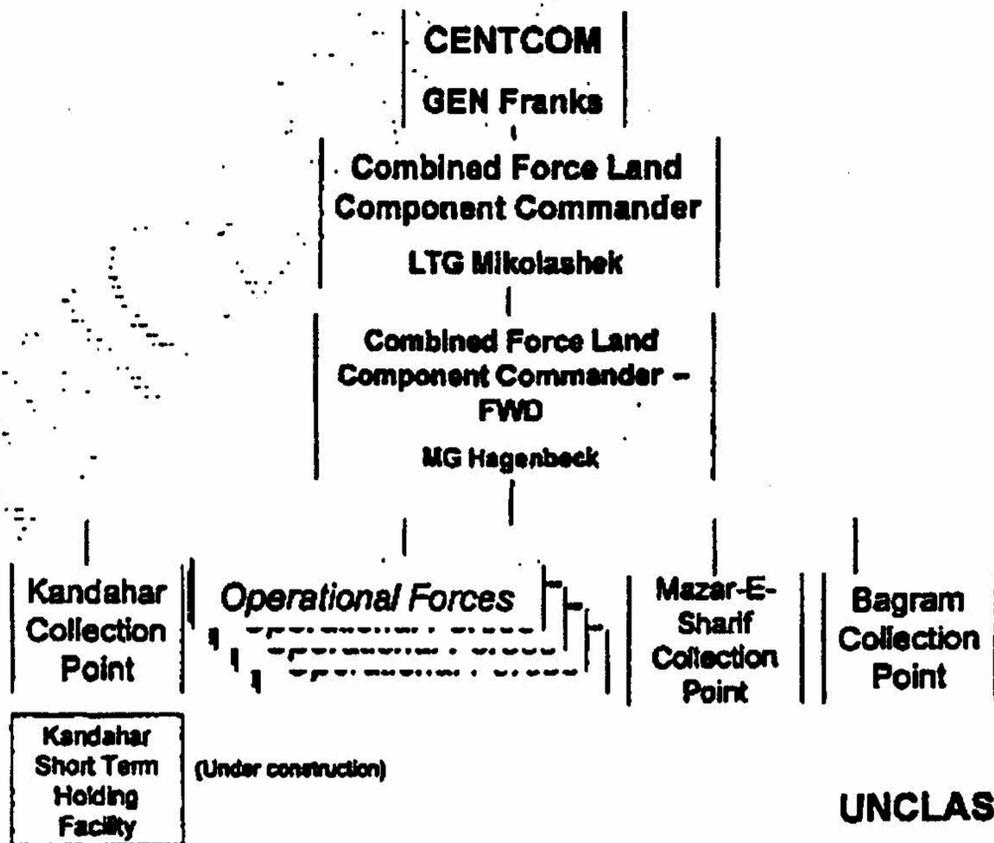


detention and interrogation operations in early January 2002, and the locations of detention facilities are depicted in the following figures.

(U) Kandahar's fall to coalition forces on December 13, 2001 represented the collapse of the last Taliban stronghold, although heavy combat continued through the new year and into the spring of 2002, particularly around the Tora Bora region. Coalition combat successes yielded new detainees, which threatened to overcrowd the limited facilities available. As discussed previously, the U.S. Naval Base at Guantanamo Bay, Cuba was

(U) The resulting command structure for

Early Afghanistan Detention Command Structure- January 2002 (U)



