

Mohammed was apparently apprehended by members of Navy SEAL Team 7, which was operating with the CIA, in northern Iraq on or about April 2, 2004.¹⁰⁸ The SEALs then brought Mohammed to an Army base outside Mosul.¹⁰⁹ The Navy SEALs who interrogated Mohammed subjected him to hooding, sleep deprivation, and exposure to extreme temperatures—all methods that deviate from the techniques described in the Army Field Manual on Intelligence Interrogation FM 34-52, but that were approved by the Secretary of Defense for use at Guantanamo,¹¹⁰ and later authorized in part by Lt. Gen. Ricardo S. Sanchez for use in Iraq.¹¹¹ A Pentagon official relates that after an interrogation, the SEALs let Mohammed sleep. He never woke up.¹¹²

We know very little about Mohammed's last hours and the military has released even less information about its investigation into his death and charges brought against those responsible. The most recent press reports indicate that as many as three Navy SEALs were charged with abusing Mohammed; charges included assault with intent to cause death and serious bodily harm, assault with a dangerous weapon, maltreatment of detainees, obstruction of justice, and dereliction of duty. Murder or manslaughter charges were not brought, reportedly because of lack of evidence.¹¹³ Human Rights First asked the Department of Defense on January 26, 2006 for an update on the status and outcome of any prosecutions in Mohammed's case; as of February 10, 2006 we had received no response.

PROFILE: HOMICIDE

Asphyxia is what he died from – as in a crucifixion.

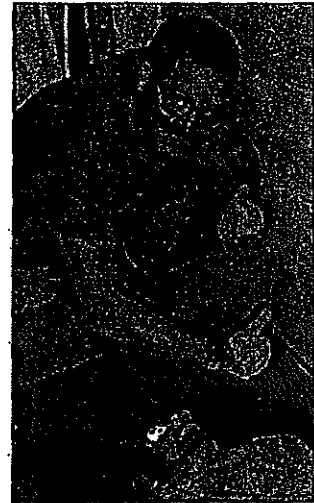
Dr. Michael Baden, Chief Forensic Pathologist, New York State Police, giving his opinion of the cause of Manadel al-Jamadi's death¹¹⁴

Manadel al-Jamadi

According to press accounts, Manadel al-Jamadi, an Iraqi citizen of unknown age, was captured and tortured to death in Abu Ghraib by Navy SEALs and CIA personnel working closely together; he died on November 4, 2003.¹¹⁵ The SEAL and CIA team that captured al-Jamadi took turns punching, kicking and striking him with their rifles after he was detained in a small area in the Navy camp at Baghdad International Airport known as the "Romper Room."¹¹⁶ A CIA security guard later told CIA investigators that after al-Jamadi was stripped and doused with water, a CIA interrogator threatened him, saying: "I'm going to barbecue you if you don't tell me the information."¹¹⁷ A Navy SEAL reported that the CIA interrogator leaned into al-Jamadi's chest with his forearm, and found a pressure point, causing al-Jamadi to moan in pain.¹¹⁸ A government report states that another CIA security guard "recalled al-Jamadi saying, 'I'm dying. I'm dying,' translated by the interpreter, to which the interrogator replied, 'I don't care,' and, 'You'll be wishing you were dying.'"¹¹⁹

When al-Jamadi was taken to Abu Ghraib, he was not entered on the prison rolls – he was a "ghost" detainee.¹²⁰ The intelligence agents took him to the

shower room where, military police testified, a non-covert CIA interrogator (identified as Mark Swanner by *The New Yorker*) ordered them to shackle al-Jamadi to a window about five feet from the floor, in a posture known as the "Palestinian hanging," making it impossible for him to kneel or sit without hanging from his arms in pain.¹²¹ Less than one hour later, Swanner summoned guards to re-position al-Jamadi, claiming the detainee was not cooperating.¹²² When the guards arrived they found al-Jamadi's corpse, hooded with a sandbag and with his arms handcuffed behind his back and still shackled to the window – which was now above his head.¹²³ According to one of the guards, blood gushed from al-Jamadi's mouth as the guards released him and his arms were almost coming out of their sockets.¹²⁴ A CIA supervisor requested that al-



