

## Summary of the Reengagement of Detainees Formerly Held at Guantanamo Bay, Cuba

The Director of National Intelligence submits this summary consistent with direction in the Fiscal Year 2012 Intelligence Authorization Act, Section 307, which states:

“The Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Director of the Defense Intelligence Agency, shall make publicly available an unclassified summary of,

- (1) intelligence relating to recidivism of detainees currently or formerly held at the Detention Facility at Guantanamo Bay, Cuba, by the Department of Defense; and
- (2) an assessment of the likelihood that such detainees will engage in terrorism or communicate with persons in terrorist organizations.”

### **(1) Intelligence relating to recidivism of detainees currently or formerly held at the Detention Facility at Guantanamo Bay, Cuba, by the Department of Defense.**

<b>Reengagement of Former GTMO Detainees as of 29 December 2011</b>			
	Total	Pre-22 January 2009 <sup>1</sup>	Post-22 January 2009
Detainees Transferred	599*	532	67
Confirmed of Reengaging	95 of 599 (15.9%)	92 of 532 (17.3%)	3 of 67 (4.5%)
Dead – 12 of 95		12	0
In custody – 28 of 95		28	0
Not in custody – 55 of 95		52	3
Suspected of Reengaging	72 of 599 (12.0%)	70 of 532 (13.2%)	2 of 67 (3%)
Dead – 2 of 72		2	0
In custody – 26 of 72		26	0
Not in custody – 44 of 72		42	2

\*An additional eight detainees died while at GTMO, and one was transferred to New York for trial, was convicted, and is now imprisoned in Colorado.

<sup>1</sup> Executive Order 13492 was signed on January 22, 2009, to determine the disposition of the 240 detainees then remaining at the detention facility at Guantanamo Bay, Cuba.

**(2) (a) An assessment of the likelihood that such detainees will engage in terrorism.**

Based on trends identified during the past 9 years, we assess that if additional detainees are transferred without conditions from GTMO, some will reengage in terrorist or insurgent activities. Posing a particular problem are transfers to countries with ongoing conflicts and internal instability as well as active recruitment by insurgent and terrorist organizations.

**(2) (b) An assessment of the likelihood that such detainees will communicate with persons in terrorist organizations.**

Former GTMO detainees routinely communicate with each other, families of other former detainees, and previous associates who are members of terrorist organizations. The reasons for communication span from the mundane (reminiscing about shared experiences) to the nefarious (planning terrorist operations). We assess that some GTMO detainees transferred in the future also will communicate with other former GTMO detainees and persons in terrorist organizations. We do not consider mere communication with individuals or organizations – including other former GTMO detainees – an indicator of reengagement. Rather, the motives, intentions, and purposes of each communication are taken into account when assessing whether the individual has reengaged.

**Definition of “Terrorist” or “Insurgent” Activities.** Activities such as the following indicate involvement in terrorist or insurgent activities: planning terrorist operations, conducting a terrorist or insurgent attack against Coalition or host-nation forces or civilians, conducting a suicide bombing, financing terrorist operations, recruiting others for terrorist operations, and arranging for movement of individuals involved in terrorist operations. It does not include mere communications with individuals or organizations—including other former GTMO detainees—on issues not related to terrorist operations, such as reminiscing about shared experiences at GTMO, communicating with past terrorist associates about non-nefarious activities, writing anti-U.S. books or articles, or making anti-U.S. propaganda statements.

**Definition of “Confirmed.”** A preponderance of information which identifies a specific former GTMO detainee as directly involved in terrorist or insurgent activities. For the purposes of this definition, engagement in anti-U.S. statements or propaganda does not qualify as terrorist or insurgent activity.

**Definition of “Suspected.”** Plausible but unverified or single-source reporting indicating a specific former GTMO detainee is directly involved in terrorist or insurgent activities. For the purposes of this definition, engagement in anti-U.S. statements or propaganda does not qualify as terrorist or insurgent activity.