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P.81



THE JOINT STAFF
WASHINGTON, DC

LQ78d

Reply ZIP Code:
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DJEM-1057-03
14 November 2003

MEMORANDUM FOR CHIEF OF STAFF, U.S. CENTRAL COMMAND

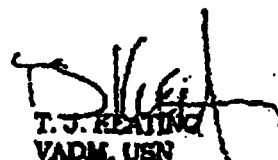
Subject: Allegation of Mistreatment

1. The Deputy Assistant Secretary of Defense for Special Operations/Low Intensity Conflict, Mr. Paul Butler, has requested Joint Staff assistance in responding to [REDACTED]

2. During a recent "welfare visit" to GITMO, [REDACTED] informed UK officials that he was hooded and physically abused prior to his transfer to GITMO. While the UK government has no means of judging the validity of the allegation, [REDACTED]

3. Request you investigate the allegation of mistreatment and report your findings back to the Joint Staff as expeditiously as possible. Your response will provide the substance of Mr. Butler's written response to the UK Foreign Office. We believe that [REDACTED] arrived at Bagram in early spring 2002 and arrived in GITMO on 7 February 2003.

4. The Joint Staff POC for this matter is [REDACTED]


T. J. REATING
VADM, USN
DIRECTOR, JOINT STAFF

FORM 8 84

IL2

Tillery, Monica J

From: [REDACTED]
Sent: Friday, December 20, 2002 6:02 PM
To: Dorosin, Joshua L
Cc: [REDACTED]
Subject: TPs on Bagram deaths



Microsoft Word 4



Microsoft Word 4

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Josh,
the attached file has the TPs that DoD prepared for public affairs' use concerning the two reported deaths at Bagram. Please provide these to US Mission Geneva for the Tuesday meeting.

I will be out next week. If you need anything on this and related stuff, please get in touch with LCDR [REDACTED] in our office (who is copied on this message), [REDACTED]

Happy holidays.

[REDACTED]
(See attached file: Detainee Death PAG - OGC edits.doc)

ODGC/IA
[REDACTED]

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IL2A

DETAINEE DEATHS
December 16, 2002

Recently, two detainees have died at the Bagram detention facility. The first death occurred on December 3, the second on December 10. Coalition medical teams comprised of representatives from Jordan, Korea and the United States performed autopsies on the two deceased detainees. As in all cases of unattended deaths within the scope of DoD's jurisdiction, an investigation has been initiated. These cases fall within the geographic jurisdiction of the Army's Criminal Investigation Command.

Questions and Answers in Response To Query only:

Q1. Do you suspect foul play? Were there indications that they had been beaten?

A1. The circumstances of the deaths will be determined by the investigation. Because the investigation is ongoing, we are unable to comment specifically at this time.

Q2. How did the 2 detainees die?

A2. The circumstances of the death are being investigated. Because the investigation is ongoing, we are unable to comment specifically at this time.

Q3. What commonalities did the two persons under custody share?

A3. Both were being held under U.S. control at Bagram Detention Facility at the time of their deaths.

Q4. Were the detainees under any medical care?

A4. As of this time, we know that both had undergone a medical exam upon in-processing at Bagram, approximately five to seven days before their deaths. Both were determined to be in fair health at the time of inprocessing.

Q5. What led to the investigation into the deaths?

A5. All cases of unattended death within the scope of Army jurisdiction are investigated by the Army Criminal Investigation Command.

Q6. What similarities were found during the second autopsy?

A6. Because the investigation is ongoing, we are unable to comment specifically at this time.

IL 90B

11/07/2002

PRECEDENCE: Routine
DTG: 071445Z NOV 02
FROM: SECDEF WASHINGTON DC//OASD-PA//
CLASSIFICATION: Unclassified

BT

UNCLAS

SUBJECT: PUBLIC AFFAIRS GUIDANCE (PAG) FOR JOINT TASK FORCE - GUANTANAMO BAY (JTF-GTMO) AND DETAINEE OPERATIONS AT NAVAL BASE GUANTANAMO BAY, CUBA.

REFERENCES. A: SECDEF MSG, DTG 072300Z JAN 02, SUBJ: PUBLIC AFFAIRS GUIDANCE (PAG) FOR NEWS MEDIA COVERAGE OF DETAINEE OPERATIONS IN NAVAL BASE GUANTANAMO BAY, CUBA IN SUPPORT OF OPERATIONS ENDURING FREEDOM (OEF). REF. B: SECDEF MSG, DTG 111124Z JAN 02, SUBJ: SUPPLEMENTAL PUBLIC AFFAIRS GUIDANCE (PAG) ON DETAINEES. REF. C: SECDEF MSG, DTG 221800Z MAR 02, SUBJ: PUBLIC AFFAIRS GUIDANCE FOR JTF 170 OPERATIONS AT NAVAL BASE GUANTANAMO BAY, CUBA; REF. D: SECDEF MSG, DTG 221111Z MAR 02 PUBLIC AFFAIRS GUIDANCE FOR DETAINEE

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CASUALTIES DURING OPERATION ENDURING FREEDOM OPERATIONS; REF. E:

SECDEF MSG, DTG 260144Z APR 02, SUBJ: PUBLIC AFFAIRS GUIDANCE FOR RELEASE OR TRANSFER OF DETAINEES - OPERATION ENDURING FREEDOM; REF. F: SECDEF MSG, DTG 101700Z JUN 02, SUBJ: SUPPLEMENTAL PUBLIC AFFAIRS GUIDANCE (PAG) ON DETAINEES; REF. G: SECDEF MSG, DTG 122123Z AUG 02 SUBJ: SUPPLEMENTAL PUBLIC AFFAIRS GUIDANCE (PAG) ON DETAINEES; REF. H: CJCS MSG, DTG 202335Z AUG 02. SUBJ: EXORD JTF MERGER. REF. I: SECDEF MESSAGE, DTG 061000Z NOV 02, SUBJ: PUBLIC AFFAIRS PLAN ON DETAINEE RELEASE/TRANSFERS.

1. PURPOSE. THIS PAG AMPLIFIES THE GUIDANCE IN AND SUPERSEDES REFERENCES A THROUGH G.
2. BACKGROUND. THIS PAG ADDRESSES THE FOLLOWING ISSUES PERTAINING TO JTF GTMO OPERATIONS: RELEASE AUTHORITY FOR INFORMATION ON DETAINEES; MILITARY UNIT DEPLOYMENTS IN SUPPORT OF JTF GTMO; NEWS MEDIA EMBEDS AND COVERAGE

(INCLUDING DETAILS OF DETAINEE MOVEMENT, DETENTION FACILITIES, INTERROGATION OPERATIONS, MEDICAL CARE FACILITIES, DETAINEE INJURY OR DEATH, AND TRANSFER AND RELEASE); COMBAT CAMERA COVERAGE; NON-GOVERNMENT ORGANIZATION INVOLVEMENT AND OTHER BACKGROUND INFORMATION.

3. PUBLIC AFFAIRS POSTURE: ACTIVE. DISCUSSION OF INTERROGATION AND

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INTELLIGENCE-GATHERING OPERATIONS IS PROHIBITED.

4. STATEMENT: THE FOLLOWING STATEMENT IS APPROVED FOR RELEASE BY U.S. SOUTHCOM UPON RECEIPT: (QUOTE) TO STREAMLINE THE DAY-TO-DAY DETAINEE OPERATIONS AT GUANTANAMO BAY, CUBA, JOINT TASK FORCE 160 AND 170 WERE CONSOLIDATED INTO JOINT TASK FORCE-GTMO ON OCT. 9, 2002.

(PARA)

JTF-GTMO, WHICH REPORTS TO THE U.S. SOUTHERN COMMAND, IS RESPONSIBLE FOR DETENTION, SECURITY AND INTERROGATION OPERATIONS AT THE DETAINEE FACILITY FOR AL QAIDA, TALIBAN OR OTHER ENEMY COMBATANTS THAT COME UNDER DOD CONTROL AS A RESULT OF THE ONGOING WAR ON TERRORISM.

(PARA) U.S. ARMY MAJOR GENERAL GEOFFREY D. MILLER HAS BEEN SELECTED TO COMMAND JTF-GTMO. A CHANGE OF COMMAND WAS HELD ON NOV 4, 2002.

(PARA) THE U.S. IS TREATING AND WILL CONTINUE TO TREAT ALL THE INDIVIDUALS DETAINED AT GUANTANAMO HUMANELY, AND, TO THE EXTENT APPROPRIATE AND CONSISTENT WITH MILITARY NECESSITY, IN A MANNER CONSISTENT WITH THE PRINCIPLES OF THE THIRD GENEVA CONVENTION OF 1949.

(PARA) SPECIFIC INFORMATION ON NAVAL BASE GUANTANAMO BAY CAN BE OBTAINED FROM THE BASE'S WEBSITE AT WWW.NSGTMO.NAVY.MIL (ALL LOWER CASE).

(PARA) FOR ADDITIONAL INFORMATION REGARDING DOD SUPPORT TO THESE OPERATIONS, CONTACT U.S. SOUTHCOM PUBLIC AFFAIRS (USSOUTHCOM/PA) AT (305) 437-1202/1213. (END QUOTE)

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5. QUESTIONS & ANSWERS:

Q1. WITH THIS CHANGE, WHO WILL BE RESPONSIBLE FOR COMMANDING THE DETAINEE OPERATIONS AT GUANTANAMO BAY?

A1. THE U.S. SOUTHCOM COMMANDER HAS OVERALL RESPONSIBILITY FOR DETAINEE OPERATIONS AT GUANTANAMO NAVAL BASE, CUBA. JTF-GTMO IS RESPONSIBLE FOR DETENTION, SECURITY AND INTERROGATION OPERATIONS. U.S. ARMY MAJOR GENERAL GEOFFREY D. MILLER ASSUMED COMMAND OF JTF-GTMO ON NOV. 4, 2002.

**Q2. HOW MANY PERSONNEL WILL SERVE WITH JTF-GTMO?
A2. THERE WILL BE LESS THAN 2,000 U.S. PERSONNEL SERVING WITH JTF-GTMO OPERATIONS.**

Q3. WHAT GOVERNMENT AGENCIES ARE INVOLVED IN THIS OPERATION?

A3. THIS IS AN INTER-AGENCY EFFORT INVOLVING SEVERAL FEDERAL LAW ENFORCEMENT AND INTELLIGENCE AGENCIES. (THE FOLLOWING SENTENCE PROVIDES GUIDANCE ONLY AND IS NOT FOR PUBLIC RELEASE.) FOCUS ON MULTI-AGENCY EFFORT AND DO NOT GO INTO FURTHER DETAIL BECAUSE OF SECURITY AND INTEL CONCERNS.

Q4. IS THE MERGING OF JTF160 AND JTF 170 AN INDICATION THAT THE MILITARY IS NEARER TO CONVENING MILITARY COMMISSIONS AT GTMO? A4. NO. THE DECISION TO MERGE THE TWO JTFS INTO A SINGLE JTF-GTMO IS

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TO GAIN EFFICIENCIES IN PERSONNEL AND LOGISTICS. NO DECISION HAS BEEN MADE REGARDING MILITARY TRIBUNALS OR COMMISSIONS.**

Q5. WHO IS CURRENTLY CONDUCTING THE INTERROGATIONS OF THE GTMO DETAINEES, AND MAY WE INTERVIEW THEM OR A REPRESENTATIVE?

A5. REPRESENTATIVES OF MILITARY AND CIVILIAN INTELLIGENCE AGENCIES AND FEDERAL LAW ENFORCEMENT AGENCIES ARE CONDUCTING THE INTERROGATIONS. TO AVOID POSSIBLE TERRORIST TARGETING OF U.S. PERSONNEL OR THEIR FAMILIES, THE IDENTITIES OF U.S. PERSONNEL WILL NOT BE DISCLOSED. ADDITIONALLY, SUCH INTERVIEWS WOULD BE CONTRARY TO OUR POLICY OF NOT DISCUSSING SPECIFICS OF INTELLIGENCE-GATHERING OPERATIONS, INCLUDING THE OPERATIONS AT GUANTANAMO BAY.

Q6. HOW LONG IS THIS OPERATION GOING TO LAST?

A6. WE WILL CONTINUE THE MISSION AS LONG AS WE ARE DIRECTED TO DO SO BY THE SECRETARY OF DEFENSE.

Q7. CAN WE SPEAK WITH AN INTERROGATOR?

A7. NO. WE WILL NOT IDENTIFY INDIVIDUAL INTERROGATORS OR THEIR AGENCIES. IDENTIFICATION OF INTERROGATORS WOULD INCREASE THE THREAT TO THEM, THEIR FAMILY MEMBERS AND FELLOW OPERATORS, AS WELL AS CONTRADICT ESTABLISHED DOD POLICY OF NOT DISCUSSING SPECIFICS OF INTELLIGENCE-GATHERING OPERATIONS.

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Q8. WILL YOU INTERROGATE INJURED PRISONERS?

A8. WE RESERVE THE RIGHT TO INTERROGATE ANY AND ALL DETAINEES UNDER U.S. CONTROL. EACH DETAINEE IS PROVIDED EXPERT MEDICAL TREATMENT THROUGHOUT THEIR DETENTION.

Q9. WILL YOU SHARE INTELLIGENCE OBTAINED THROUGH THE INTERROGATION PROCESS WITH FOREIGN GOVERNMENTS?

A9. WE WILL SHARE APPROPRIATE INFORMATION ON A CASE-BY-CASE BASIS WITH OUR PARTNERS IN THE WAR AGAINST TERRORISM. WE WILL NOT COMMENT ON SPECIFIC INTELLIGENCE MATTERS AND PROCEDURES.

Q10. WHAT TYPE OF INFORMATION ARE YOU SEEKING TO GAIN FROM THE INTERROGATIONS? WILL YOU SHARE SOME OF THAT INFORMATION WITH THE MEDIA?

A10. THE INTERROGATIONS ARE TAKING PLACE IN CONJUNCTION WITH ONGOING INVESTIGATIONS REGARDING THE WAR ON TERRORISM. WE ARE LOOKING FOR INFORMATION THAT WILL BE OF IMPORTANCE TO THE UNITED STATES, OUR PARTNERS, FRIENDS AND ALLIES. THE INFORMATION RECEIVED FROM THESE INTERROGATIONS WILL NOT BE MADE PART OF THE PUBLIC RECORD, AND WILL NOT BE MADE AVAILABLE TO THE MEDIA.

Q11. WHY CONTINUE TO MOVE THESE PEOPLE TO GUANTANAMO?

A11. THESE INDIVIDUALS ARE ENEMY COMBATANTS CAPTURED IN CONNECTION

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WITH AN ONGOING ARMED CONFLICT. THEY CONTINUE TO BE ENEMY COMBATANTS UNDER THE LAW OF ARMED CONFLICT. OUR

DETENTION OF ENEMY COMBATANTS IS LAWFUL AND NECESSARY TO PREVENT THEM FROM RETURNING TO THE BATTLEFIELD OR REENGAGING IN ARMED CONFLICT AGAINST US AND OUR PARTNERS. MOVING THEM TO GUANTANAMO SUPPORTS THE WAR ON TERRORISM.

Q12. WILL THE DETAINEES HAVE ACCESS TO NON-GOVERNMENTAL ORGANIZATIONS?

A12. CONSISTENT WITH THE PRINCIPLES OF THE GENEVA CONVENTIONS, INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) PERSONNEL WILL CONTINUE TO HAVE ACCESS TO VISIT AND OBSERVE DETAINEES. ONLY ICRC PERSONNEL WILL BE PERMITTED TO VISIT/OBSERVE DETAINEES.

Q13. WHAT IS BEING/HAS BEEN DONE WITH INJURED/DECEASED DETAINEES?

A13. NO DETAINEES HAVE DIED WHILE BEING HELD AT GUANTANAMO. EVERY DETAINEE IS PROVIDED EXPERT MEDICAL TREATMENT THROUGHOUT THEIR DETENTION. IN THE CASE OF INJURED DETAINEES, THEY WILL BE BROUGHT TO THE NEAREST MILITARY MEDICAL FACILITY, WHERE OUR MEDICAL STAFF WILL PROVIDE MEDICAL ATTENTION. IN THE EVENT OF A FATALITY, WE WILL ATTEMPT TO DETERMINE THE CAUSE OF DEATH; IF NECESSARY, AN AUTOPSY WILL BE PERFORMED. SINCE DETAINEE OPERATIONS BEGAN, WE HAVE TREATED WOUNDS SUSTAINED IN BATTLE AND HAVE RELIEVED PAIN AND SUFFERING FROM

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PRE-EXISTING CONDITIONS. (THE FOLLOWING SENTENCE PROVIDES GUIDANCE ONLY AND IS NOT FOR PUBLIC RELEASE.) PAO SHOULD SEEK DETAILS FROM MEDICAL STAFF.**

Q14. WILL THE RESULTS OF THE AUTOPSY BE MADE AVAILABLE TO THE MEDIA?

A14. WE WILL MAKE THAT DETERMINATION IF AND WHEN SUCH A SITUATION ARISES.

Q15. WHAT IF THE CAUSE OF DEATH CANNOT BE DETERMINED?

Q15. IF A DETAINEE IS INJURED OR DIES AND THE CAUSE IS NOT KNOWN, U.S. MILITARY PERSONNEL WILL CONDUCT AN INVESTIGATION TO DETERMINE THE CAUSE OF INJURY OR DEATH.

Q16. WHAT WILL THEN BE DONE WITH A DECEASED DETAINEE'S BODY?

