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# DNI: 'Confirmed' That 116 Former Gitmo Detainees Returned to Terror or Insurgencies; If More Are Released More Will

(CNSNews.com) - The Director of National Intelligence released a report this week ([http://www.dni.gov/files/documents/Guantanamo%20Unclassified%20Release\\_March%202015\\_FINAL.pdf](http://www.dni.gov/files/documents/Guantanamo%20Unclassified%20Release_March%202015_FINAL.pdf)) [1] indicating that the United States has "confirmed" that 116 detainees "transferred" out of the prison at Guantanamo Bay, Cuba, subsequently reengaged in terrorist or insurgent activities.

The report also warned: "Based on trends identified during the past eleven years, we assess that some detainees currently at GTMO will seek to reengage in terrorist or insurgent activities after they are transferred."

The DNI first publicly warned more than four years ago--in December 2010--that the number of then already "transferred" Guantanamo detainees returning to terror and insurgent activity would increase as time passed and that if additional detainees were released in the future some of those would also return to terrorist and insurgent activities.

Despite this warning, the DNI's new report indicates that between Jan. 14, 2014 and Jan. 15, 2015 the U.S. government released an additional 33 Guantanamo detainees.

As pointed out in a statement (<http://homeland.house.gov/press-release/mccaull-statement-dni-report-recidivism-former-gtmo-detainees>) [2] released by House Homeland Security Chairman Michael McCaul (R.-Texas), the number of "transferred" Guantanamo detainees confirmed to have returned to terrorist or insurgent activity increased by 12 during that same January 2014 to January 2015 time frame.

Responding to the DNI's new report, House Intelligence Chairman Devin Nunes (R.-Calif.) said the administration should abandon its efforts to close Guantanamo.

"It is simple common sense that the most radical and dangerous Islamist terrorists--which are who we hold at Guantanamo Bay--will return to terrorism if given the chance," Chairman Nunes told CNSNews.com. "That is why the Obama administration should stop hunting for pretexts to release them in a misguided attempt to close down the prison."

As of Jan. 15, according to the DNI's report, 647 detainees had been "transferred" from Guantanamo. Of these, 116 (or 17.9 percent) were confirmed to have reengaged in terrorist or insurgent activities and another 69 (or 10.7 percent) were suspected of having reengaged.

Together, 185 (or 28.6 percent) of the 647 released Guantanamo detainees were either confirmed or suspected of reengaging in terrorism or insurgent activities.

According to the DNI's report, a detainee released from Guantanamo is "confirmed" to have returned to terrorist or insurgent activities when a "preponderance of information identifies" that specific former detainee as having done so. A former detainee is "suspected" of having returned to terrorist or insurgent activity when "plausible but unverified or single-source reporting" indicates that he has done so.

In a previous report on "transferred" former Guantanamo detainees that was released a year ago (<http://www.dni.gov/files/documents/Newsroom/Reports%20and%20Pubs/GTMO.pdf>) [3] (on March 5, 2014), the DNI qualified its assessment that "transferred" Guantanamo detainees would return to terror or insurgencies.

In that report, which included data through Jan. 14, 2014, the DNI said: "Based on trends identified during the past

eleven years, we assess that if additional detainees are transferred **without conditions** from GTMO, some will reengage in terrorist or insurgent activities. Transfers to countries with ongoing conflicts and internal instability as well as active recruitment by insurgent and terrorist organizations pose a particular problem." [Emphasis added.]

The DNI's reengagement reports released in 2013 and 2012 incorporated the same or similar language as the March 2014 report, including the qualification that it was from among the detainees "transferred without conditions" that some would return to terrorism.

But the most recent prior reengagement report, published on Sept. 5, 2014, and the latest one released this week, do not include the phrase "without conditions." After stating that if additional Guantanamo detainees are "transferred" some of them "will" return to terrorist and insurgent activity, the latest report says: "Transfers to countries with ongoing conflicts and internal instability as well as active recruitment by insurgent and terrorist organizations pose particular problems. While enforcement of transfer conditions may deter reengagement by many former detainees and delay reengagement by others, some detainees who are determined to reengage will do so regardless of any transfer conditions, albeit probably at a lower rate than if they were transferred without conditions."

