

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

The Director of National Intelligence submits this summary consistent with direction in Section 506I, of the National Security Act of 1947 ((50 U.S.C. § 3105), as added by Section 307 of the Intelligence Authorization Act for Fiscal Year 2012, which provides:

- (a) “In General.—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 Naval 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.
- (b) Updates—Not less frequently than once every six months, the Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Secretary of Defense, shall update and make publicly available an unclassified summary consisting of the information required by subsection (a) and the number of individuals formerly detained at Naval Station, Guantanamo Bay, Cuba, who are confirmed or suspected of returning to terrorist activities after release or transfer from such Naval Station.”

Section 506I(a)(1) Intelligence relating to recidivism of detainees currently or formerly held at the Naval Detention Facility at Guantanamo Bay, Cuba, by the Department of Defense.

Reengagement of Former Guantanamo Bay (GTMO) Detainees as of 15 January 2019			
	Total	Pre-22 January 2009 ^a	Post-22 January 2009
Detainees Transferred	729*	532	197
Confirmed of Reengaging ^b	124 of 729 (17%)	115 of 532 (21.6%)	9 of 197 (4.6%)**
Deceased – 36 of 124		34	2
In Foreign Custody – 21 of 124		21	0
At Large – 67 of 124		60	7
Suspected of Reengaging ^c	100 of 729 (13.7%)	82 of 532 (15.4%)**	18 of 197 (9.1%)**
Deceased – 4 of 100		2	2
In Foreign Custody – 18 of 100		17	1
At Large – 78 of 100		63	15

^a Executive Order 13492 was signed on January 22, 2009 to determine the disposition of 240 detainees remaining at the detention facility at Guantanamo Bay, Cuba.

^b The Defense Intelligence Agency assesses 129 former detainees are confirmed of reengagement.

^c The Defense Intelligence Agency assesses 98 former detainees are suspected of reengagement.

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

**Each of these categories includes detainees who were transferred pursuant to a court order.

Section 506I(a)(2) An assessment of the likelihood that such detainees will engage in terrorism.

Based on trends identified during the past 17 years, we assess that some detainees currently at GTMO will seek to reengage in terrorist or insurgent activities after they are transferred. Transfers to countries with ongoing conflicts and internal instability as well as recruitment by insurgent and terrorist organizations could pose 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.

Section 506I(a)(2) 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 to be transferred in the future probably would 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.

Definitions

Terrorist Activity: 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-US books or articles, or making anti-US propaganda statements.

Confirmed Activities: A preponderance of information—biometrics (fingerprints, conclusive photographic match, or other similar information) and/or reliable, verified, or well-corroborated intelligence reporting—which identifies a specific former GTMO detainee as directly involved in terrorist or insurgent activities. For the purposes of this definition, engagement in anti-US statements or propaganda does not qualify as terrorist or insurgent activity.

Suspected Activities: 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-US statements or propaganda does not qualify as terrorist or insurgent activity.