A16. EVERY EFFORT WILL BE MADE TO INTER THE BODY IN ACCORDANCE WITH THE DETAINEE'S RELIGIOUS PRACTICES.

Q17. WILL THE DETAINEE'S FAMILY BE ABLE TO SEE THE INJURED/DEAD DETAINEE?

A17. SHOULD A DETAINEE DIE, THE U.S. STATE DEPT. WILL CONTACT THE EMBASSY OF THE DECEDENT'S HOME OF RECORD FOR A DETERMINATION OF DETAINEE REMAINS DISPOSITION. VISITS BY FAMILY MEMBERS ARE NOT PERMITTED.

Q18. HAS THE U.S. GOVERNMENT RELEASED ANY DETAINEES?

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A18. MANY INDIVIDUALS DETAINED BY THE U.S. FORCES IN AFGHANISTAN HAVE BEEN RELEASED, SOME OF WHOM WERE DETAINED FOR ONLY A SHORT TIME. AFTER INITIAL SCREENING, A DETERMINATION IS MADE WHETHER AN INDIVIDUAL SHOULD BE DETAINED LONGER, AND IN SOME CASES, IT WAS DETERMINED THAT CONTINUED DETENTION WAS UNWARRANTED. DOD DOES NOT INTEND TO HOLD ANYONE LONGER THAN NECESSARY.

Q19. WHAT IS THE DIFFERENCE BETWEEN RELEASE AND TRANSFER OF A DETAINEE?

A19. A RELEASE OCCURS WHEN AN INDIVIDUAL IS PERMITTED TO UNCONDITIONALLY DEPART U.S. CONTROL. A TRANSFER OCCURS WHEN THE U.S. TRANSFERS CONTROL OF AN INDIVIDUAL TO ANOTHER GOVERNMENT, FOR PURPOSES OF POSSIBLE PROSECUTION BY THAT GOVERNMENT, CONTINUED DETENTION UNTIL THE END OF CONFLICT BY THAT GOVERNMENT, OR OTHER REASONS, SUCH AS CONTINUED MEDICAL TREATMENT. AS A GENERAL MATTER, IT IS DOD POLICY NOT TO DISCLOSE DETAILS OR IDENTITIES OF INDIVIDUALS RELEASED OR TRANSFERRED TO THE CONTROL OF ANOTHER GOVERNMENT.

Q20. HOW MANY DETAINEES ARE CURRENTLY AT GUANTANAMO BAY?

A20. PRESENTLY, THERE ARE APPROXIMATELY 625 DETAINEES AT GTMO. (UPDATE AS APPROPRIATE.)

Q21. WHAT IS THE ROLE OF U.S. NAVAL BASE GUANTANAMO BAY IN DAY-TO-DAY

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JTF-GTMO OPERATIONS?

A21. U.S. NAVAL BASE PERSONNEL PROVIDE ADMINISTRATIVE, LOGISTICAL AND INFRASTRUCTURE SUPPORT TO DETENTION OPERATIONS. MANY OF THESE SUPPORT FUNCTIONS REMAIN UNDER THE CONTROL OF THE U.S. NAVY.

COMMUNICATION POINTS

- 6.1. DETENTION AND INTERROGATION OPERATIONS AT GTMO SUPPORT THE WAR ON TERRORISM.
- 6.2. GTMO AFFORDS A SECURE FACILITY AND PROVIDES APPROPRIATE SECURITY FOR DETAINEES.
- 6.3. THE U.S. IS TREATING AND WILL CONTINUE TO TREAT ALL OF THE INDIVIDUALS DETAINED AT GUANTANAMO HUMANELY, AND, TO THE EXTENT APPROPRIATE AND CONSISTENT WITH MILITARY NECESSITY, IN A MANNER CONSISTENT WITH THE PRINCIPLES OF THE THIRD GENEVA CONVENTION OF 1949.
- 6.4. DETAINEES AT GTMO POSE A THREAT TO U.S. SECURITY AND WILL REMAIN UNDER U.S. CONTROL AS LONG AS NECESSARY.
- 6.5. FACILITIES AT GUANTANAMO BAY ARE WELL DEFENDED.

7. MISCELLANEOUS INFORMATION (NOT FOR PUBLIC RELEASE):

7.1. RELEASE AUTHORITY.

7.1.1. OASD(PA) IS THE SOLE INITIAL RELEASE AUTHORITY FOR INFORMATION

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REGARDING THE TRANSFER, RELEASE OR DEATH OF A DETAINEE. OASD(PA) MAY DELEGATE RELEASE AUTHORITY TO THE APPROPRIATE COMBATANT COMMAND OR DEPLOYED PA STAFF.

7.1.2. U.S. SOUTHCOM IS THE INITIAL RELEASE AUTHORITY FOR INFORMATION REGARDING DETAINEE OPERATIONS AT GTMO.

7.1.3. THE JOINT INFORMATION BUREAU (JIB) ESTABLISHED AT GTMO IS RELEASE AUTHORITY FOR INFORMATION REGARDING DETAINEES AFTER INITIAL RELEASE HAS BEEN MADE BY U.S. SOUTHCOM.

7.1.4. INTELLIGENCE MATTERS (COLLECTION, ANALYZING, SHARING AND RESULTS OF INTERROGATION) CANNOT BE DISCUSSED UNLESS APPROVED BY OASD(PA) IN COORDINATION WITH OASD(SO/LIC) AND SPECIFIC CONCURRENCEIS GIVEN BY U.S. SOUTHCOM.

7.2. DEPLOYMENTS OF U.S. PERSONNEL ASSIGNED TO JTF-GTMO:

7.2.1. AFTER RECEIPT OF A DEPLOYMENT ORDER, UNITS MAY ACKNOWLEDGE THAT THEY HAVE BEEN NOTIFIED FOR A DEPLOYMENT.

7.2.2. UNITS THAT HAVE RECEIVED A DEPLOYMENT ORDER SHOULD FOCUS MEDIA ATTENTION ON UNIT PREPARATIONS, MISSIONS AND CAPABILITIES. COMMANDERS MAY RELEASE INFORMATION AND INVITE MEDIA COVERAGE.

7.2.3. COMMANDERS ARE ENCOURAGED TO RELEASE INFORMATION ON AND INVITE MEDIA COVERAGE OF FAMILY SUPPORT EFFORTS FOR U.S. PERSONNEL.

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7.2.4. COORDINATE PRE- AND POST-DEPLOYMENT PA ACTIVITIES WITH U.S. SOUTHCOM. ENSURE U.S. SOUTHCOM/PA AND OASD(PA) ARE APPRAISED OF ALL PA ACTIVITIES EXPECTED TO ATTRACT NATIONAL AND INTERNATIONAL MEDIA ATTENTION.

7.3. EMBEDDED MEDIA.

7.3.1. NO MEDIA EMBARKS/EMBEDS ON DETAINEE FLIGHTS.

7.3.2. COMMANDERS ARE AUTHORIZED TO EMBED MEDIA WITH DEPLOYING OR DEPLOYED FORCES, INCLUDING SHIPS, AIRCRAFT AND GROUND FORCES, SUBJECT TO THE FOLLOWING GUIDELINES:

7.3.3. GENERAL: COMMANDERS MUST SUBMIT THEIR MEDIA EMBED/EMBARK PLANS TO U.S. SOUTHCOM/PA FOR COORDINATION AND APPROVAL.

7.3.4. EXCEPT FOR DETAINEE FLIGHTS, COMMANDERS MAY AUTHORIZE EMBEDDED MEDIA TO TRAVEL WITH UNITS ABOARD MILITARY CONVEYANCES ON A SPACE-AVAILABLE, NON-REIMBURSABLE BASIS. COMMANDERS WILL SUBMIT APPROPRIATE COUNTRY AND THEATER CLEARANCE REQUESTS TO U.S. SOUTHCOM AND WILL PREPARE INVITATIONAL TRAVEL ORDERS, AS REQUIRED. MEDIA REPRESENTATIVES ARE RESPONSIBLE FOR OBTAINING THEIR OWN PASSPORTS AND VISAS AS REQUIRED. MEDIA EMBARKS WILL BE LIMITED BY FACILITIES AVAILABLE AT DEPLOYED LOCATION.

7.3.5. MEDIA REPRESENTATIVES EMBEDDING WITH MILITARY UNITS ARE

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EXPECTED TO BE IN GOOD PHYSICAL CONDITION AND ARE RESPONSIBLE FOR CARRYING AND MAINTAINING THEIR OWN PERSONAL AND PROFESSIONAL GEAR. MEDIA REPRESENTATIVES MAY NOT CARRY PERSONAL WEAPONS. MEDIA MUST OBTAIN ALL

ADVISABLE IMMUNIZATIONS FOR THE REGION. UNITS WILL ENSURE MEDIA RECEIVE APPROPRIATE TRAINING REQUIRED FOR THE REGION AND PROVIDE MEALS, ACCOMMODATIONS AND TRANSPORTATION AS REQUIRED.

7.3.6. EMBEDDED MEDIA WILL BE REQUIRED TO AGREE TO SPECIFIC GROUND RULES ESTABLISHED BY U.S. SOUTHCOM/PA PRIOR TO DEPARTING POINT OF EMBARKATION. ANY VIOLATION OF THE GROUND RULES MAY BE THE BASIS FOR TERMINATING THE MEDIA REPRESENTATIVE'S EMBEDDED STATUS. CONTACT U.S. SOUTHCOM/PA OFFICE AT (305) 437-1213 FOR MEDIA EMBARK GROUND RULES ACKNOWLEDGEMENT FORM. PAOS WILL MAINTAIN A COPY OF SIGNED GROUND RULES.

7.4. NEWS MEDIA COVERAGE:

7.4.1. DETAINEE MOVEMENT.

7.4.1.1. NEWS IMAGERY PRODUCTS MAY NOT SHOW THE MOVEMENT OF DETAINEES INTO OR OUT OF THE U.S. SOUTHCOM AOR.

7.4.1.2. NEITHER THE TIMING NOR THE ROUTE WILL BE DISCUSSED.

7.4.1.3. COVERAGE OF DETAINEES IN TRANSIT IS NOT PERMITTED, INCLUDING GROUND AND AIR MOVEMENT BETWEEN DETENTION FACILITIES, OR MOVEMENT

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BETWEEN DETENTION FACILITIES AND TRANSPORTATION ASSETS (BUSES, FERRIES, PLANES, ETC.).

7.4.1.4. THIS DOES NOT PRECLUDE THE OBSERVATION OF DETAINEE FLIGHTS ARRIVING AT GTMO FROM THE DESIGNATED OBSERVATION POINT ON THE LEEWARD SIDE, SUBJECT TO THE APPROVAL OF THE U.S. SOUTHCOM COMMANDER OR HIS DESIGNEE. PHOTOGRAPHY (STILL OR VIDEO) OF ARRIVALS OR DEPARTURES IS NOT PERMITTED.

7.4.1.5. DETAILED DISCUSSION OF SPECIFIC SECURITY MEASURES AND METHODS OR DETAILS OF DETAINEE MOVEMENT AT ANY TIME IN TRANSIT IS PROHIBITED FOR SECURITY REASONS.

7.4.1.6. THERE WILL BE NO LIVE REPORTING OF ANY DETAINEE MOVEMENT UNDER ANY CIRCUMSTANCE. NEWS REPORTING OF DETAINEE ARRIVAL AND DEPARTURE FLIGHTS WILL BE EMBARGOED UNTIL DETAINEE MOVEMENT IS COMPLETE.

7.4.1.7. OBSERVATION OF SPECIAL MISSION TRANSFERS IS PROHIBITED UNLESS SPECIFICALLY AUTHORIZED BY OASD(PA) IN COORDINATION WITH OASD(SO/LIC). SPECIAL MISSIONS WILL NOT BE PUBLICLY DISCUSSED UNLESS CLEARED BY OASD(PA).

7.4.2. DETENTION FACILITIES

7.4.2.1. INTERVIEWS WITH SENIOR COMMANDERS, SUPPORT STAFF AND

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DETENTION CAMP PERSONNEL ARE PERMITTED, SUBJECT TO APPROPRIATE MEASURES TO PROTECT U.S. MILITARY PERSONNEL, AS WELL AS THE IDENTITY, NATIONALITY, AND LANGUAGE OF THE DETAINEES.

7.4.2.2. PUBLIC RELEASE OF THE APPROXIMATE NUMBER OF DETAINEES UNDER U.S. CONTROL BY GEOGRAPHIC OR SPECIFIC LOCATION IS PERMITTED. SPOKESPERSONS MAY USE GENERAL NUMBERS (E.G., APPROXIMATELY 600) TO DESCRIBE TOTAL DETAINEE POPULATION.

7.4.2.3. THE U.S. SOUTHCOM COMMANDER MAY PERMIT MEDIA OBSERVATION OF DETENTION FACILITIES. PHOTOGRAPHY/VIDEO IMAGERY IS PROHIBITED; OBSERVATION OF DETAINEES IS PROHIBITED.

7.4.3. INTERROGATION OPERATIONS

7.4.3.1 COVERAGE OF DETAINEE INTERROGATIONS OR INTERVIEWS IS PROHIBITED.

7.4.3.2 NEWS MEDIA INTERVIEWS WITH DETAINEES ARE NOT PERMITTED.

7.4.3.3 INTERVIEWS WITH SENIOR COMMANDERS AND SUPPORT STAFF ARE PERMITTED AND ENCOURAGED, SUBJECT TO APPROPRIATE MEASURES TO PROTECT THE IDENTITY AND CAPABILITIES/METHODS OF INTERROGATORS, INTELLIGENCE ANALYSTS AND LINGUISTS.

7.4.4. MEDICAL CARE FACILITIES

7.4.4.1. MEDIA COVERAGE AND IMAGERY OF DETAINEE MEDICAL FACILITIES IS

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PERMITTED AND ENCOURAGED.**

7.4.4.2. DETAILS REGARDING CURRENT MEDICAL CAPABILITIES, AND DETAINEE ACCESS TO MEDICAL CARE MAY BE DISCUSSED AFTER COORDINATION WITH U.S. SOUTHCOM/PA.

7.4.4.3. THERE WILL BE NO PHOTOGRAPHS, VIDEO IMAGES NOR AUDIO RECORDINGS OF DETAINEES RECEIVING MEDICAL TREATMENT. ONLY INFORMATION APPROVED AND PROVIDED BY OASD (PA) AND THE PUBLIC AFFAIRS UNIT/ U.S. SOUTHCOM WILL BE DISSEMINATED. ALL INFORMATION SHOULD BE COORDINATED

WITH LOCAL MEDICAL, LEGAL AND SECURITY STAFF PRIOR TO RELEASE.

7.4.4.4. THE FOLLOWING SPECIFIC INFORMATION MAY BE RELEASED WHEN AVAILABLE: THE REASON FOR MEDICAL TREATMENT, THE TYPE OF WOUND OR INJURY TREATED, THE TYPE OF MEDICAL TREATMENT PROVIDED, AND THE CIRCUMSTANCES THAT LED TO THE MEDICAL TREATMENT.

7.4.4.5. MEDICAL PERSONNEL INVOLVED IN DETAINEE CARE MAY BE MADE AVAILABLE FOR NEWS MEDIA INTERVIEWS, SUBJECT TO APPROVAL FROM THE APPROPRIATE COMMANDER AND MEDICAL OFFICER-IN-CHARGE OF DETAINEE HEALTH CARE. INTERVIEWS WILL ONLY BE APPROVED FOLLOWING MEDIA TRAINING FROM THE ON-SITE PAO.

7.4.5. DETAINEE INJURY OR DEATH:

7.4.5.1. OASD(PA) IS THE SOLE INITIAL RELEASE AUTHORITY FOR

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INFORMATION REGARDING THE INJURY OR DEATH OF A DETAINEE. IN THE EVENT OF THE DEATH OF A DETAINEE, THE TIME OF DEATH AND CAUSE OF DEATH, IF KNOWN, WILL BE RELEASED BY OASD(PA) IN COORDINATION WITH OASD(SO/LIC). REPORT ANY SUCH DEATH TO OASD(PA) BY THE MOST EXPEDITIOUS MEANS. DEPLOYED PUBLIC AFFAIRS PERSONNEL ARE RESPONSIBLE FOR PROVIDING APPLICABLE CASUALTY INFORMATION TO OASD(PA) THROUGH U.S. SOUTHCOM/PA.

7.4.5.2. DETAINEES WILL NOT BE IDENTIFIED BY NAME.

7.4.5.3. SHOULD A DETAINEE DEATH OCCUR, INFORMATION MAY BE RELEASED REGARDING DETAILS OF POST-DEATH EVENTS (I.E., INTERNMENT PROCEDURES, DISPOSITION OF THE BODY, DISPOSITION OF PERSONAL EFFECTS.)

7.4.5.4. DESCRIPTIONS OF ALL APPROPRIATE RELIGIOUS RIGHTS AND CUSTOMS WILL BE PROVIDED TO NEWS MEDIA TO THE EXTENT POSSIBLE.

