

# Rumsfeld Admits to “Ghosting” Detainee

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Theme: [Crimes against Humanity](#)

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By U.S. Secretary of Defense Donald Rumsfeld has admitted that he “ghosted” a detainee, meaning that he made the decision to hold a prisoner without keeping any records of the fact.

While prisoners of war can be theoretically stripped of their rights by calling them other names (like “unlawful combatants”), they are probably most effectively stripped of all rights by keeping their imprisonment secret. That is what Rumsfeld says he did.

An account of what we know on this matter can be found on page 110 of a new report by Congressman John Conyers called “The Constitution in Crisis; The Downing Street Minutes and Deception, Manipulation, Torture, Retribution, and Cover-ups in the Iraq War. [1]”

Following a catalog of evidence of other crimes sanctioned by top Bush Administration officials, the report reads:

“We also have an admission that George Tenet specifically approved the ghosting in Iraq of a specific individual, and that Mr. Rumsfeld admitted to approving of ghosting of detainees as a special matter. During a press conference in June 2004, Secretary Rumsfeld confirmed not only that he was asked by CIA Director George Tenet to hide a specific detainee, but also that he hid the detainee and that the detainee was lost in the system for more than eight months:

“Q — Mr. Secretary, I’d like to ask why last November you ordered the U.S. military to keep a suspected Ansar al-Islam prisoner in Iraq [Hiwa Abdul Rahman Rashul] secret from the Red Cross. He’s now been secret for more than seven months. And there are other such shadowy prisoners in Iraq who are being kept secret from the Red Cross.

“SEC. RUMSFELD: With respect to the — I want to separate the two. Iraq, my understanding is that the investigations on that subject are going forward. With respect to the detainee you’re talking about, I’m not an expert on this, but I was requested by the Director of Central Intelligence to take custody of an Iraqi national who was believed to be a high-ranking member of Ansar al-Islam. And we did so. We were asked to not immediately register the individual. And we did that. It would — it was — he was brought to the attention of the Department, the senior level of the Department I think late last month. And we’re in the process of registering him with the ICRC at the present time . . .”

This is from June 17, 2004, and can be found here [2].

This is the Secretary of Defense publicly stating that the Director of the CIA told him not to register a prisoner with the Red Cross, and that he obeyed, and that several months later

the prisoner was still not registered.

Why do Nuremberg Principles III and IV both come to mind?

#### Principle III

The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible Government official does not relieve him from responsibility under international law.

#### Principle IV

The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him.

Why was the CIA calling the shots here? Because they had taken Mr. Rashul out of Iraq for “questioning” at an undisclosed location. They were transferring him to military custody.

Rumsfeld agreed to keep Rashul off the books, and issued a classified order, that the New York Daily News reported on June 20, 2004, as reading: “Notification of the presence and or status of the detainee to the International Committee of the Red Cross, or any international or national aid organization, is prohibited pending further guidance.”

General Sanchez issued his own order to implement Secretary Rumsfeld’s order. Sanchez’ order, as reported in the media, “accepts custody and detains Hiwa Abdul Rahman Rashul, a high-ranking Ansar al-Islam member;” orders that he “remain segregated and isolated from the remainder of the detainee population;” “[o]nly military personnel and debriefers will have access to the detainee. . . . Knowledge of the presence of this detainee will be strictly limited on a need-to-know basis.” “Any reports from interrogations or debriefings will contain only the minimum [sic] amount of source information . . .”

The ghosting of Rashul can neither be blamed on low-ranking personnel nor be described as an isolated incident.

In a statement to investigators, Col. Thomas M. Pappas, the top military intelligence officer at Abu Ghraib, said that in September 2003, the CIA requested that the military intelligence officials “continue to make cells available for their detainees and that they not have to go through the normal in processing procedures.”

Army General Paul Kern testified before the Senate Armed Services Committee in September 2004, that the U.S. had held as many as 100 ghost detainees in Iraq.

Rumsfeld himself has confirmed that this was no isolated incident:

“Q — But then why wasn’t the — why wasn’t the Red Cross told, and are there other such prisoners being detained without the knowledge of the Red Cross?

“SEC. RUMSFELD: There are — there are instances where that occurs. And a request was made to do that, and we did.”

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