

1630 Connecticut Avenue, N.W., Suite 500  
Washington, DC 20009  
Tel: 202-612-4321  
Fax: 202-612-4333; 202-478-2988

Kenneth Roth, *Executive Director*

**DEPUTY EXECUTIVE DIRECTORS**

Michele Alexander, *Development and Global Initiatives*  
Nicholas Dawes, *Media*  
Iain Levine, *Program*  
Chuck Lustig, *Operations*  
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*  
Dinah PoKempner, *General Counsel*  
James Ross, *Legal and Policy Director*

**DIVISION AND PROGRAM DIRECTORS**

Brad Adams, *Asia*  
Nicole Austin-Hillery, *United States*  
Mausi Segun, *Africa*  
José Miguel Vivanco, *Americas*  
Sarah Leah Whitson, *Middle East and North Africa*  
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*  
Peter Bouckaert, *Emergencies*  
Zama Neff, *Children's Rights*  
Richard Dicker, *International Justice*  
Bill Frelick, *Refugees' Rights*  
Arvind Ganesan, *Business and Human Rights*  
Liesel Gerntholtz, *Women's Rights*  
Steve Goose, *Arms*  
Diederik Lohman, *Health and Human Rights*  
Marcos Orellana, *Environment and Human Rights*  
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

**ADVOCACY DIRECTORS**

Maria Laura Canineu, *Brazil*  
Louis Charbonneau, *United Nations, New York*  
Kanae Doi, *Japan*  
John Fisher, *United Nations, Geneva*  
Meenakshi Ganguly, *South Asia*  
Bénédictte Jeanerod, *France*  
Lotte Leicht, *European Union*  
Sarah Margon, *Washington, DC*  
David Mepham, *United Kingdom*  
Wenzel Michalski, *Germany*  
Elaine Pearson, *Australia*

**BOARD OF DIRECTORS**

Hassan Elmasry, *Co-Chair*  
Robert Kissane, *Co-Chair*  
Michael Fisch, *Vice-Chair and Treasurer*  
Oki Matsumoto, *Vice-Chair*  
Amy Rao, *Vice-Chair*  
Amy Towers, *Vice-Chair*  
Catherine Zennström, *Vice-Chair*  
Bruce Rabb, *Secretary*  
Karen Herskovitz Ackman  
Akwas Aidoo  
Jorge Castañeda  
George Coelho  
Lawton Fitt  
Leslie Gilbert-Lurie  
Paul Gray  
Caitlin Heising  
Betsy Karel  
David Lakhdir  
Kimberly Marteau Emerson  
Alicia Miñana  
Joan R. Platt  
Neil Rimer  
Shelley Frost Rubin  
Ambassador Robin Sanders  
Jean-Louis Servan-Schreiber  
Sidney Sheinberg  
Bruce Simpson  
Joseph Skrzynski  
Donna Slaight  
Siri Stolt-Nielsen  
Darian W. Swig  
Makoto Takano  
Marie Warburg



HRW.org

March 23, 2018

The Honorable Mitch McConnell  
Senate Majority Leader, US Senate

The Honorable Chuck Schumer  
Senate Minority Leader, US Senate

The Honorable Richard Burr  
Chairman, US Senate Select Committee on Intelligence

The Honorable Mark Warner  
Vice Chairman, US Senate Select Committee on Intelligence

Re: Nomination of Gina Haspel to be CIA Director

Dear Majority Leader McConnell, Minority Leader Schumer, Chairman Burr,  
and Vice Chairman Warner:

We write on behalf of Human Rights Watch to express our opposition to the  
impending nomination of Gina Haspel to be Central Intelligence Agency  
director.

President Donald Trump's decision to nominate as CIA director someone  
closely involved in the torture of detainees under the CIA's Rendition,  
Detention, and Interrogation (RDI) program,<sup>1</sup> and the destruction of related  
evidence, demonstrates contempt for the prohibition against torture under  
US and international law. It sends a message to the American people and  
the world that acting without regard for rights protections and the rule of  
law will be rewarded.

Much of Haspel's role in the RDI program is not publicly known because the  
government has classified extensive information related to that program.  
Information on her role should be declassified and released publicly prior to  
her hearing so that both senators and the American public have a clear and  
full understanding of her record. However, what is already known should  
disqualify her from this critical cabinet-level position.

<sup>1</sup> Human Rights Watch, *No More Excuses: A Roadmap to Justice for CIA Torture*, December 2015,  
<https://www.hrw.org/report/2015/12/01/no-more-excuses/roadmap-justice-cia-torture>.