7.4.6. DETAINEE TRANSFER OR RELEASE FROM GUANTANAMO BAY.

7.4.6.1. OASD(PA) IS THE PRIMARY RELEASE AUTHORITY FOR PUBLIC INFORMATION REGARDING THE RELEASE OR TRANSFER OF DETAINEES. ALL ANSWERS TO SENSITIVE QUESTIONS ABOUT THE PROCESSING, RELEASE, TRANSFER AND TRANSPORTATION OF DETAINEES MUST BE COORDINATED WITH OUSD(P) AND APPROVED BY OASD(PA) PRIOR TO PUBLIC RELEASE OF INFORMATION. ON A CASE-BY-CASE BASIS, AND WITH THE APPROVAL OF

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OUSD(P), OASD (PA) MAY DELEGATE RELEASE AUTHORITY TO THE APPROPRIATE COMBATANT COMMAND OR DEPLOYED PA STAFF. COMPONENT OR JTF COMMANDER WILL PREPARE A PROPOSED RESPONSE TO QUERY (RTQ) PRIOR TO THE RELEASE OF DETAINEES AND FORWARDED PROPOSED RTQ TO THE UNIFIED PAO, WHO WILL FORWARD TO OASD(PA) AND OUSD(P) FOR APPROVAL.

7.4.6.2. THERE WILL BE NO OBSERVATION OF, OR LIVE MEDIA COVERAGE OF DETAINEE RELEASES OR TRANSFERS, DEPARTING FROM GUANTANAMO, INCLUDING INTERIM STOPS.

7.4.6.3. NEITHER THE TIMING NOR THE TRANSPORTATION OF DETAINEES WHO ARE RELEASED OR TRANSFERRED WILL BE DISCUSSED.

7.5. COMBAT CAMERA: COMBAT CAMERA WILL BE USED TO DOCUMENT ACTIVITIES FOR OFFICIAL AND HISTORICAL PURPOSES ONLY. PARA 7.D.1. OF THIS PAG DOES NOT APPLY TO COMBAT CAMERA. ANY COMBAT CAMERA IMAGERY MUST BE CLEARED THROUGH OASD(PA) TO ENSURE COMPLIANCE WITH PARA. 7 BEFORE PUBLIC RELEASE. ALL VIDEO AND STILL PRODUCTS MUST BE PROVIDED TO THE JOINT COMBAT CAMERA CENTER PRIOR TO OR COINCIDENT WITH RELEASE. SEE [HTTP://DODIMAGERY.AFIS.OSD.MIL/DODIMAGERY/HOME.HTML](http://DODIMAGERY.AFIS.OSD.MIL/DODIMAGERY/HOME.HTML) FOR DETAILS ON SENDING PRODUCTS TO JCCC.

7.6. NON-GOVERNMENT ORGANIZATIONS: CONSISTENT WITH THE PRINCIPLES OF THE THIRD GENEVA CONVENTION OF 1949 AND WHEN CIRCUMSTANCES PERMIT,

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INTERNATIONAL COMMITTEE OF THE RED CROSS PERSONNEL WILL BE PERMITTED TO VISIT AND OBSERVE DETAINEES. ONLY ICRC PERSONNEL WILL BE PERMITTED TO VISIT/OBSERVE DETAINEES. NO OTHER NON-GOVERNMENTAL ORGANIZATION (NGO) WILL HAVE ACCESS TO DETAINEES.

8. BACKGROUND INFORMATION ON CONDITIONS OF DETENTION:

8.1. BASED ON THE PRESIDENT'S DIRECTION, DETAINEES AT GUANTANAMO WILL BE TREATED HUMANELY AND, CONSISTENT WITH MILITARY NECESSITY, IN A MANNER CONSISTENT WITH THE PRINCIPALS OF THE THIRD GENEVA CONVENTION OF 1949.

8.2. EVEN THOUGH DETAINEES AT GUANTANAMO HAVE BEEN REMOVED FROM THE THEATER OF OPERATIONS, THEY ARE ENEMY COMBATANTS CAPTURED DURING THE ONGOING HOSTILITIES IN THE WAR ON TERRORISM.

8.3. NO PUBLIC ACCESS TO THE DETAINEES WILL BE ALLOWED. THIS IS CONSISTENT WITH LONGSTANDING U.S. POLICY AND PRACTICE, INCLUDING OPERATION DESERT STORM, AND CONSISTENT WITH THE PRINCIPLES OF THE THIRD GENEVA CONVENTION, WHICH PROHIBIT DETAINED PERSONS FROM BEING SUBJECTED TO PUBLIC CURIOSITY OR HUMILIATING TREATMENT.

8.4. DETAINEES HAVE BEEN AND WILL CONTINUE TO BE TREATED HUMANELY. HUMANE TREATMENT MEANS, AMONG OTHER THINGS, THAT THEY WILL BE GIVEN ADEQUATE FOOD, WATER, SHELTER, CLOTHING, MEDICAL TREATMENT, AND THE

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FREEDOM TO PRACTICE THEIR RELIGION.**

8.5. THE POLICY ON LIMITING PHOTOGRAPHY IS IN ACCORD WITH TREATING DETAINEES CONSISTENT WITH THE PRINCIPLES OF THE THIRD GENEVA CONVENTION OF 1949. THIS IS NOT A CHANGE IN POLICY; IT IS IN CONFORMITY WITH LONG-STANDING U.S. POLICY, PROCEDURES AND PRACTICE.

8.6. THE POLICY OF LIMITING THE RELEASE FOR PUBLICATION OF PHOTOGRAPHY OF DETAINEES IS CONSISTENT WITH ARTICLE 13 OF THE THIRD GENEVA CONVENTION OF 1949. THAT ARTICLE STATES: 'PRISONERS OF WAR MUST AT ALL TIMES BE PROTECTED, PARTICULARLY AGAINST ACTS OF VIOLENCE OR INTIMIDATION AND AGAINST INSULTS AND PUBLIC CURIOSITY.' WHILE THIS RULE DOES NOT EXPLICITLY FORBID THE TAKING OF PICTURES AND PUBLICATION OF PHOTOGRAPHS OF SUCH INDIVIDUALS, THE UNITED STATES GOVERNMENT HAS INTERPRETED IT TO MEAN THAT TAKING PICTURES OF INDIVIDUAL DETAINEES AND PUBLISHING THEM IN NEWSPAPERS OR JOURNALS WOULD BE HOLDING THEM UP TO PUBLIC CURIOSITY AND IS THEREFORE FORBIDDEN.

9. SPECIAL CONSIDERATIONS AND INSTRUCTIONS IN THE EVENT OF A DETAINEE INJURY OR DEATH.

9.1. IN ADDITION TO THE NORMAL REPORTING PROCEDURES BY THE APPROPRIATE COMBATANT COMMANDER, U.S. SOUTHCOM/PA WILL NOTIFY OASD/PA

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WHEN A DETAINEE IS INJURED OR DIES EITHER EN ROUTE OR WHILE AT NAVAL BASE GTMO. OUSD(P) WILL NOTIFY THE DEPARTMENT OF STATE (DOS) THROUGH ESTABLISHED CHANNELS AND REQUEST FOR DISPOSITION INSTRUCTIONS IF APPROPRIATE.

9.2. AN AUTOPSY MAY BE PERFORMED TO ESTABLISH THE CAUSE OF DEATH. INFORMATION WILL BE RELEASED BY OASD(PA) IN COORDINATION WITH OUSD(P).

9.3. THE DOS WILL CONTACT THE EMBASSY OF THE DECEDENT'S HOME OF RECORD FOR DISPOSITION INSTRUCTIONS.

9.4. IF DETERMINATION IS MADE THAT U.S. PERSONNEL WILL INTER THE DECEASED, THE REMAINS WILL BE BURIED AT AN APPROPRIATE LOCATION DETERMINED BY EXISTING DEPARTMENT POLICY.

9.5. INTERMENT WILL BE IN ACCORDANCE WITH APPROPRIATE RELIGIOUS PRACTICES.

10. INTERVIEW GUIDANCE: MEDIA INTERVIEWS WITH U.S. MILITARY PERSONNEL AND DOCUMENTATION OF U.S. MILITARY ACTIVITIES ARE ENCOURAGED. WHEN CONDUCTING MEDIA INTERVIEWS ASSOCIATED WITH THIS OPERATION, THE FOLLOWING POINTS APPLY:

10.1. ENSURE THAT MILITARY PERSONNEL ARE THOROUGHLY BRIEFED BEFORE SPEAKING TO THE MEDIA.

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10.2. CONFINE REMARKS TO MATTERS WITHIN THE INDIVIDUAL'S AREA OF RESPONSIBILITY, EXPERTISE AND PERSONAL EXPERIENCE. 'STAY IN YOUR LANE.'

10.3. ALL DISCUSSIONS WITH REPORTERS WILL BE 'ON THE RECORD.'

10.4. MILITARY PERSONNEL MAY USE THEIR FULL NAME AND HOMETOWN IN MEDIA INTERVIEWS, PHOTO CAPTIONS AND THE LIKE. HOWEVER, MILITARY MEMBERS ARE NOT REQUIRED TO PROVIDE THAT INFORMATION TO MEDIA REPRESENTATIVES.

10.5. EXERCISE CARE TO PROTECT CLASSIFIED INFORMATION AND PRESERVE OPERATIONAL SECURITY. LOCATIONS OF TROOPS AND EQUIPMENT, ONGOING OR FUTURE OPERATIONS, AND RULES OF ENGAGEMENT (ROE) ARE NOT RELEASABLE.

SECURITY AT THE SOURCE WILL BE OBSERVED AT ALL TIMES.

10.6. IF CLASSIFIED OR SENSITIVE INFORMATION IS INADVERTENTLY RELEASED THROUGH PRINT OR PHOTO MEANS, DO NOT CONFISCATE FILM, AUDIO/VIDEO TAPES OR REPORTERS' NOTES. REPORT THE INCIDENT BY THE QUICKEST MEANS POSSIBLE TO THE RESPECTIVE UNIT COMMANDER, PUBLIC AFFAIRS OFFICER OR JIB DIRECTOR.

10.7. AVOID SPECULATION (DO NOT ANSWER HYPOTHETICAL OR 'WHAT IF' QUESTIONS).

10.8. REGIONAL POLITICAL AND CULTURAL SENSITIVITIES MUST ALWAYS BE

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RESPECTED. IF IN DOUBT, THE UNIT COMMANDER OR THE PUBLIC AFFAIRS REPRESENTATIVE SHOULD BE CONSULTED FOR GUIDANCE.

10.9. STRESS THE TEAMWORK INVOLVED IN COMBINING THE UNIQUE CAPABILITIES OF EACH BRANCH OF SERVICE AS APPROPRIATE.

10.10. THE MISSION OF A PARTICULAR UNIT AND GENERAL INFORMATION ON UNCLASSIFIED DATA RELATING TO WEAPONS, AIRCRAFT, SHIPS, ETC. MAY BE DISCUSSED.

10.11. SPECIFIC FORCE PROTECTION MEASURES WILL NOT BE DISCUSSED. PAO'S MAY CONFIRM THE OBVIOUS GENERAL FORCE PROTECTION INITIATIVES (E.G., INCREASED SECURITY PATROLS, ADDITIONAL PHYSICAL SECURITY BARRIERS, ETC).

10.12. SPECIFIC LOCATIONS OR INFORMATION REGARDING GROUND, SEA AND AIR DEFENSE CAPABILITIES WILL NOT BE DISCUSSED.

11. TELEPHONE (PHONER) GUIDANCE: COMMANDERS ARE AUTHORIZED AND ENCOURAGED TO ALLOW TELEPHONIC INTERVIEWS WITH FORCES DEPLOYED IN SUPPORT OF DETAINEE OPERATIONS AT GTMO.

12. MEDIA QUERIES OR REQUESTS BEYOND THE SCOPE OF THIS GUIDANCE WILL BE REFERRED TO U.S. SOUTHCOM/PA.

13. POINTS OF CONTACT: OASD(PA) PRESS DESK, DSN 227-5131, CMCL(703)697-5131, E-MAIL NEWSDESK@OSD.MIL. SOUTHCOM PA, DSN:

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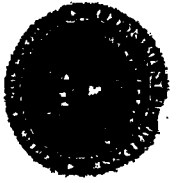
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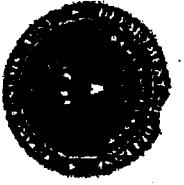
<[^^]> 11/07/2002 1616 <[^^]> CHAIRS



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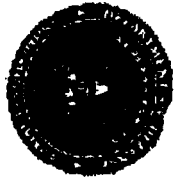
Deaths of Detainees Under US Military Control

OPMG Document



Purpose

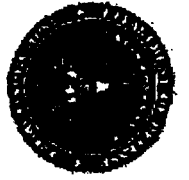
- To clarify the number, cause of death, investigations conducted and disposition of cases of deaths occurring among detainees in US custody



Detainee Deaths in US-Controlled Prisons

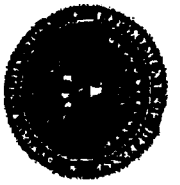
As of May 20, 2004

- TOTAL: 59
 - Iraq: 55
 - Afghanistan: 4
 - Guantanamo Bay: 0



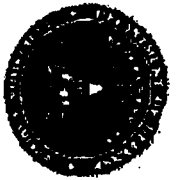
Iraq

- 55 detainee deaths (all prisons)
 - 21 killed by enemy mortar attack at Abu Gharib
 - 8 died during riots or escape attempts
 - 11 died of natural causes
 - 1 died of natural causes (tuberculosis, heart disease, medical conditions)
 - 1 accidental death (heat stroke)
 - 6 died of “unnatural causes”
 - 5 died of “unknown causes”
 - 3 pending medical examiner ruling



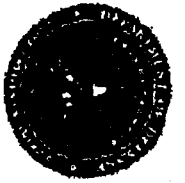
6 "Unnatural Causes"

Case #	Circumstances	Autopsy Done?	Investigation / Disposition
A03-51	1 strangulation Found outside Isolation unit	Yes	
03-273	1 closed head injury; Died 12 hrs after escape attempt	Yes	
03-504	1 blunt force trauma and choking Died during interrogation	Yes	
03-571	1 blunt force trauma and choking Died during interrogation	Yes	
04-014	1 blunt force trauma and choking Gagged in standing restraint	Yes	
None	1 gunshot wound to abdomen: "Shot without provocation"	No/not reported	



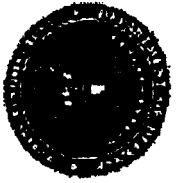
5 "Unknown Causes"

Case #	Circumstances	Autopsy Done 0 of 5	Investigation / Disposition
None	3 reported as heart attack	No/not reported	
None	1 found dead in bed	No/not reported	
None	1 died after falling in hospital (was having chest pain)	No/not reported	



3 Pending Medical Examiner Ruling

Case #	Circumstances	Autopsy Done 3 of 3	Investigation / Disposition
04-309	1 died sleeping after interrogation	Yes; results pending	
04-357	1 suspected heart attack	Yes; results pending	
04-358	1 unknown history	Yes; results pending	



3 "Unnatural Causes"

Case #	Circumstances	Autopsy Done?	Investigation / Disposition
A02-93	1 blunt force injuries found restrained in cell	Yes	
A02-05	1 blunt force to lower extremities	Yes	
A03-144	1 blunt force trauma	Yes	

3 of 3

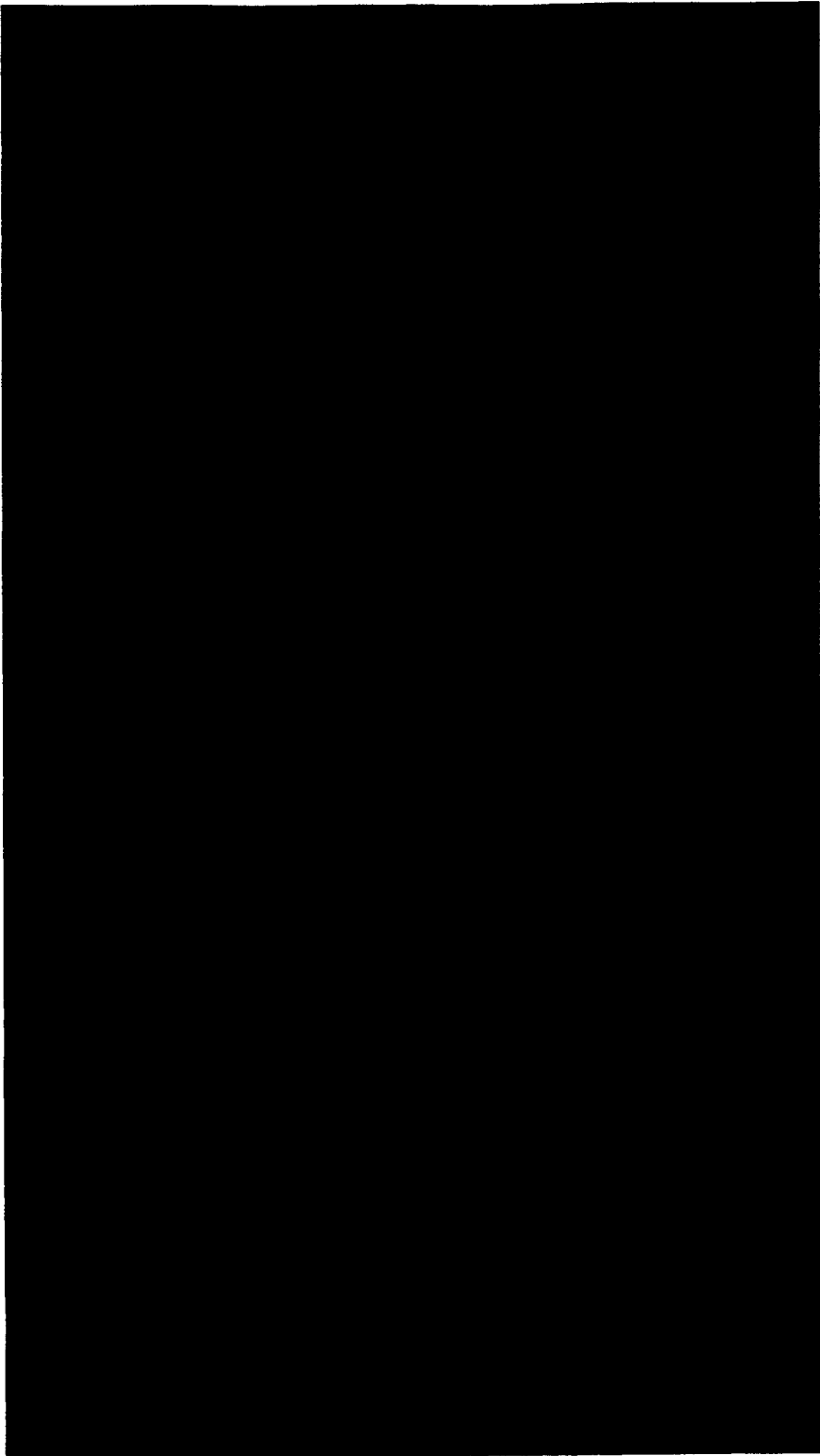


Recommendation #1

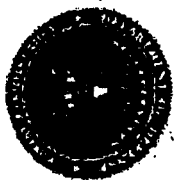




Recommendation #2



11



Backups

12



References

- DODD 2310.1; Dod Enemy POW Detainee Program
 - Designates Secretary of the Army as the Executive Agent for DoD for the administration of the Dod Enemy Prisoners of War Detainee Program (OPR is ASD/ISA)
- Army Regulation 190.8/OPNAVINST 3461.6/
AFJI 31-304, MCO 3461.1; Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees
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 - “Dod Policy on Medical Care for Enemy Persons Under US Control Detained in Conjunction with Operation ENDURING FREEDOM”