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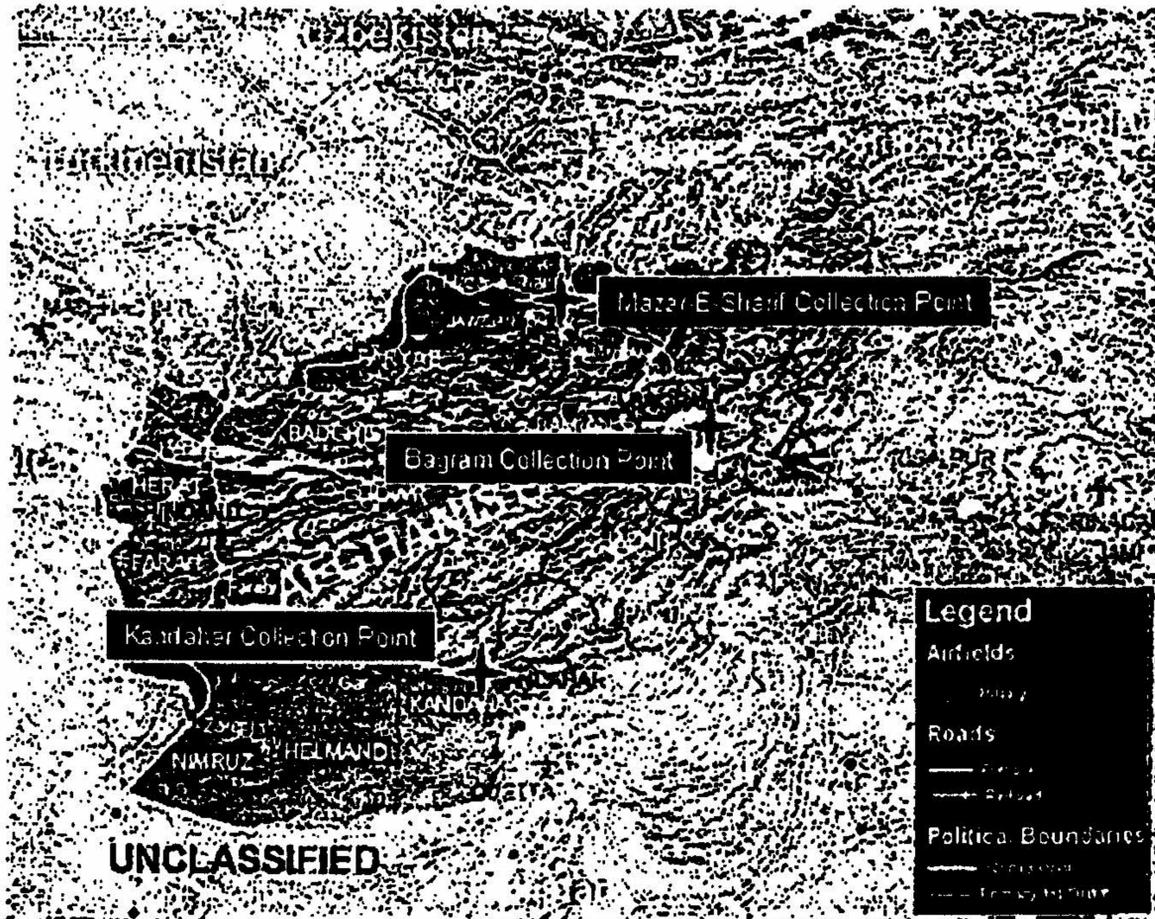
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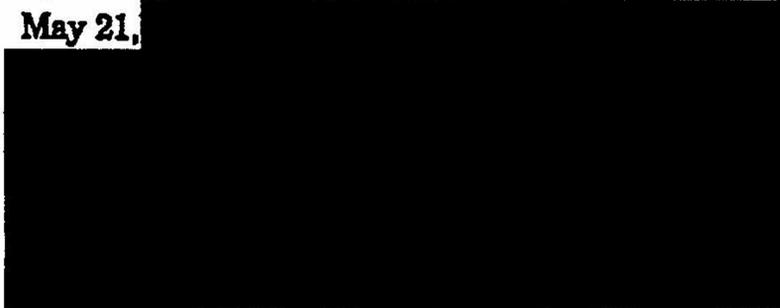
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DoD Detention Facilities in Afghanistan - January 2002 (U)



identified as a suitable location for a long-term detention and strategic interrogation facility. The first transfers of detainees to the GTMO facility commenced on January 7, 2002.