### *Ran CIA “Black Site,” Oversaw Torture*

Haspel is credibly reported to have run a CIA “black site” in Thailand from late October 2002 until late December 2002 where at least two detainees, Abu Zubaydah, and Abd al-Rahim al-Nashiri, were held.<sup>2</sup>

Though Haspel appears to have physically arrived at the Thai site toward the end of Abu Zubaydah’s most aggressive interrogation period, she would have known or should have learned that Abu Zubaydah had been subject to extensive torture and ill-treatment. This included being stripped naked, hit, slammed into walls, shackled into extremely painful stress positions, subjected to extreme cold, and waterboarded 83 times—on at least one occasion to the point of near death.<sup>3</sup>

Within weeks of her arrival, Haspel supervised the interrogation of al-Nashiri, a new detainee brought to the site. Interrogators used many of the same unlawful techniques used on Abu Zubaydah, including waterboarding.<sup>4</sup>

### *Role in Other Aspects of the RDI Program*

By the end of December 2002, Haspel reportedly returned to the CIA Counterterrorism Center outside Washington as an operations officer.<sup>5</sup> No public record exists of the role she played in the RDI program between then and the time that she became chief of staff to Jose Rodriguez, who headed the CIA’s National Clandestine Service from 2004 or 2005 until 2007.<sup>6</sup> But credible, public accounts suggest that during this time she played a leading, supervisory role.

In his book, former CIA General Counsel John Rizzo describes Haspel as having “run the [CIA] interrogation program.”<sup>7</sup> Glenn Carle, a former undercover CIA operative involved in

---

<sup>2</sup> Adam Goldman, “Gina Haspel, Trump’s Choice for C.I.A., Played Role in Torture Program,” *New York Times*, March 13, 2018, <https://www.nytimes.com/2018/03/13/us/politics/gina-haspel-cia-director-nominee-trump-torture-waterboarding.html?smid=tw-share> (accessed March 18, 2018).

<sup>3</sup> Senate Select Committee on Intelligence, “Committee Study of the Central Intelligence Agency’s Detention and Interrogation Program,” Executive Summary, December 13, 2012, [https://www.feinstein.senate.gov/public/\\_cache/files/7/c/7c85429a-ec38-4bb5-968f-289799bf6d0e/D87288C34A6D9FF736F9459ABCF83210.sscistudy1.pdf](https://www.feinstein.senate.gov/public/_cache/files/7/c/7c85429a-ec38-4bb5-968f-289799bf6d0e/D87288C34A6D9FF736F9459ABCF83210.sscistudy1.pdf) (accessed March 18, 2018)(hereinafter “Senate Summary”), pp. 31-47.

<sup>4</sup> Senate Summary, p. 67.

<sup>5</sup> Goldman, *New York Times*, March 13, 2018.

<sup>6</sup> Jose Rodriguez, “A CIA veteran on what ‘Zero Dark Thirty’ gets wrong about the bin Laden Manhunt,” *Washington Post*, January 3, 2013, [https://www.washingtonpost.com/opinions/a-cia-veteran-on-what-zero-dark-thirty-gets-wrong-about-the-bin-laden-manhunt/2013/01/03/4a76f1b8-52cc-11e2-a613-ec8d394535c6\\_story.html?utm\\_term=.e33121c5e84a](https://www.washingtonpost.com/opinions/a-cia-veteran-on-what-zero-dark-thirty-gets-wrong-about-the-bin-laden-manhunt/2013/01/03/4a76f1b8-52cc-11e2-a613-ec8d394535c6_story.html?utm_term=.e33121c5e84a) (accessed March 19, 2018).

<sup>7</sup> John Rizzo, *A Company Man*, Scribner: New York 2014, p. 14.

interrogating a detainee in CIA custody described her as “one of the architects, designers, implementers and one of the top two managers of the [CIA interrogation program].”<sup>8</sup>

In addition to using so-called “enhanced interrogation techniques,” the CIA also held detainees in long-term incommunicado detention in unsanitary conditions, forced detainees to be naked or wear diapers, and deprived them of food, and fed at least five detainees through their rectums.<sup>9</sup> The agency also unlawfully rendered numerous men to various countries, many of whom were then tortured by US partner forces.<sup>10</sup>

Haspel should publicly explain which aspects of the CIA program she was involved in during this time, if any, and her role. The CIA has admitted to a number of “management failures” during the time that she was in charge of the Thailand CIA “black site.”<sup>11</sup> This included a failure to discipline for detainee abuse. The agency also admitted to inflating the value of intelligence gathered from detainees to continue justifying the program.<sup>12</sup>

### *Destruction of Videotapes*

In 2005 Haspel was involved in destroying 96 videotapes of some of the most violent images of CIA torture, mostly depicting the torture of Abu Zubaydah.<sup>13</sup> During one waterboarding session likely recorded, a CIA cable describes Abu Zubaydah having become “completely unresponsive, with bubbles rising through his open, full mouth.”<sup>14</sup>

---

<sup>8</sup> Natasha Bertrand, “A Controversial Record of Torture, but Maybe Not a Deal-Breaker for Democrats,” *The Atlantic*, March 13, 2018, <https://www.theatlantic.com/politics/archive/2018/03/democrats-may-look-past-a-cia-nominees-record-on-torture/555554/> (accessed March 19, 2018).