Forensic Definitions

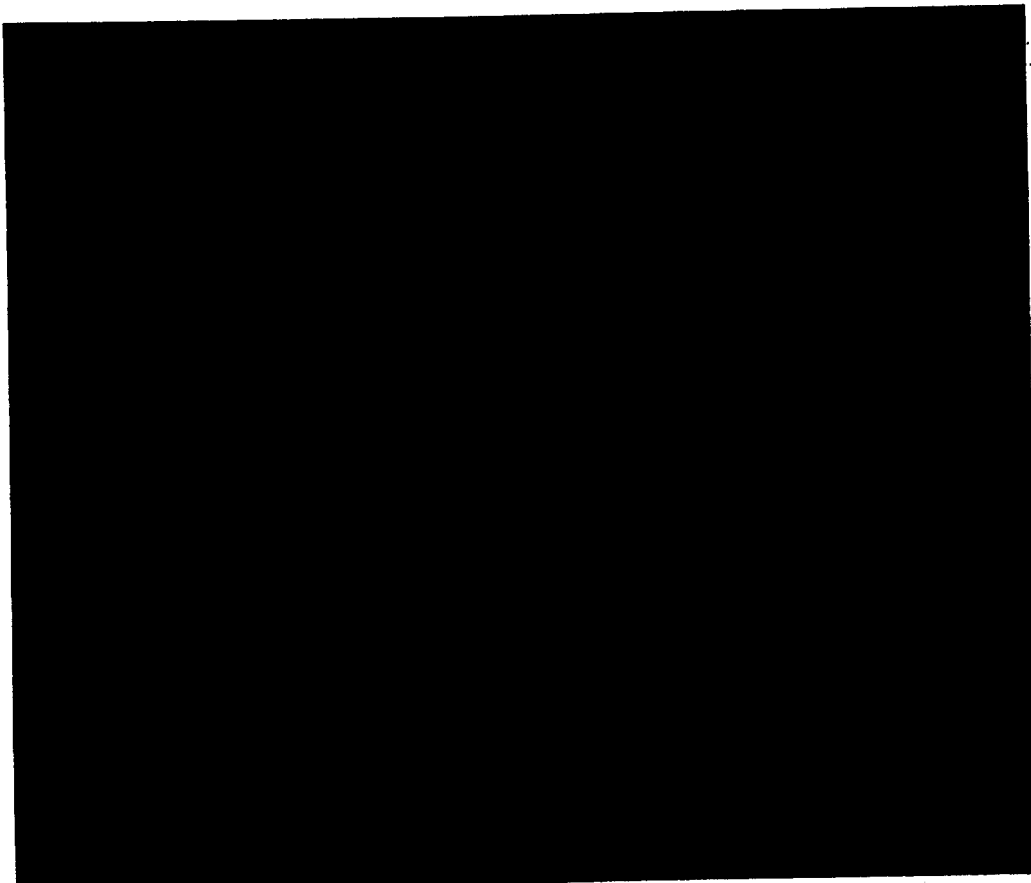
- Cause of death:
 - The disease, injury or abnormality that alone or in combination is responsible for initiating the sequence of functional disturbances that eventually ends in death
- Manner of death:
 - A classification of the way in which the cause of death came about with reference to personal causation. It is the way in which the cause of death came about and designates the circumstance under which the cause of death arose. It explains how the cause of death came about. An opinion of the forensic pathologist based on the known facts concerning the circumstances leading up to and surrounding the death, the autopsy findings, and laboratory tests.
 - Accepted manners of death are: Natural, Accident, Suicide, Homicide, and Undetermined.
- Homicide:
 - A death that results from the intentional (explicit or implied) or grossly reckless behavior of another person or persons.
 - Homicide is not synonymous with murder (a legal determination) and includes both criminal actions and excusable incidents (i.e. self-defense, law enforcement, combat).
- Accident:
 - A death that results inadvertently or where no harm was intended (explicit or implicit).
- Undetermined manner of death:
 - Indicates there is insufficient information about the circumstances of the death to make a ruling or when the cause of death is unknown.

14

Purpose

- To clarify the number, cause of death, investigations conducted and disposition of cases of deaths occurring among detainees in US custody

2

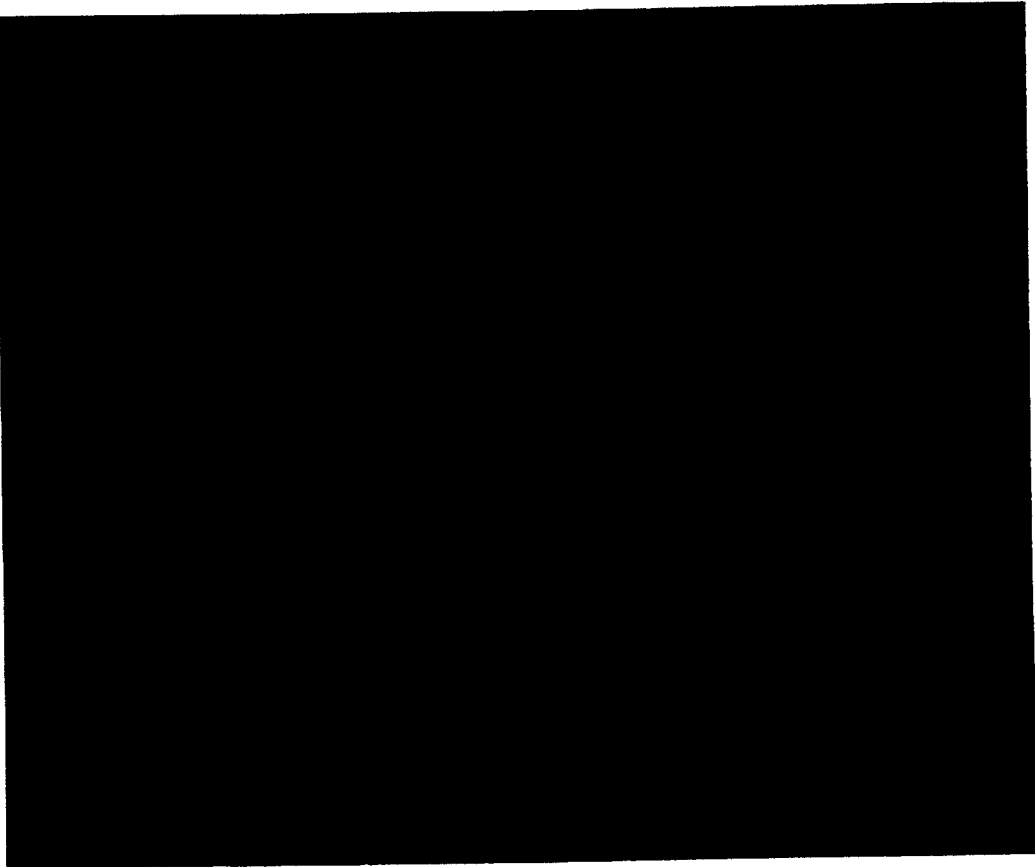


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**Detainee Deaths in
US-Controlled Prisons**

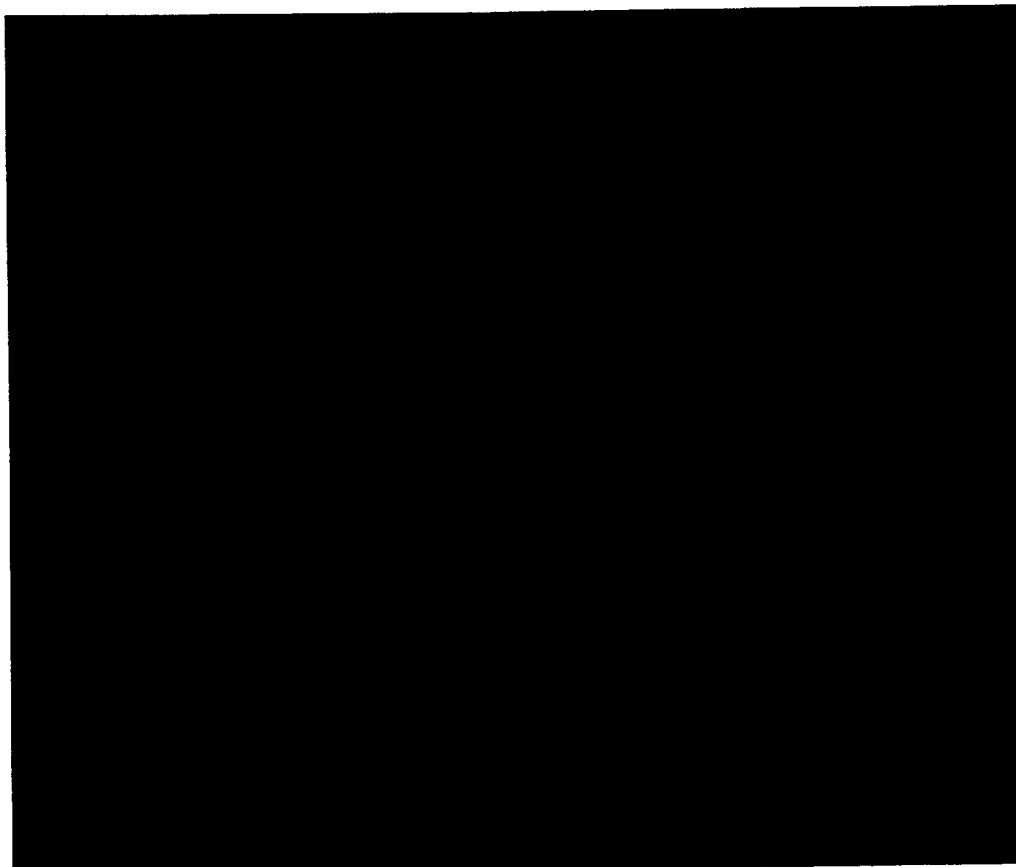
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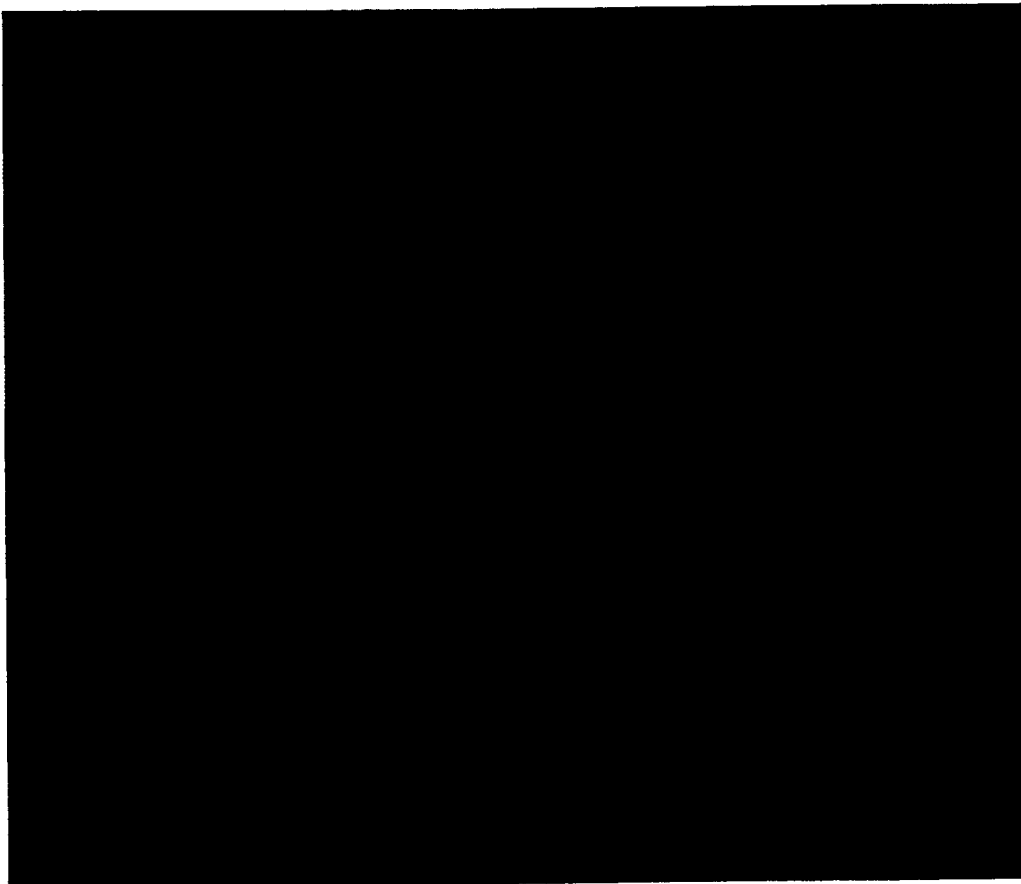
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7

Afghanistan

- 4 detainee deaths
 - 3 died of unnatural causes
 - autopsies completed; all ruled by Medical Examiner as homicides
 - 1 died in custody; circumstances unknown
 - no autopsy done





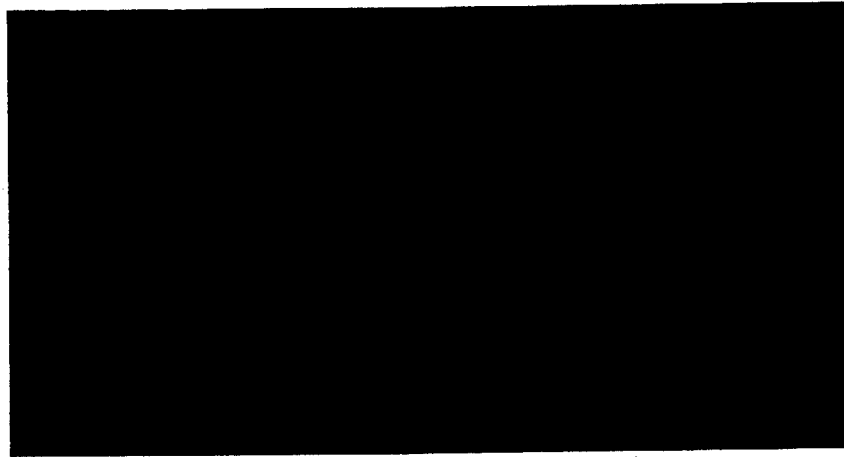
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9



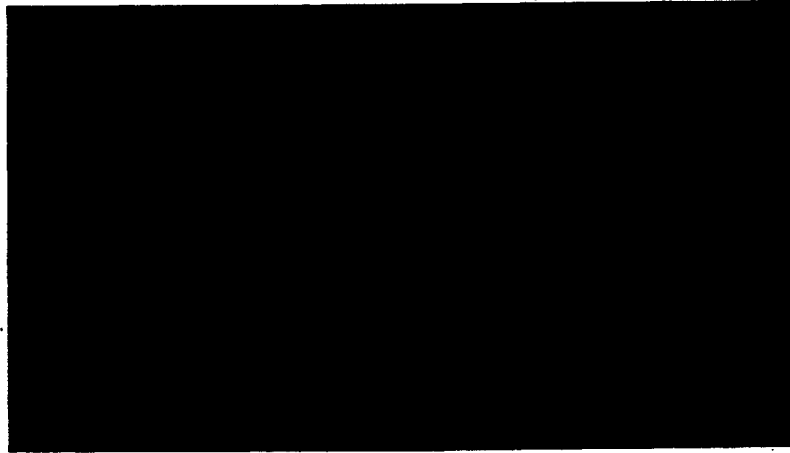
Recommendation #1



10



Recommendation #2



11

Backups

12

12

References

- **DODD 2310.1; DoD Enemy POW Detainee Program**
 - Designates Secretary of the Army as the Executive Agent for DoD for the administration of the DoD Enemy Prisoners of War Detainee Program (OPR is ASD/ISA)
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13

13

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14

005



OFFICE OF THE UNDER SECRETARY OF DEFENSE
5000 DEFENSE PENTAGON
WASHINGTON, DC 20301-5000

Jim

MEMORANDUM FOR THE DIRECTOR OF THE ARMY STAFF,
HEADQUARTERS US ARMY

SUBJECT: Request for Assistance

The situation concerning the abuse of prisoners and detainees in Iraq and Afghanistan mandates that all pertinent areas be evaluated for possible changes to policy, tactics, techniques and procedures. To that end, I am sure that you have received or generated a large number of information requests covering a broad spectrum of activity. You may have already set forth requirements for the data listed below, if not, I request the following in order to support the Secretary of Defense and the Under Secretary (Intelligence) in this matter:



~~PERSONNEL SECURITY INVESTIGATIVE FILES:~~

- Request Army Criminal Investigative Division (CID) forward the list of names and any pertinent personal data required on all individuals under investigation (subjects) related to the detainee abuse investigation to the Army's Central Adjudication Facility.
- Request the Army's Central Adjudication Facility review the list of subjects, identify whether they have a security clearance, and review their personnel security investigative files to determine if any derogatory or relevant information was developed during their background investigation that might have been indicative of potential abusive behaviors.