(S) By May 2002, Afghanistan had developed into a more mature theater of operations. On May 21,



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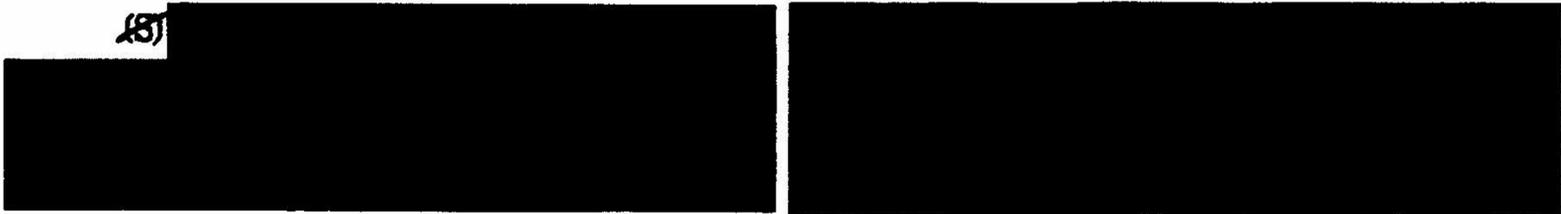
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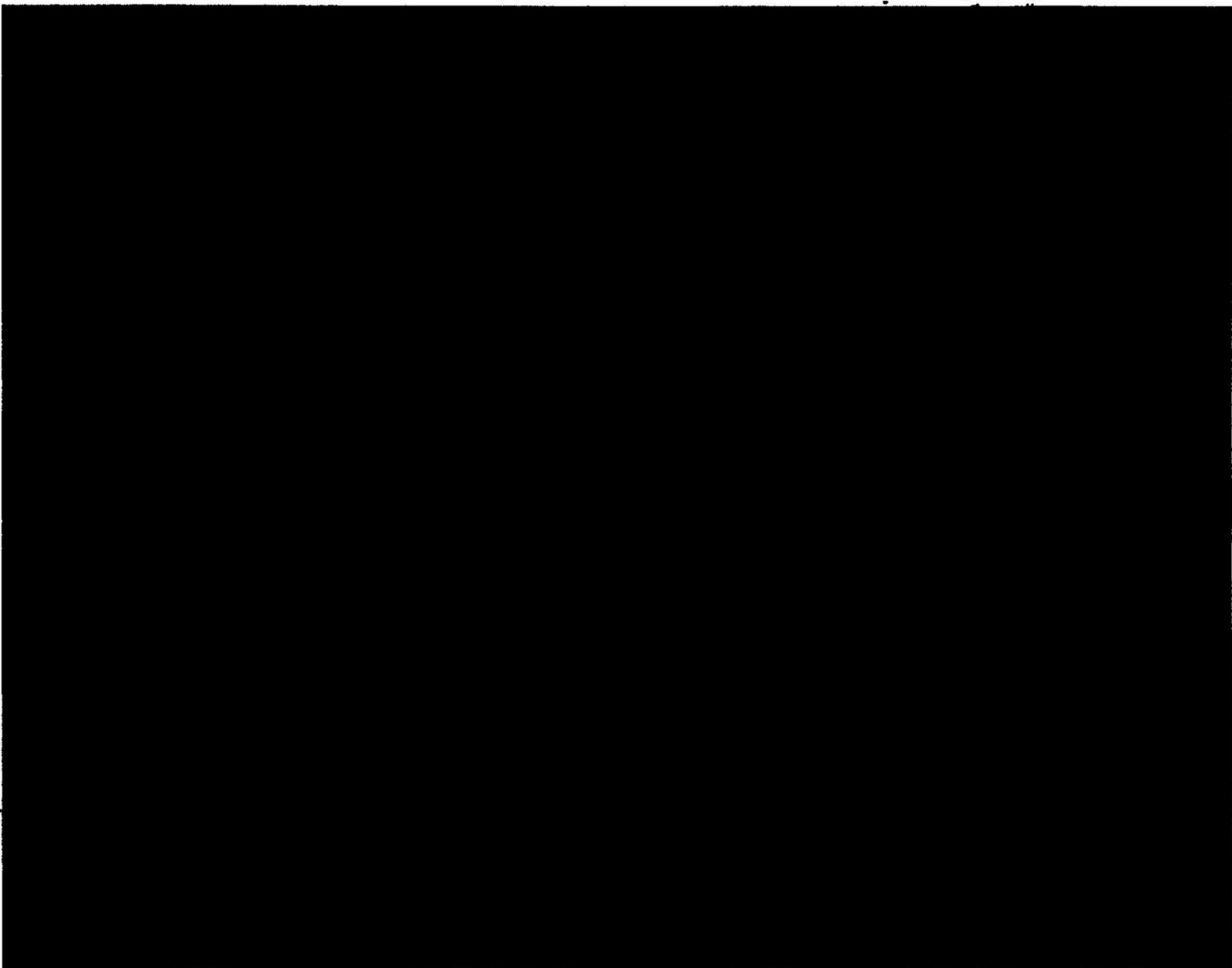
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Afghanistan Detention Command Structure - May 2002 (U)