The initial reengagement report published on Dec. 7, 2010 ([http://www.dni.gov/files/documents/Newsroom/Reports%20and%20Pubs/120710\\_Summary\\_of\\_the\\_Reengagement\\_of\\_Detainees\\_Formerly\\_Held\\_at\\_Guantanamo\\_Bay\\_Cuba.pdf](http://www.dni.gov/files/documents/Newsroom/Reports%20and%20Pubs/120710_Summary_of_the_Reengagement_of_Detainees_Formerly_Held_at_Guantanamo_Bay_Cuba.pdf)) [4], said the number of those already released reengaging in terrorism would increase and if additional detainees were released some of the would return to terrorism.

"A February 2010 review of GTMO detainees' release dates compared to first reporting of confirmed or suspected reengagement shows about 2.5 years between leaving GTMO and the first identified reengagement reports," said that 2010 report. "Based on trends identified during the past 6 years, the Intelligence Community further assesses that if additional detainees are transferred from GTMO, some of them will reengage in terrorist or insurgent activities."

The 2010 intelligence authorization act required the DNI to submit these periodic public reports assessing the number of released Guantanamo detainees who had reengaged in terrorism. The 2012 intelligence authorization renewed that mandate.

The initial Dec. 7, 2010 report said that as of Oct. 1, 2010, 598 detainees had been "transferred out" of Guantanamo. "The Intelligence Community assesses that 81 (13.5 percent) are confirmed and 69 (11.5 percent) are suspected of reengaging in terrorist or insurgent activities after transfer," said that 2010 report. "Of the 150 former GTMO detainees assessed as confirmed or suspected of reengaging in terrorist or insurgent activities, the Intelligence Community assesses that 13 are dead, 54 are in custody, and 83 remain at large."

Two days after he first took office in 2009, President Obama issued an executive order calling for Guantanamo to be closed. That order also called for officials to review what should be done with each individual transferred from the prison. The DNI's reengagement reports separately account for those released from Guantanamo before and after this executive order.

"On 22 January 2009, the President signed Executive Order 13492, calling for a comprehensive interagency review of the status of all individuals currently detained at Guantanamo Bay," said the 2010 report. "Every decision to transfer a detainee to a foreign country under this review was made after a full assessment of intelligence and threat information."

"Since the implementation of Executive Order 13492 and under the enhanced interagency review process, 66 of the 598 detainees noted above have been transferred," said the 2010 DNI report. "Of those 66 individuals transferred since January 2009, 2 are confirmed and 3 are suspected of reengaging in terrorist or insurgent activities."

(The percentage of Guantanamo detainees released after President Obama's executive order who have been confirmed to have returned to terrorist or insurgent activity has been less thus far--5.2 percent--than it has been for detainees released before the executive order, which is 17.9 percent.)

By January 14, 2014, according to the DNI report released last March, the number of detainees released from Guantanamo had grown to 614. That included 104 who were confirmed to have reengaged in terrorist or insurgent activities and 74 who were suspected of having reengaged.

Of the 82 that had been released between Obama's Jan. 22, 2009 executive order and Jan. 14, 2014, according to the DNI's March 2014 report, 5 were confirmed to have reengaged in terrorism and 2 were suspected of reengaging.

The report that the DNI released this week, which includes data through January 15, 2015, indicates that the total number of detainees released from Guantanamo has climbed to 647 (not counting 9 who died at Guantanamo and one who was transferred to the U.S. to face a civilian trial). The number released after Obama's executive order grew from 82 last January to 115 this January.

Thus, the U.S. released an additional 33 Guantanamo detainees during the year.

From January 2014 to January 2015, the number of "transferred" Guantanamo detainees confirmed to have reengaged in terrorism or insurgent activities grew from 104 to 116—an increase of 12.

The number of detainees released after Obama's Jan. 22, 2009 order who were confirmed to have reengaged increased during the year grew from 5 to 6.

In light of the new DNI report, House Homeland Security Chairman Michael McCaul criticized President Obama's policy of releasing Guantanamo detainees.

“At a time when Islamist extremists are surging worldwide, President Obama's policy of releasing hardened terrorists from the Guantanamo Bay facility is replenishing their ranks,” said McCaul in a statement. “This administration must reassess its reckless detainee policies and stop freeing terrorists.”

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