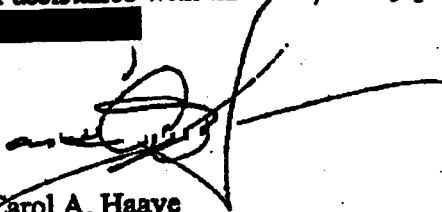
TRAINING

S: 200700 May 04

- Identify whether any of the subjects of the detainee abuse investigations received Survival, Evasion, Resistance and Escape training.
- Determine what training the subjects of the detainee abuse investigations received prior to and during deployment from their organizations that would be relevant to this matter.



In advance, thank you for your assistance with this matter. My point of contact is [REDACTED]



Carol A. Haave
Deputy Under Secretary of Defense
(Counterintelligence and Security)



AMERICAN CORRECTIONAL ASSOCIATION
4380 Forbes Blvd. • Lanham, MD 20706 • (301) 918-1800 • Fax (301) 918-1900

MEMORANDUM

TO Thomas W. O'Connell
Assistant Secretary of Defense
(Special Operations/Low Intensity Conflict)

FROM James A. Gendles, Jr. *James A. Gendles, Jr.*
Executive Director

RE ACA Operational Assistance Visit
JTF-GTMO

DATE May 27, 2004

• **BACKGROUND**

Commander Joint Task Force Guantanamo Bay (JTF-GTMO), Cuba requested senior officials of the American Correctional Association (ACA) conduct an operational assistance visit of the US confinement facility for enemy combatants captured as part of the Global War on Terror (GWOT). The ACA is an internationally recognized professional association that establishes standards for correctional/confinement facilities, for training and staff development and accredits facilities according to established correctional standards. The Deputy Secretary of Defense, Doctor Paul Wolfowitz approved the invitation and the visit. The mission for the ACA ~~delegation~~ included observation and receipt of information to consider in the validation of the confinement operations and to provide appropriate suggestions where improvements might be made.

From 15 thru 17 September, a senior leaders delegation of the ACA visited the JTF-GTMO. The team received an operational brief from MG Miller and his staff on day one and a comprehensive tour of the JTF-GTMO confinement operation on day two. The team out briefed MG Miller and departed the island on day three.

Memo to Thomas W. O'Connell

May 27, 2004

Page 2

• **OBSERVATIONS**

From our observations, the facility at JTF-GTMO appeared to provide a safe, secure and humane environment for those enemy combatants being confined as part of the GWOT. Although the standards of confinement, which are part of the ACA and Commission on Accreditation for Corrections, as well as other international guidelines, are not applicable to this mission environment, the spirit of those standards is being maintained whenever possible.

The confinement policies, standard operating procedures and practices observed by the delegation were designed to ensure the integrity, dignity, health and appropriate privileges of the detainees and to protect them from ill treatment. The delegation did not witness an environment conducive to cruel or degrading treatment of any detainee.

Physical Conditions

The facility conforms to a basic block design providing housing in a 6'x8' individual living space including an off-the-floor sleeping surface and individual water and toilet facilities. The open-air design was adapted for the climate of Cuba and provides adequate protections from the elements.

Sanitation and Cleanliness:

The facility is extremely well maintained. Upholding high standards of cleanliness despite the open-air design and corrosive nature of the sea air, the on-going maintenance program ensures that the facility remains clean and sanitary.

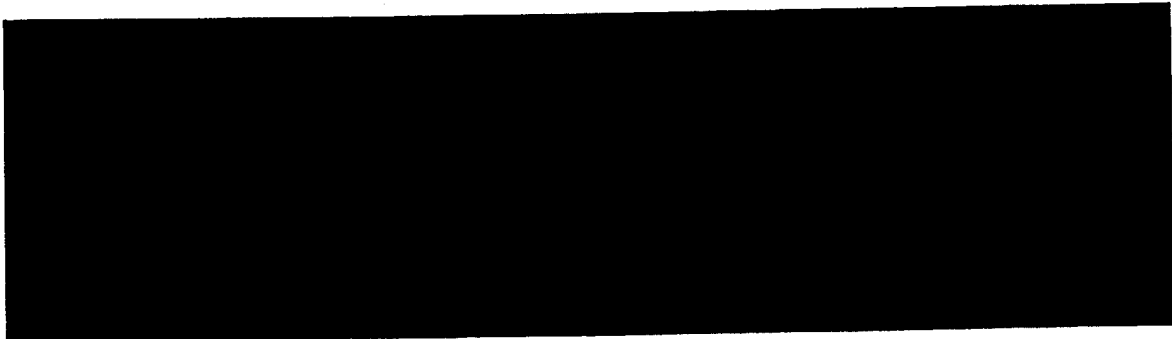
Physical and Mental Health:

Medical facilities were found to be exceptionally good. Detainee medical care far exceeded local community standards of care the detainees would likely have access to, but for their detention. The mental health facility provides appropriate segregation and treatment for those detainees identified having mental health issues. The mental health block, and the services provided there, has resulted in a reduction of self-harm attempts and meets the present needs of the detainee population from the team's observation.

General Living Accommodations

The detainees are provided adequate hygiene and recreational opportunities, as well as an opportunity for a communal and less restrictive living environment. The detainees have their religious and cultural needs met through a variety of methods, including availability of religious texts, scheduled prayer, prayer rugs, special diets and Chaplain liaisons to ensure that appropriate practices are maintained.

- Recommendations



3. The confinement operation of JTF-GTMO, although unique in its population and purpose, is not so different from any other confinement operation where liberties are restrained as a result of a detainee's actions or suspected actions. Despite the unique population the leadership and guard force seem to understand basic confinement concepts of predictable behaviors. That is, after a period of acclimation a confined person or population will begin to act within certain predictable patterns of behavior. Capitalizing on this knowledge and applying proven correctional practices the culture of a facility can be controlled to ensure a safer and more secure environment for all. The Cadre and leadership have done well in establishing a humane, safe and secure environment for the detainees. Sound practices such as assistance visits by the Army's correctional subject matter experts have contributed to the operation and should be continued.

4. As the long-term planning unfolds it is important to identify and rely upon diverse sources of information. No one person, state or system has the exact algorithm for this operation. Looking to various systems and applying the needs of the JTF-GTMO operations against multiple solution samples achieves a higher probability of success. The Army possesses experience and expertise at both the headquarters and facility levels, as illustrated by the exceptional operational attention of the action orientated [redacted] Army experts, those from other services and federal and state agencies, can also provide insight on everything from facility design, staffing pattern planning to detainee program planning. The JTF-GTMO should utilize a number of different resources in its planning and operations to achieve a higher potential for efficiency and success. The cadre and leadership of JTF-GTMO should be engaged in the overall field of confinement/corrections. There are numerous sources of training and information available to provide insight and keep the innovative mind inspired in developing their solution sets for day-to-day confinement issues and long-term operational challenges.

Memo to Thomas W. O'Connell
May 27, 2004
Page 4



CONCLUSION

The ACA team was both impressed and proud of the professionalism and work ethic exhibited by the Soldiers, Sailors, Airmen, Marines and Coast Guardsmen from all aspects of the JTF-GTMO mission. We were also impressed as correctional experts by the quality of the confinement operation, and particularly as Americans watching our Country's sons and daughters unwavering dedication and spirited resolve to protect us, their families and their country. We salute and offer our heartfelt thanks to them all.

11/10
(LW15C6)

Brunson, Anne C (L-LM)

From: [REDACTED]
Sent: Wednesday, March 26, 2003 8:54 AM
To: Dolan, JoAnn (Internet)
Subject: FW: POW Papers

TRANSFERRED TO OTHER AGENCY
DOD



EPW Talking Points 24 Mar 03.doc
EPW Primer 24 Mar 03.doc

> -----Original Message-----
> From: [REDACTED]
> Sent: Wednesday, March 26, 2003 8:34 AM
> To: 'dolanja@ms.state.gov'
> Subject: POW Papers
>
> JoAnn: I did find your e-mail address. I hope it is correct. Here are
> two papers. They are similar but have some different information. They
> have some good language on embedded press and publishing photos. [REDACTED]
>
> <<EPW Talking Points 24 Mar 03.doc>> <<EPW Primer 24 Mar 03.doc>>

TRANSFERRED TO OTHER AGENCY

- DOD

March 24, 2003, 2:15 p.m.
C. Tierney/ DoD OGC

LLW1506A

Talking Points
Treatment of Enemy Prisoners of War
Under the Geneva Convention

Law of War

- The "law of war" is that part of international law that regulates the conduct of armed hostilities. It is often called the law of armed conflict. The law of war encompasses all international law for the conduct of hostilities binding on the United States or its individual citizens, including treaties and international agreements to which the United States is a party, and applicable customary international law (DoD Dir 5100.77).
- The law of war derives from two principal sources:
 - International agreements (such as the Hague and Geneva Conventions)
 - Customary international law—that body of unwritten or customary law which is firmly established by the customs and practice of nations.
- The law of war obligations of the United States are observed and enforced by all U.S. Armed Forces.
- All U.S. Armed Forces are directed to prevent violations of the law of war. This includes the requirement to promptly report all possible, suspected, or alleged violations of the law of war, irrespective of who commits them and who the victims are.
 - Any reported violations of the law of war involving U.S. Armed Forces will be thoroughly investigated and prosecuted, where appropriate.

Geneva Convention Relative to the Treatment of Prisoners of War

- Fundamental treaty relative to the protection of enemy prisoners of war (EPW). Negotiated after WW II, over 170 parties, including the United States and Iraq.
- Protections apply upon the capture by or surrender to enemy forces.

- Capturing power responsible for the treatment of EPWs captured or held by its forces, irrespective of the individual responsibilities of the members of its forces.

Fundamental Protections

- EPWs must at all times be humanely treated.
- Any act or omission that causes the death or endangers a EPW is prohibited and is a serious breach of the Convention.
- EPWs must be removed from the battlefield as soon as circumstances permit and at all times protected from physical and mental harm.
- EPWs must be provided adequate food, facilities and medical aid.
- EPWs must be protected, particularly against acts of violence or intimidation and against insults and public curiosity.
- If questioned, EPWs may only be required to provide their name, rank, serial number, and date of birth.
 - EPWs may not be subjected to physical or mental torture and those who refuse to answer questions may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind.
- Subject to valid security reasons, EPWs must be allowed to retain their personal property, protective gear, and valuables. These items may not be taken from an EPW unless property accounted and receipted.
- Representatives from the International Committee of the Red Cross must be permitted access to EPWs as soon as practical.
- Female EPWs must be protected against sexual assault. Female EPWs shall be treated with the regard due to their sex and, like all EPWs, are entitled to respect for their person and their honor.

Protection Against Insults and Public Curiosity

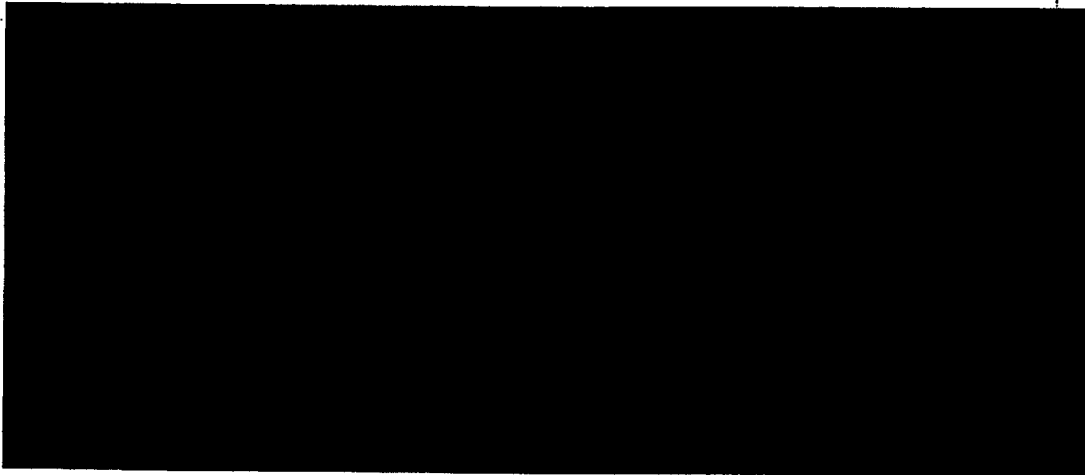
- As noted, EPWs must be protected against insults and public curiosity. This provision of the Geneva Convention prohibits EPWs from being forced to appear before television cameras or paraded in public.

- Iraq's recent videotaping of U.S. EPWs, which was aired on al-Jazeera, unlawfully humiliated EPWs and violates the Geneva Convention.
 - During the first Gulf War, Iraq similarly mistreated Coalition EPWs.

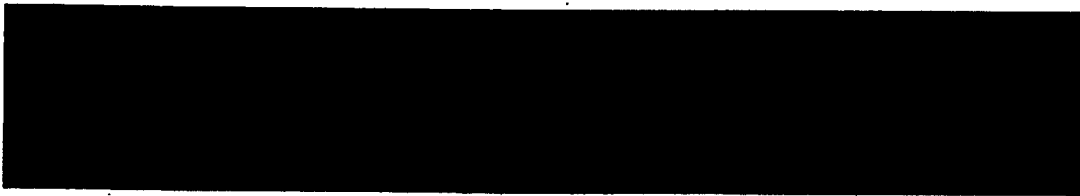
Proper Treatment of the Dead

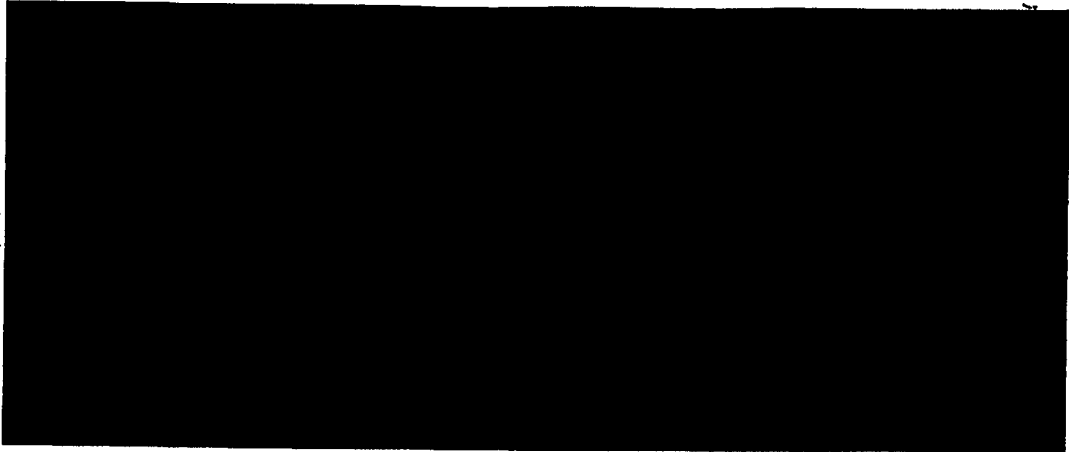
- Governed by the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field.
- Parties to the conflict must protect the dead against pillage and ill-treatment.
 - The dead must be looked after and brought behind the lines with as much care as wounded.
- Parties are also responsible to ensure that the dead are honorably interred and any graves respected.
- Iraq's mistreatment of the bodies of U.S. servicemembers and its videotaping and publicizing these images violates these provisions of the law of war.

Coalition Forces EPW Treatment



Current Coalition Public Affairs Practices





Responsibility for Violations of the Geneva Convention Protections

- **The mistreatment of EPWs violates the law of war.**
 - **Specifically, grave breaches of the Geneva Convention include: the willful killing, torture, inhuman treatment, or the willful causing of great suffering or serious injury to body or health to an EPW.**
- **Those individuals who fail to provide Coalition EPWs with the protections required by the Geneva Convention will be held accountable for their actions (or inaction). Likewise, those within the Iraqi military and regime who direct such action, or allow it to occur, will also be held accountable.**

TRANSFERRED TO OTHER AGENCY

- DOD

March 24, 2003, 8:15 p.m.

C. Tierney/ DoD OGC

LLW150B

**Treatment of Enemy Prisoners of War
Under the Geneva Convention**

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- Capturing power responsible for the treatment of EPWs captured or held by its forces, irrespective of the individual responsibilities of the members of its forces.