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Combined Forces Commander Afghanistan (CFC-A), LTG David Barno, USA. (Headquartered in Kabul, CFC-A had been established on February 4, 2004.) On May 15, CJTF-180 was re-designated CJTF-76. The effect of these changes was to consolidate under a single command the command and control of both the peacekeeping mission (executed by the International Security Assistance Force) and the war-fighting mission. Authority and responsibility for the detention and interrogation mission remains with the CJTF-76 commander, under CFC-A. The current command structure is depicted in the figure below.

(U) In April and May 2004, the command structure in Afghanistan underwent another evolution, this one coincident with a planned force rotation. MG Eric Olson, commanding the Army's 25th Infantry Division, was designated CJTF commander on April 15, 2004, and the CJTF was placed under the operational command of the

(U) In July 2004, due to a growing detainee population, the facility at Kandahar was re-designated a collection point and detainees are now housed there for a longer period of time. Following

Current Afghanistan Command Structure (U)



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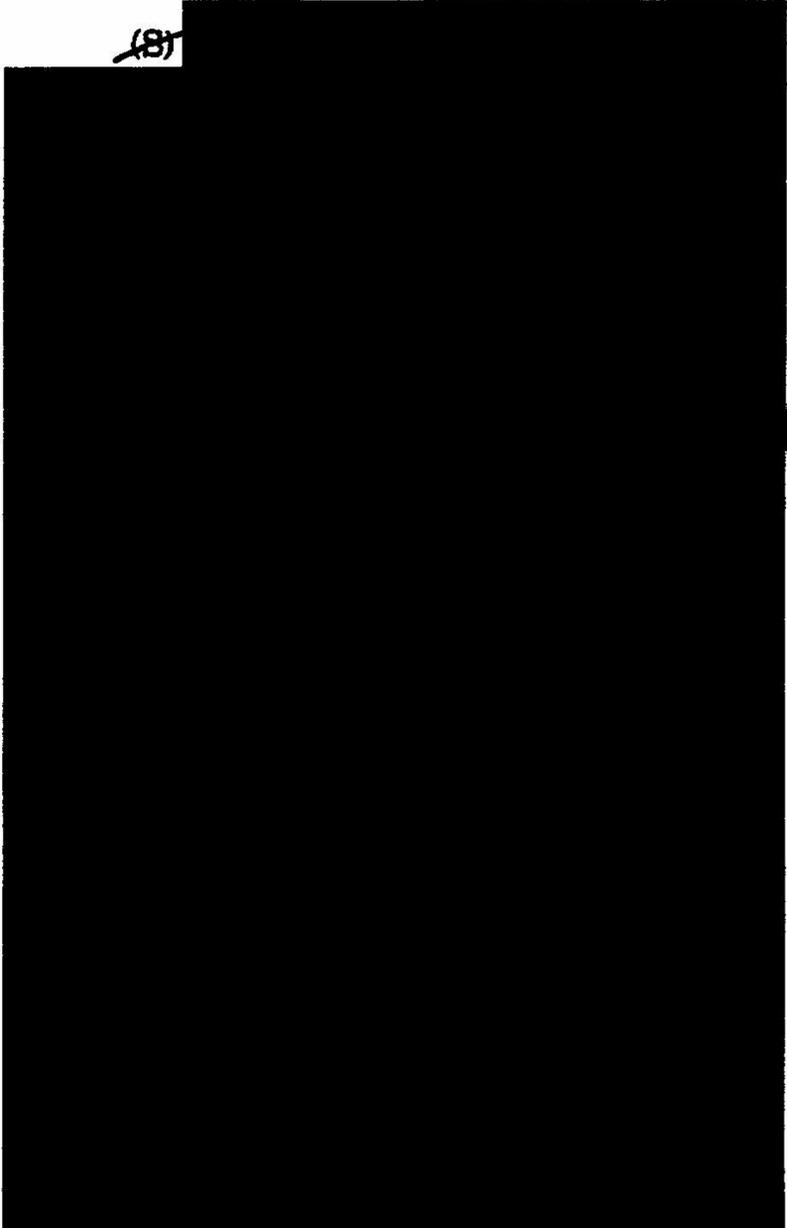
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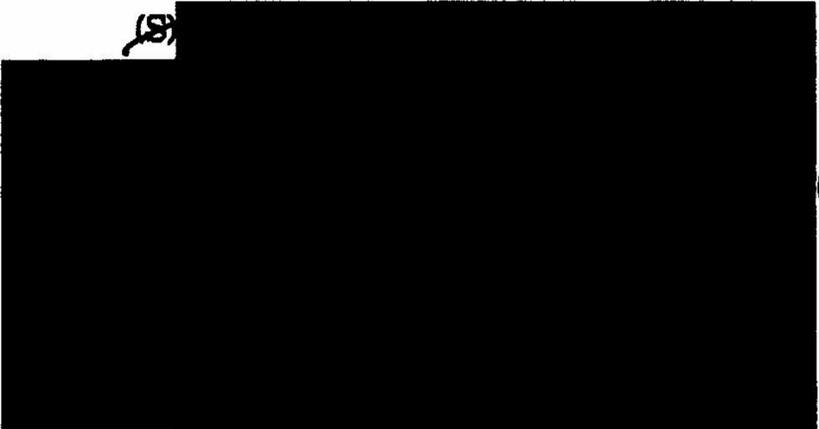
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the designation of Bagram as the primary collection point and interrogation facility in May 2002, Kandahar continued to function as a short term detention facility, though interrogation personnel were not permanently assigned there. The re-designation of Kandahar as a collection point is not strictly in keeping with the doctrinal definition of "collecting point," since (like Bagram) the facility is functioning more as an internment/resettlement (I/R) facility. With the re-designation of Kandahar as a longer-term facility, it is anticipated that additional interrogators and interrogation support personnel will again operate there.



**Evolution of Guidance Regarding  
Detainee Treatment (U)**

(U) The status and treatment of captured personnel in Afghanistan has been the subject of considerable debate at the policy level, largely due to the question of the legal status of Taliban and al Qaeda combatants. According to an information paper prepared on February 5, 2002, prior to the initiation of hostilities CENTCOM had sought clarification from the Joint Staff as to the legal status of personnel who might be captured in Afghanistan; and two days after hostilities began, these questions had not yet been resolved to CENTCOM's satisfaction (based on further specific requests to the Joint Staff for legal clarification contained in an Unconventional Warfare Campaign OPOD dated October 9, 2001).