Charles Graner next to the corpse of Manadel al-Jamadi

Jamadi's body be held overnight and stated that he would call Washington about the incident.¹²⁵ The next morning the "body was removed from Abu Ghraib on a litter, to make it appear as if he were only ill, so as not to draw the attention of the Iraqi guards and detainees."¹²⁶ Al-Jamadi's death became public during the Abu Ghraib prisoner-abuse scandal, after photographs of prison guards giving the thumbs-up over his body were released.¹²⁷

U.S. forces did not release al-Jamadi's body to the International Committee of the Red Cross ("ICRC") until February 11, 2004, more than three months after his death.¹²⁸ The ICRC delivered the body to Baghdad's mortuary the same day, but one expert from Baghdad's main forensic medico-legal institute said that the refrigeration of al-Jamadi's body for that period made it difficult for the Iraqis to establish the real cause of death by autopsy.¹²⁹ An autopsy conducted by the U.S. military five days after al-Jamadi's death had found that the cause of death was "Blunt Force Injuries Complicated by Compromised Respiration."¹³⁰ The autopsy report noted al-Jamadi had six broken ribs and a gunshot wound to the spleen.¹³¹ A medical examiner who later examined the autopsy report at the request of a lawyer for one of the SEALs and was informed of al-Jamadi's shackling position gave the opinion that the likely cause of his death was the hanging position, rather than beatings inflicted prior to his arrival at Abu Ghraib.¹³² According to Dr. Michael Baden, New York State police chief forensic pathologist, "asphyxia is what he died from – as in a crucifixion."¹³³ Dr. Edmund Donahue, the president of the American Academy of Forensic Scientists, who reviewed the autopsy at the request of National Public Radio, gave a similar opinion, saying: "When you combine [the hanging

position] with having a hood over your head and having the broken ribs, it's fairly clear that this death was caused by asphyxia because he couldn't breathe properly."¹³⁴

During a later court martial proceeding, one Navy SEAL testified that he and his fellow SEALs were not trained to deal with Iraqi prisoners.¹³⁵ Although Navy lawyers testified they trained the SEALs to treat detainees humanely, one SEAL stated: "The briefing I remember is that these [prisoners] did not fall under the Geneva Convention because they were not enemy combatants."¹³⁶

Of the 10 Navy personnel – 9 SEALs and one sailor – accused by Navy prosecutors of being involved in al-Jamadi's death,¹³⁷ nine were given nonjudicial punishment.¹³⁸ In contrast to a general court martial, which is a criminal felony conviction, nonjudicial or administrative punishment is usually imposed by an accused's commanding officer for minor disciplinary offenses, and does not include significant jail time.¹³⁹ The only person formally prosecuted in the case was Navy SEAL Lieutenant Andrew K. Ledford, the commander of the SEAL platoon, who was charged with dereliction of duty, assault, making a false statement to investigators, and conduct unbecoming an officer.¹⁴⁰ At court-martial, Ledford was acquitted of all charges.¹⁴¹ The decision whether to prosecute CIA personnel for possible wrongdoing is pending,¹⁴² but government officials have indicated that charges are unlikely to be brought.¹⁴³ The interrogator, Mark Swanner, continues to work for the CIA.¹⁴⁴ To date, no U.S. official has been punished criminally in connection with al-Jamadi's death. Human Rights First asked the Department of Defense on January 26, 2006 the status of the al-Jamadi case; as of February 10, we had received no response.

PROFILE: HOMICIDE

Nagem Sadoon Hatab

Nagem Sadoon Hatab, a 52-year-old Iraqi, was killed in U.S. custody at a Marine-run temporary holding camp close to Nasiriyah.¹⁴⁵ Soon after his arrival at the camp in June 2003, a number of Marines beat Hatab,¹⁴⁶ including allegedly "karate-kicking" him while he stood handcuffed and hooded.¹⁴⁷ A day later, Hatab reportedly developed severe diarrhea, and was covered in feces.¹⁴⁸ Once U.S. forces discovered his condition, Hatab was stripped and examined by a medic, who thought that Hatab might be faking sickness.¹⁴⁹ At the

base commander's order, a clerk with no training in handling prisoners dragged Hatab by his neck to an outdoor holding area, to make room for a new prisoner.¹⁵⁰

The clerk later testified to the ease with which he was able to drag the prisoner: Hatab's body, covered by sweat and his own feces, slid over the sand.¹⁵¹ Hatab was then left on the ground, uncovered and exposed in the heat of the sun. He was found dead sometime after