Fundamental Protections

- EPWs must at all times be humanely treated. Humane treatment is the baseline, but EPW protections are much more extensive.
- Any act or omission that causes the death or endangers a EPW is prohibited and is a serious breach of the Convention.
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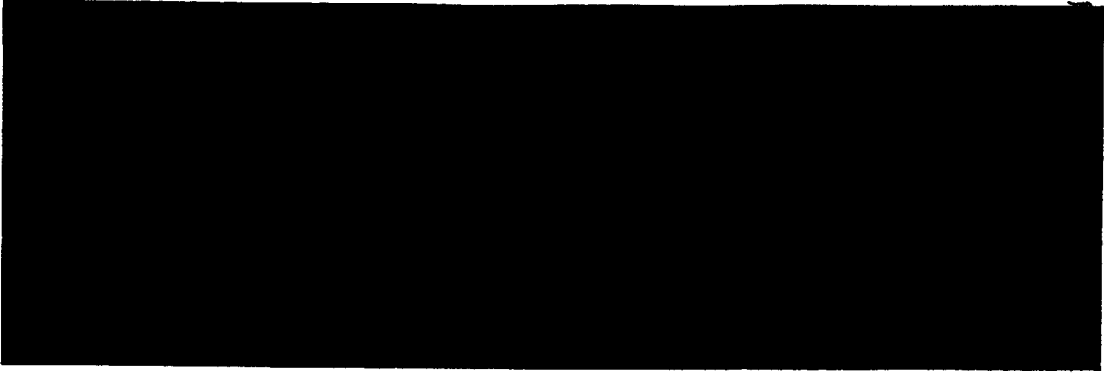
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Coalition Forces EPW Treatment



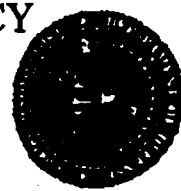


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LU15A

TRANSFERRED TO OTHER AGENCY
- DOD



**IMPROVING DETAINEE OPERATIONS
AT GUANTANAMO**

October 16, 2002

10/16/02

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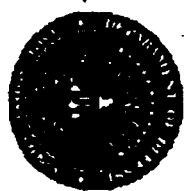
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GTMO's Purposes

- Long-term holding facility for detention of enemy combatants.
- Intelligence facility for interrogations, and to enable other intelligence and law enforcement efforts.
- Criminal investigative operation designed to lead to:
 - prosecution by military tribunal of certain detainees; or
 - cooperation by detainees secured via plea bargains.

10/16/02

2

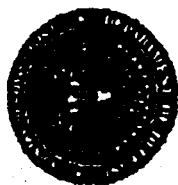


Detainees at GTMO: Present and Future


- Holding [redacted] enemy combatants from 41 countries (Ages 16 - 90).
- They are "enemy combatants":
 - captured because they pose a threat to U.S. security;
 - may have information that could help prevent next attack; and
 - may have committed prosecutable war crimes.
- More than half of population assessed to be of medium or high intelligence value, or to be "hardcore" jihadists.
 - Others are considered "low value," but still hostile to U.S.
- Total number of detainees should stabilize, then decrease over time.
 - Number will increase as new enemy combatants are captured, but decrease as combatants are released or transferred to other countries.
- *New Effort:* JTF-GTMO and Criminal Investigative Task Force [redacted] now have a dedicated team to identify [redacted] "Low Value" detainees.

10/16/02

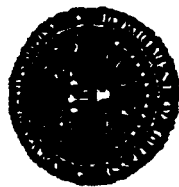
3



Transfer/Release of Detainees

- *New Effort:* DoD has established an Interagency Process for transferring detainees.
- Release/transfer cases approved by Deputy Secretary of Defense:

- Additional Transfers Under Consideration:
 - 33 cases forwarded by SOUTHCOM. Intelligence exploitation finished. Criminal investigation and threat assessment still ongoing.
- Challenge is to release or transfer detainees that pose a low risk to U.S., while ensuring that those detainees posing a continuing threat are kept under appropriate controls.

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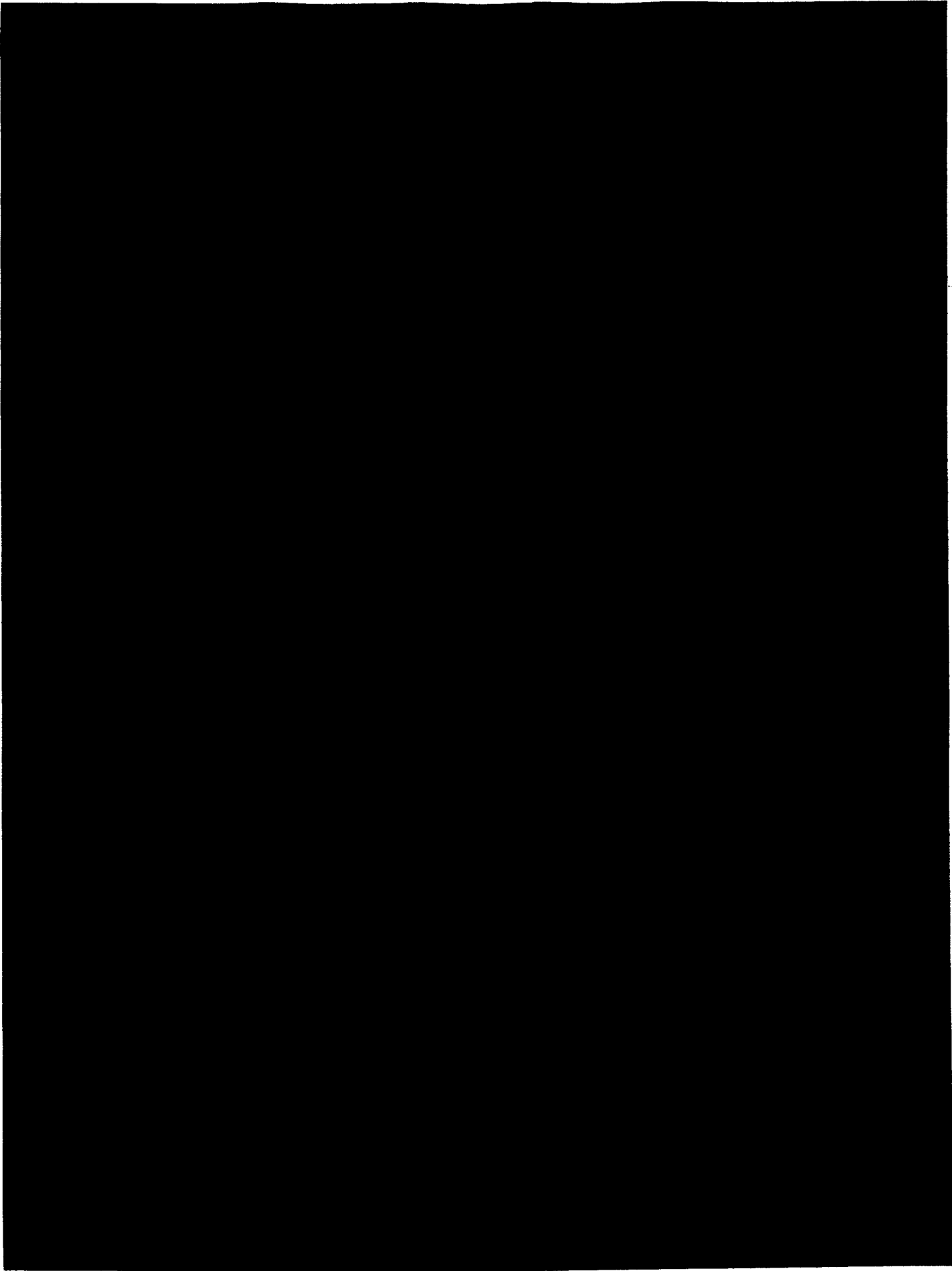


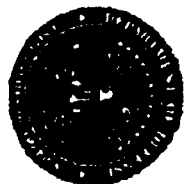
GTMO Facilities: Present and Future

- Developed to safely/securely hold detainee population. Capacity for [REDACTED]
- Currently provides only two levels of segregation – general population and maximum security.
- [REDACTED]
- *New Effort: DoD substantially improving facility.*
 - New facilities being constructed.
 - Additional space for enemy combatants.
 - [REDACTED]
 - [REDACTED]

10/16/02

5

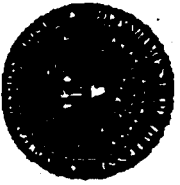




Summary of Intelligence Results To Date

- Details about terrorist infrastructure:
 - Training camps
 - Safe houses
 - Possible WMD sites
 - Cave complexes
- Al-Qa'ida's *Modus Operandi*:
 - Recruitment methods;
 - Tactics, techniques, procedures and equipment;
 - Financing & fund-raising;
 - How cells are set up and propagated;
 - [REDACTED]
 - Use of Internet.
- Other key details:
 - Positive identification of Richard Reid, Jose Padilla, and Martin Mubanga;
 - [REDACTED]

10/16/02



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[REDACTED]

[REDACTED]

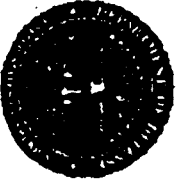
- Two objectives:

[REDACTED]

- US Southern Command proposal under review.

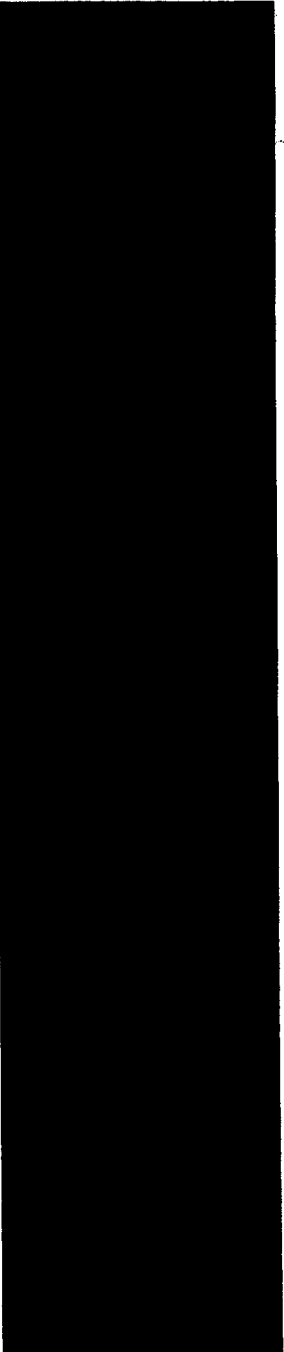
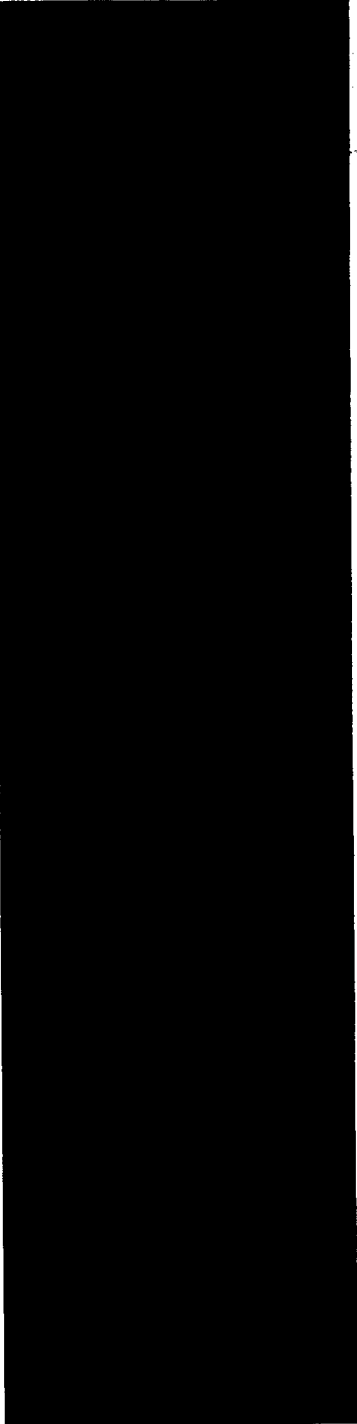
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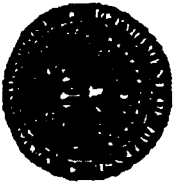


Other Initiatives Already Being Undertaken

- Detainee Policy Group
 - DoD created an office staffed by senior civilians and military officers, devoted to oversight and improvement of GTMO effort.



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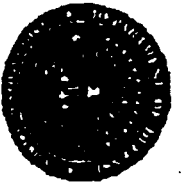


Initiatives Being Undertaken (cont'd)

- **Consolidated GTMO command**
 - Previously, 2 JTF's with conflicting mandates ran GTMO -- one to serve as "warden" and other to serve "intelligence" function.
 - [REDACTED]
 - DOD has combined JTF's into single operation.
- **Interagency Experts Group**
 - Chaired by DOD at the Assistant Secretary level.
 - Purpose is to:
 - review case files for potential transfers or releases;
 - coordinate intelligence and law enforcement efforts; and
 - coordinate diplomatic efforts.
- **Reintegration initiative (New effort, just started)**
 - Purpose is to help select detainees "decompress"/prepare for return to society.

10/16/02

10

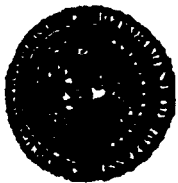


GTMO is an Evolutionary Process

- A “cold start” for DoD. No experience in this type of effort. We are learning as we go.
- Constant process of adjustment and refinement. As shown, when good ideas are proposed by other agencies, DoD is implementing.
- Close relationship with Congressional intelligence committees. Frequent meetings, visits to GTMO.
- Joint Staff-commissioned “External Review” completed in September provided impetus for many important changes.
- In addition to day-to-day oversight, OSD(Policy) will administer a second, “Blue Ribbon” panel review in February to check on progress, and propose additional measures.

10/16/02

11



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GTMO Tomorrow

- [REDACTED]
- We will provide the facilities needed for U.S. Criminal Investigators to mount successful prosecutions against terrorists.

- [REDACTED]
- But we will keep dangerous people "off the battlefield," and we will prevent captured terrorists from causing further harm to the United States, its allies, and friends.

10/16/02

12

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GTMO UPDATE

OASD SO/LIC

June 19, 2003

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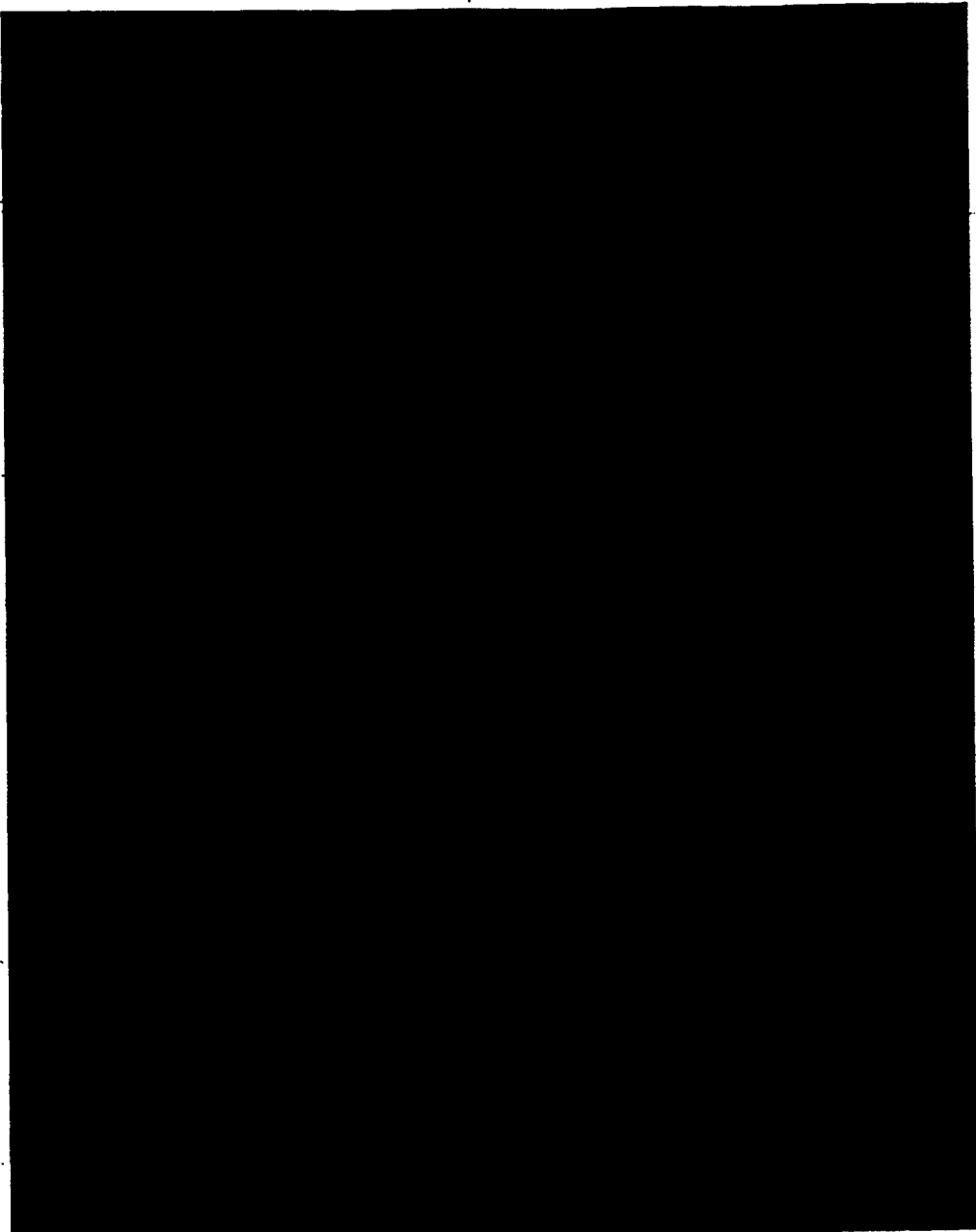
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GTMO Update Briefing