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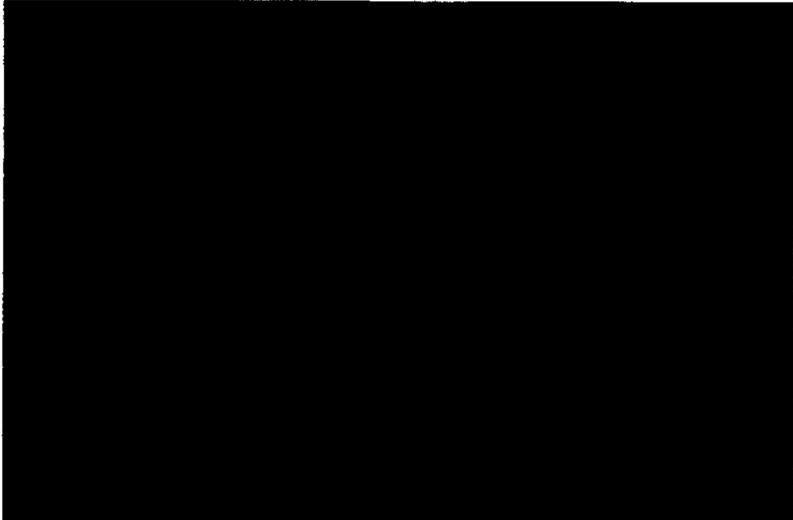
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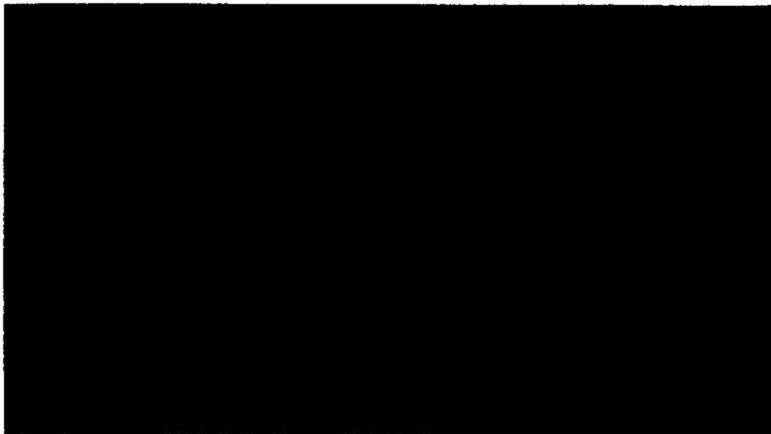
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(U) The next new guidance regarding detainee status came in mid-January 2002. On January 19, the Secretary of Defense concluded in a memorandum to the Chairman of the Joint Chiefs of Staff (CJCS) that al Qaeda and Taliban detainees were not entitled to EPW status under GPW. CJCS forwarded the content of this memo to CENTCOM and SOUTHCOM commanders by message on January 21, 2002. The message provided the formulation, which would appear again two weeks later in a Presidential memorandum, to "treat [detainees] humanely and, to the extent appropriate and consistent with military necessity, in accordance with the principles of the Geneva Conventions of 1949." CENTCOM promulgated this guidance verbatim to its component commands by message on January 24, 2002.



(U) On February 4, 2002, CENTCOM issued Appendix 1 to Annex E to the campaign plan for Operation ENDURING FREEDOM. Apparently developed independent of the guidance received from the Secretary of Defense and CJCS, this Appendix encapsulates the requirements of the GPW and Army Regulation 190-8, *Enemy*

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*Prisoners of War, Retained Persons, Civilian Internees and Other Detainees* (AR 190-8). It provides that "captured personnel are presumed to be EPW immediately upon capture...if questions arise as to whether captured personnel belong in the EPW category, they receive the same treatment as EPW until their status has been determined by a competent military tribunal according to AR 190-8." The appendix defines "other detainee" (OD) as "a person in U.S. custody who has not been classified as an EPW (Article 4, GPW), an RP (Article 33, GPW), or a CI (Article 78, GC) [and] is afforded protection similar to an EPW until a legal status is ascertained by competent authority." The appendix makes no reference to al Qaeda or Taliban specifically, nor does it list the CJCS message regarding status of al Qaeda and Taliban detainees as a reference.

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(U) The President re-affirmed the Secretary of Defense memorandum regarding treatment and status of detainees in a memorandum dated February 7, 2002. As previously described in our interrogation policy and doctrine section, this memorandum found that the Geneva Conventions did not apply to the conflict with al Qaeda, and that, although the Geneva Conventions did apply to our conflict with the Taliban, the Taliban were unlawful combatants and thus not entitled to EPW status.

(S) [REDACTED]

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