<sup>9</sup> See generally, Senate Summary. See also: Human Rights Watch, *No More Excuses: A Roadmap to Justice for CIA Torture*.

<sup>10</sup> See Human Rights Watch, *Delivered Into Enemy Hands: US-Led Renditions to Gaddafi's Libya*, September 5, 2012, <https://www.hrw.org/report/2012/09/05/delivered-enemy-hands/us-led-abuse-and-rendition-opponents-gaddafis-libya>; See also, Globalization of Torture Open Society Justice Initiative (OSJI), “Globalizing Torture: CIA Secret Detention and Extraordinary Rendition,” February 2013, <http://www.opensocietyfoundations.org/sites/default/files/globalizing-torture-20120205.pdf> (accessed March 20, 2018).

<sup>11</sup> See U.S. Central Intelligence Agency, “Comments on the Senate Select Committee on Intelligence's Study of the Central Intelligence Agency's Former Detention and Interrogation Program,” June 27, 2013, [https://www.cia.gov/library/reports/CIA June2013 Response to the SSCI Study on the Former Detention and Interrogation Program.pdf](https://www.cia.gov/library/reports/CIA%20June2013%20Response%20to%20the%20SSCI%20Study%20on%20the%20Former%20Detention%20and%20Interrogation%20Program.pdf) (accessed March 22, 2018).

<sup>12</sup> Ali Watkins, “CIA Strikes Back At Senate: Torture Program Was Poorly Run, But It Worked,” *The Huffington Post*, December 9, 2014, [https://www.huffingtonpost.com/2014/12/09/cia-torture-program\\_n\\_6272220.html](https://www.huffingtonpost.com/2014/12/09/cia-torture-program_n_6272220.html) (accessed March 22, 2018).

<sup>13</sup> The exact number of tapes destroyed varies by source. In his book, “A Company Man, former CIA General Counsel John Rizzo who has a first-hand account of the episode, says there were 100 hours of recordings on 96 tapes. See Rizzo, *A Company Man*, p. 7. Many media reports say 92 tapes were destroyed. See e.g., Adam Goldman and Matt Apuzzo, “Lawyers Left Off Memo to Destroy CIA Terror Tapes,” *Associated Press*, July 26, 2010, [http://www.nbcnews.com/id/38416094/ns/us\\_news-security/t/lawyers-left-memo-destroy-cia-terror-tapes/#.WquUY6jwY2x](http://www.nbcnews.com/id/38416094/ns/us_news-security/t/lawyers-left-memo-destroy-cia-terror-tapes/#.WquUY6jwY2x) (accessed March 20, 2018).

<sup>14</sup> Annabelle Timsit, “What Happened at the Thailand 'Black Site' Run by Trump's CIA Pick,” *The Atlantic*, March 14, 2018, [https://www.theatlantic.com/international/archive/2018/03/gina-haspel-black-site-torture-cia/555539/?utm\\_source=poltw](https://www.theatlantic.com/international/archive/2018/03/gina-haspel-black-site-torture-cia/555539/?utm_source=poltw) (accessed March 22, 2018).

John McPhearson, a CIA lawyer who reviewed the tapes, said they showed Abu Zubaydah, “crying” and “gagging” and that they were “very unpleasant to look at.”<sup>15</sup>

In November 2005, Haspel drafted the order to destroy the tapes and Rodriguez signed it though Rizzo had instructed Rodriguez not to do so without his and further White House approval.<sup>16</sup> According to Rizzo, Rodriguez and Haspel were “the staunchest advocates inside the [CIA] for destroying the tapes,”<sup>17</sup> and Rodriguez said in his book that destroying the tapes was something that he and Haspel had been trying to do for a long time.<sup>18</sup>

### *Conclusion*

The US Senate is charged with scrupulously examining the administration’s nominee for CIA director. Given her record, confirming Haspel would not only erode US respect for the prohibition on torture and other ill-treatment but would undermine US commitments to human rights at home and abroad. For these reasons, we urge you to oppose her nomination.

Sincerely,



Nicole Austin-Hillery  
Executive Director, US Program  
Human Rights Watch



Sarah Margon  
Washington Director  
Human Rights Watch

---

<sup>15</sup> Rizzo, *A Company Man*, p. 8.

<sup>16</sup> *Ibid.*, pp. 16-17.

<sup>17</sup> *Ibid.*, *A Company Man*, p. 14.

<sup>18</sup> Jose Rodriguez, *Hard Measures: How Aggressive CIA Actions After 9/11 Saved American Lives*, Threshold Editions: New York, 2012, p. 193.