- Changes Made To Date (Recap)
- Interrogation progress
- Intelligence Highlights
- GTMO Influx and Outflow
- Negotiations with Foreign Countries
- Key Question

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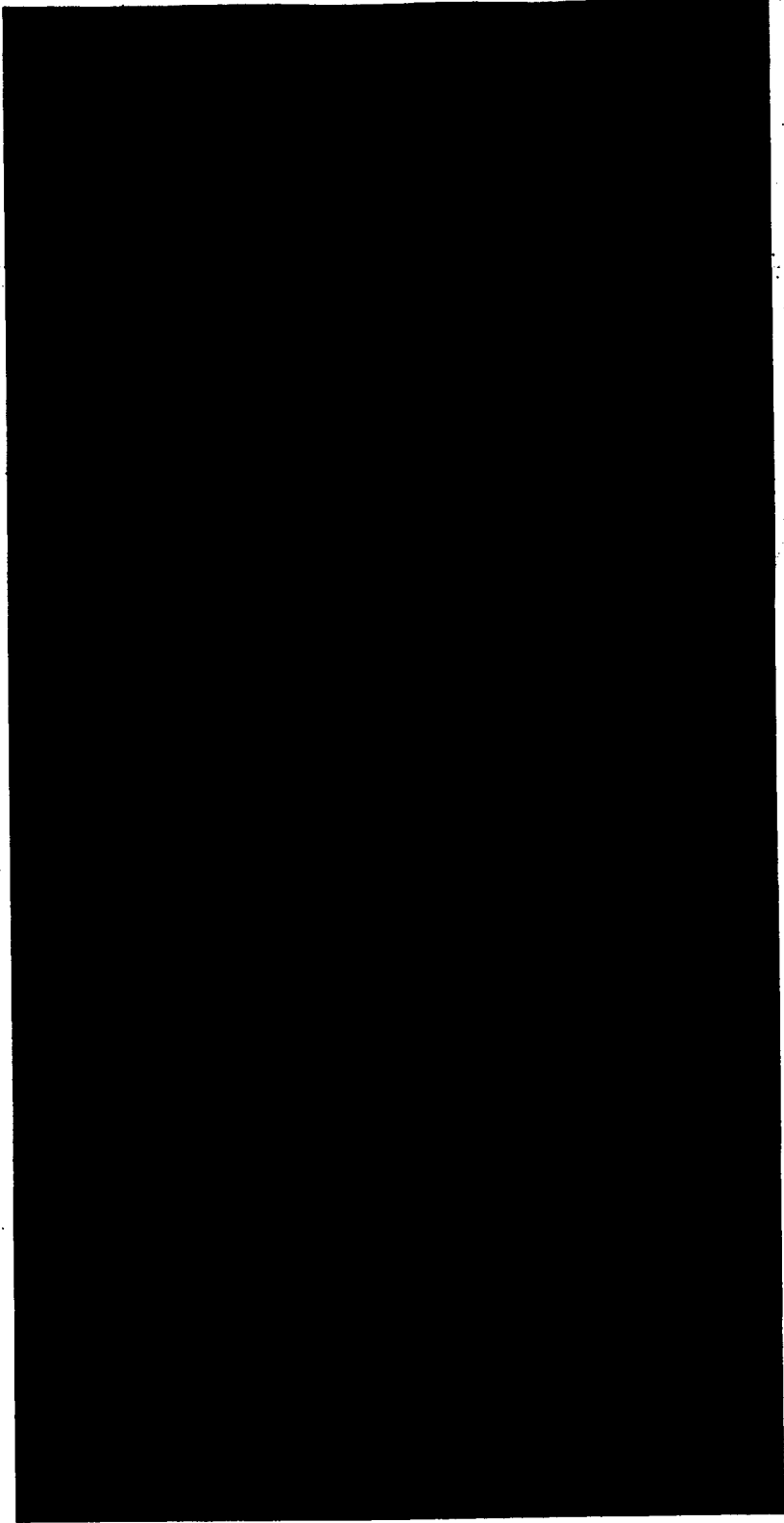
Recap of Changes Made to Date (partial)



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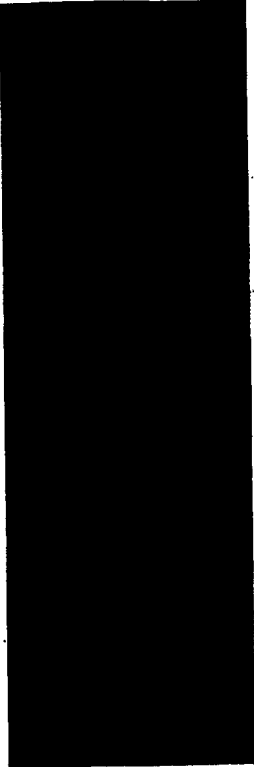
Interrogations at GTMO



Previous changes to: enhance training, increase manpower, and deploy analytic support at GTMO having an effect. More interrogations conducted. More intelligence generated. FBI production also increased.

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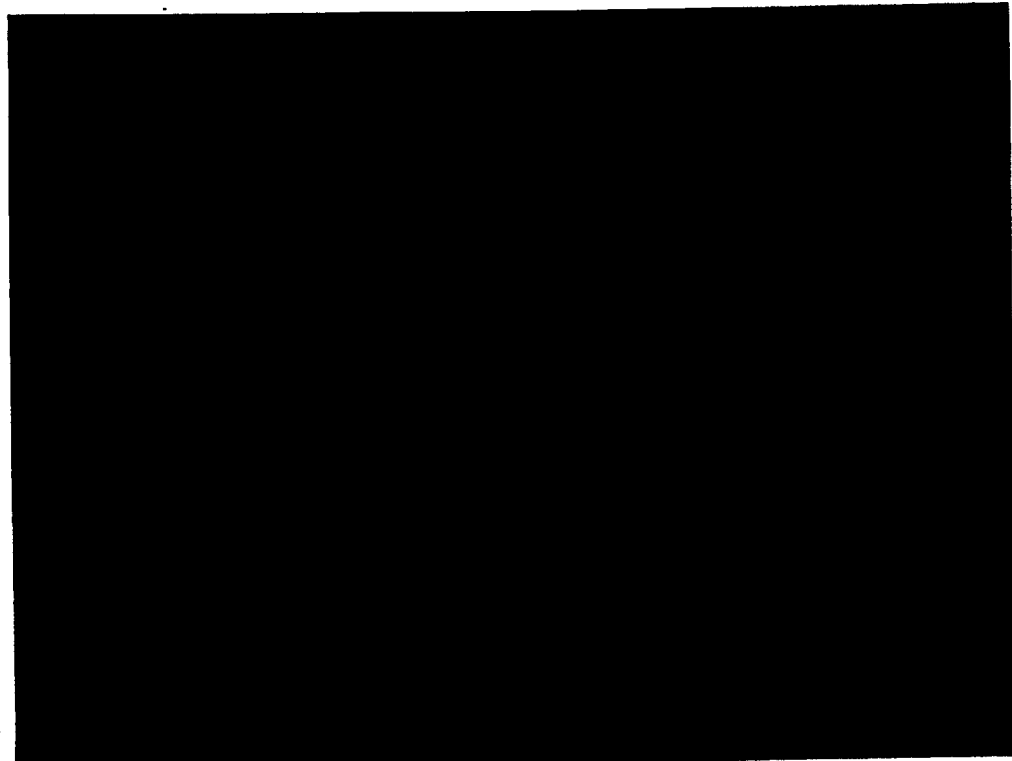
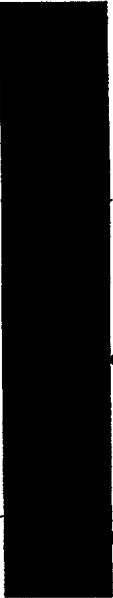
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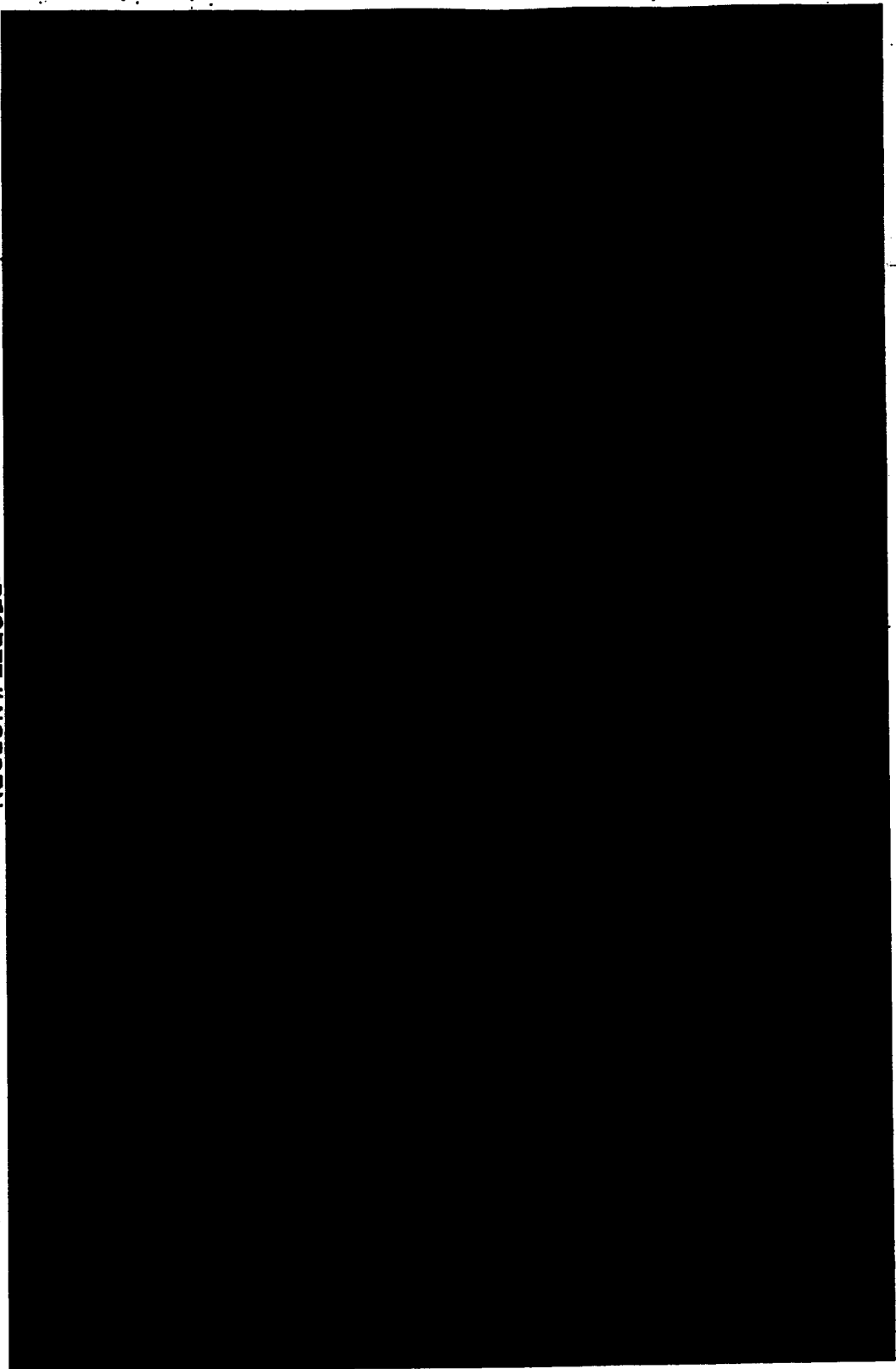
- Improved exploitation attributable to a number of changes that have been made over past few months, including:



- Releases and transfers (detainees realize there is a chance they could go home)
- New multi-facility layout that induces cooperation, including "minimum security" housing



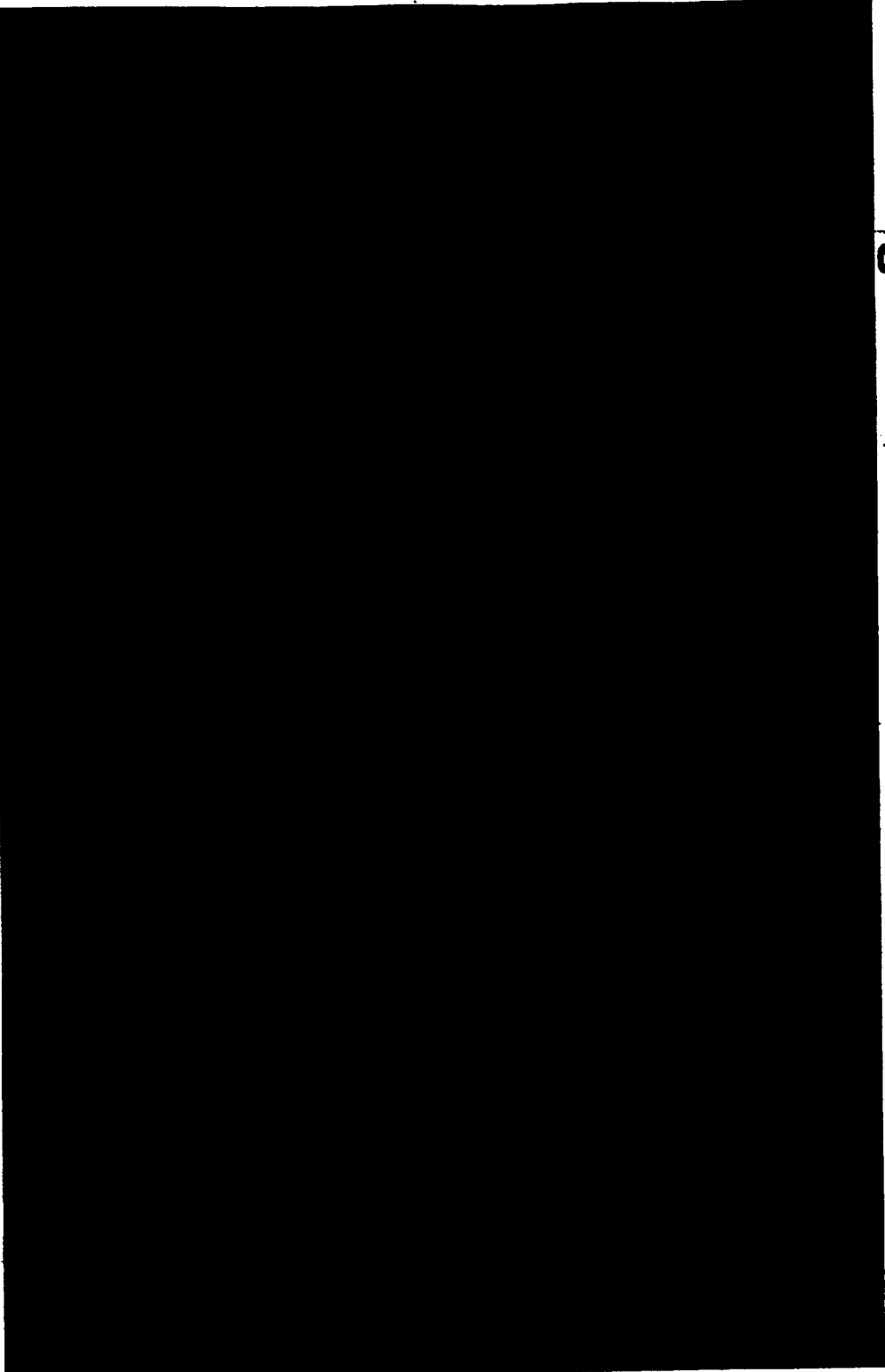
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Examples of "High Value" Intelligence



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Progress on Transfer and Release

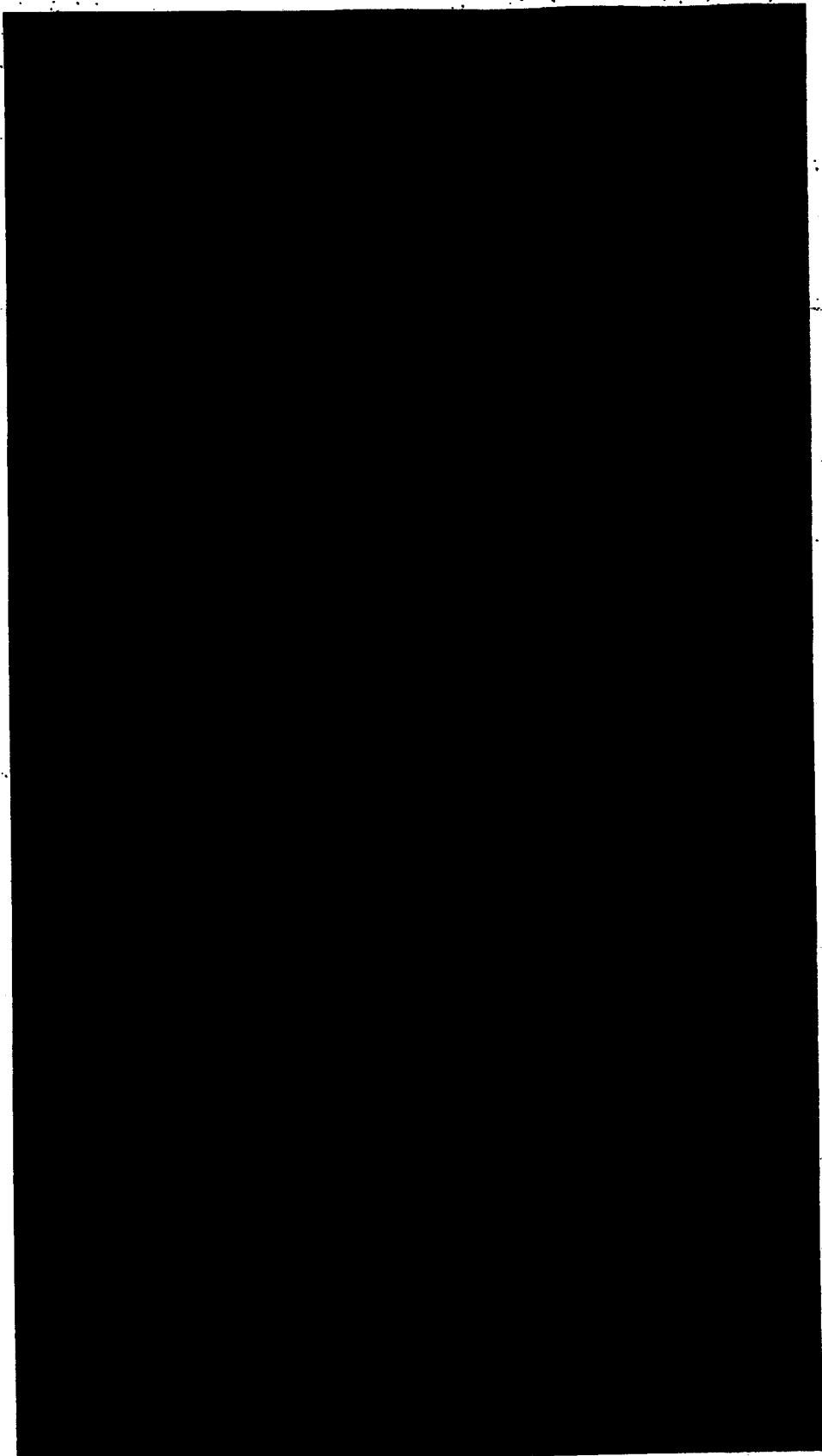


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GTMO OUTPUT

Transfers and Releases

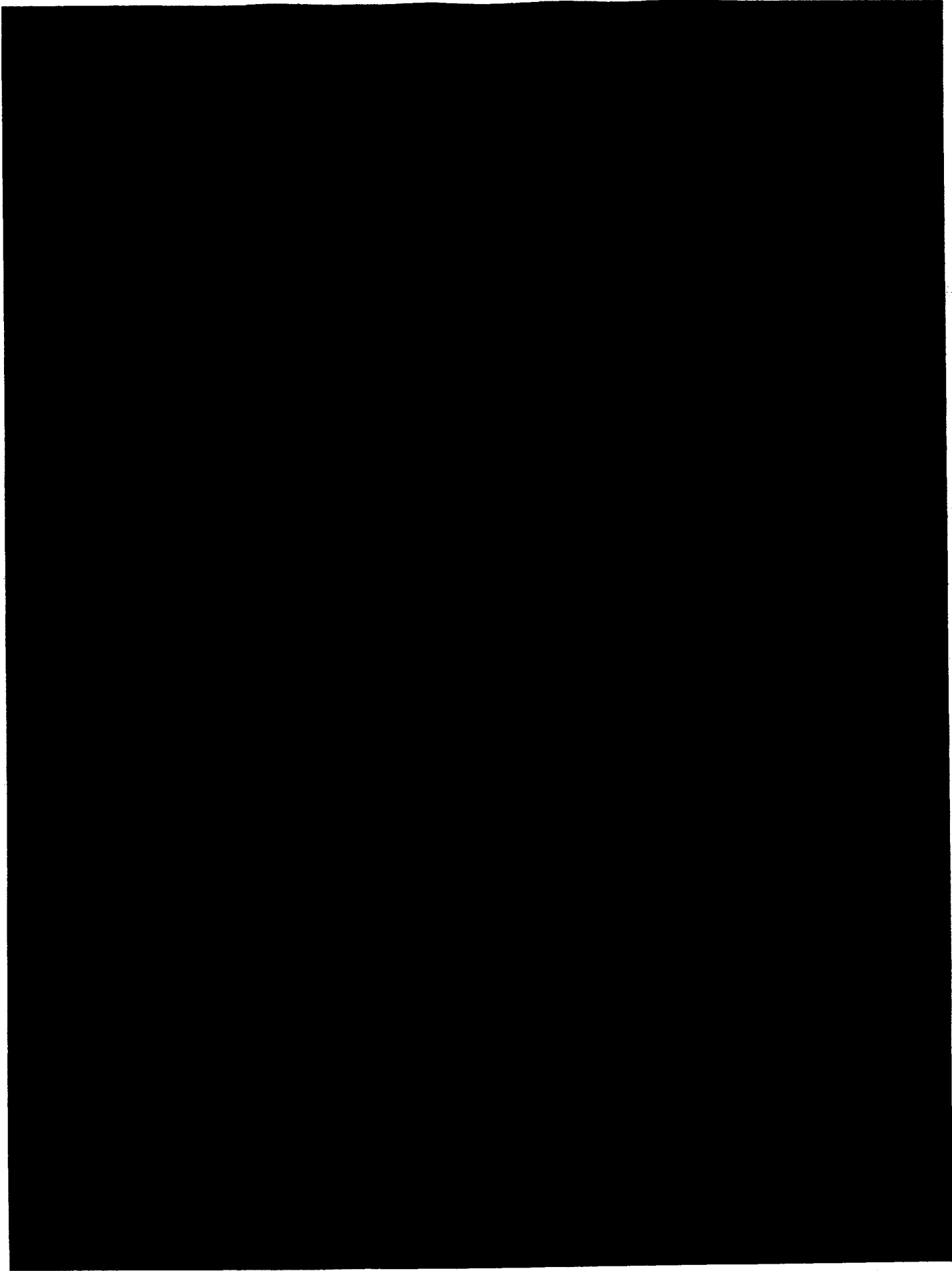


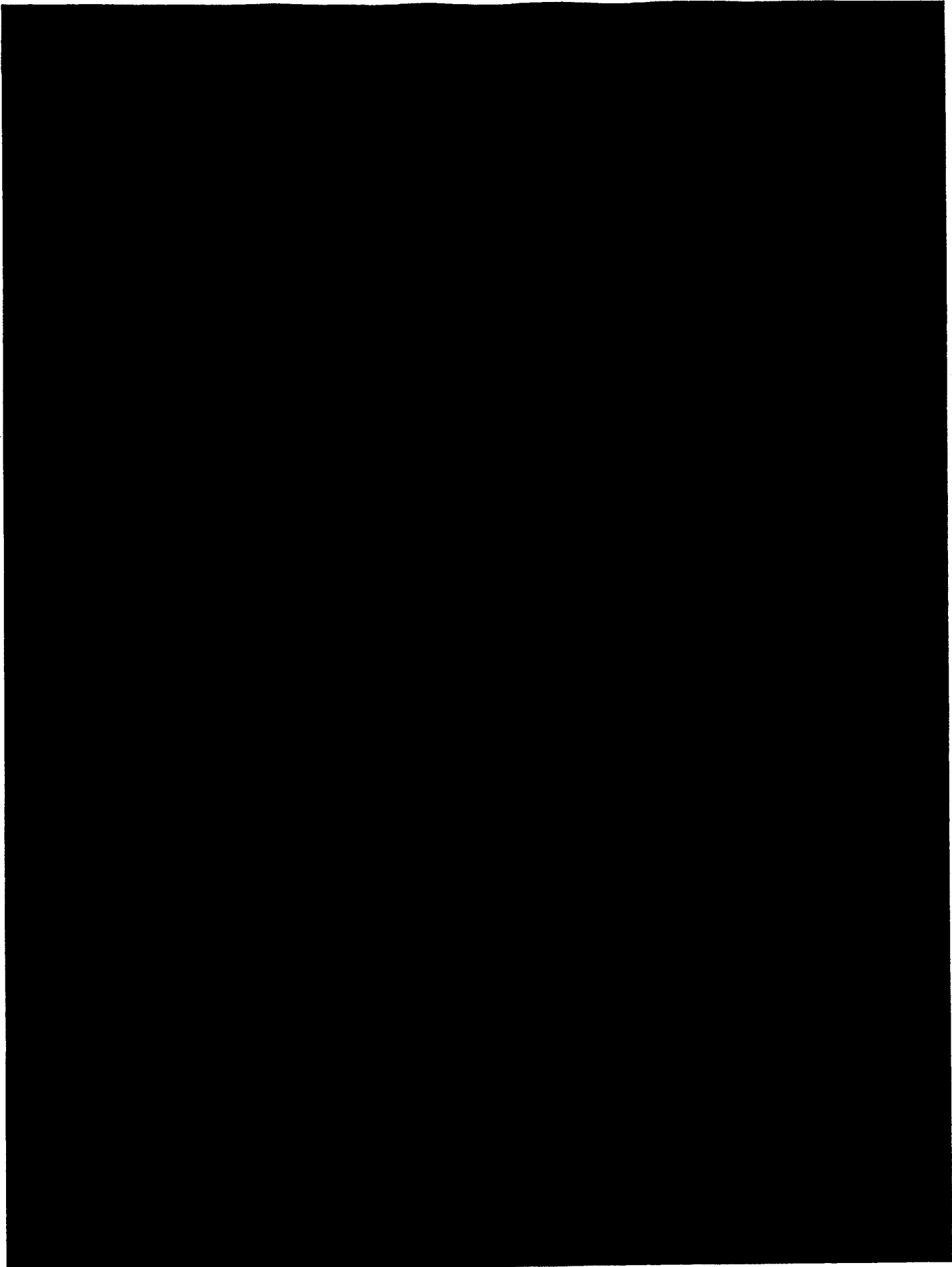
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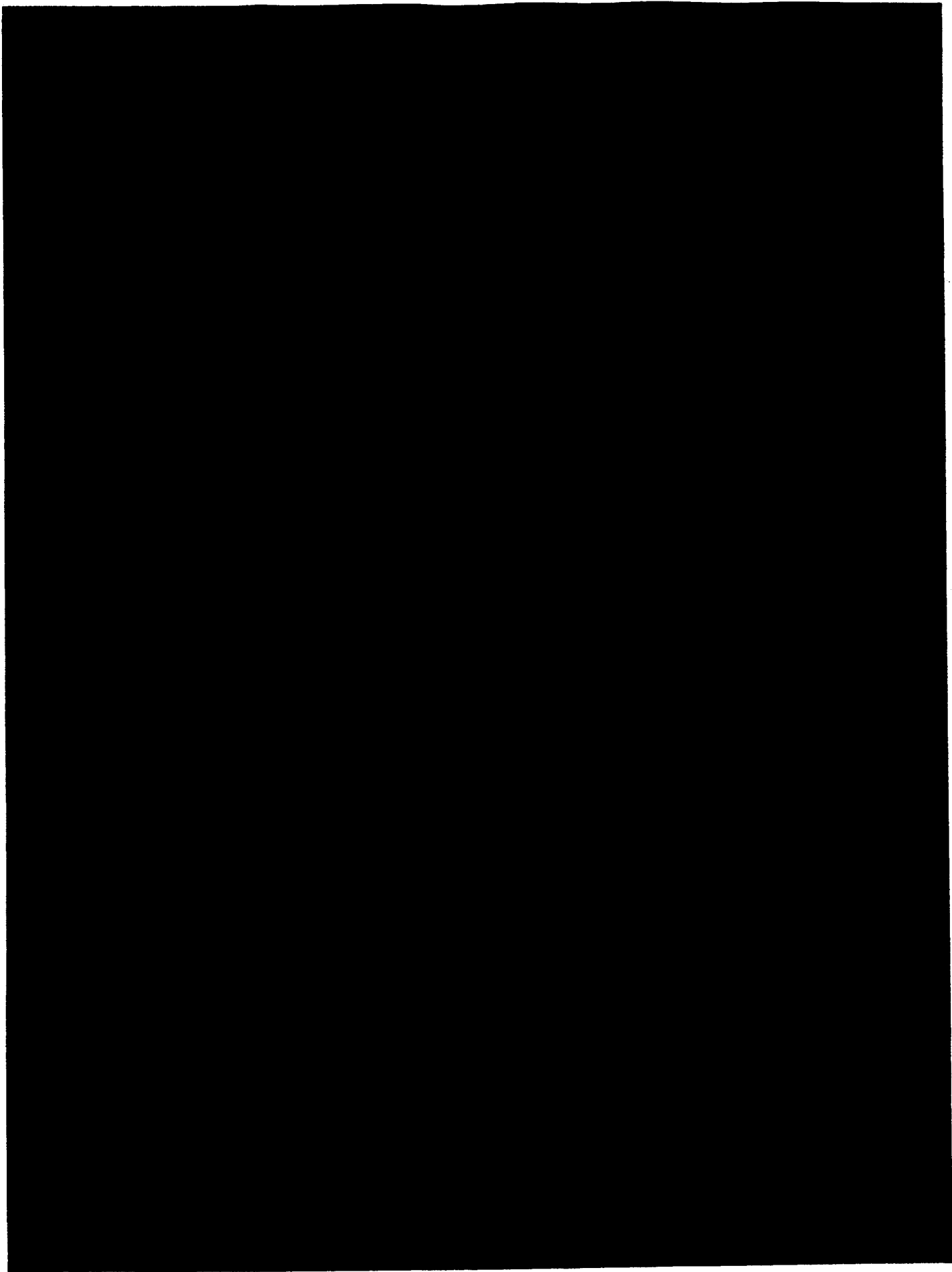
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GTMO Influx

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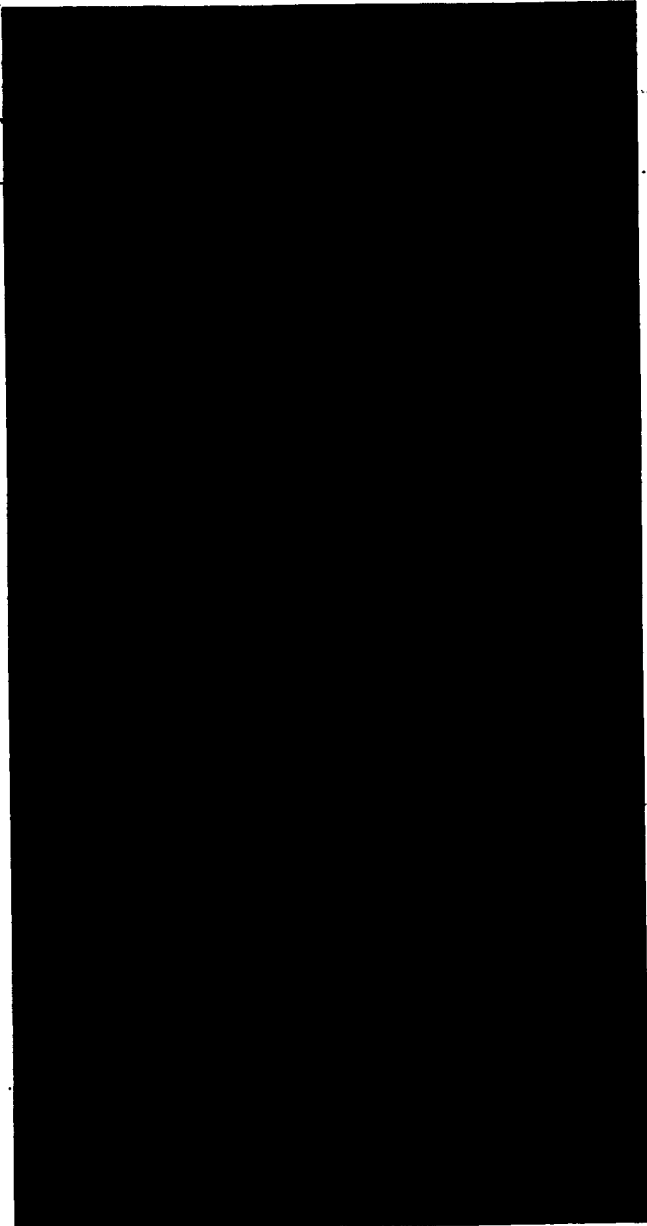




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Key Question

Transfer agreements:



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15

UNCLASSIFIED

release in part
(S)

DRAFT

23 March 2003

INFORMATION PAPER

Subject: PHOTOGRAPHING AND FILMING EPWS

LM64

1. Purpose. To provide information on Geneva Convention provisions and SecDef press guidance regarding photography and filming of EPWs.

2. Key Points.

- Article 13 of the Geneva Convention provides that "prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity."
- Article 13 does not per se prohibit photographing EPWs. It does prohibit photography and video imagery that degrades or humiliates an EPW, such as the practices of North Vietnam during the Vietnam conflict and Iraq during the 1991 Gulf War in parading EPWs before the news media.
- DoD press guidance (Tab A) to embedded media units prohibits:
 - "photographs or other visual media showing an enemy prisoner of war or detainee's recognizable face, nametag or other identifying feature or item" (Tab A, ¶4.G.18); and
 - "still or video imagery of custody operations or interviews with persons under custody" (Tab A, ¶4.G.19).
- In addition to the provisions of GC Art. 13, a principal USG concern underlying the prohibition of photography and filming is the security of the EPW and the protection of the EPW's family. If Iraqi authorities become aware that specific individuals are captured, it could pose a risk to the safety and security of the EPW's family.

Prepared by: [REDACTED]