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 [redacted], [redacted] informed UK officials that he was hooded and physically abused prior to his transfer to [redacted]. 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 [redacted] on 7 February 2003.

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

[Signature]
T.O. REEVES
VADM, USN
DIRECTOR, JOINT STAFF
Tillery, Monica J

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

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Josh,
the attached file has the TPs that DoD prepared for public affiars' 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).

Happy holidays.

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

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FOR OFFICIAL USE ONLY
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 in-processing.

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.
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 DETAINEE. 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 DETAINEE; REF. G: SECDEF MSG, DTG 122123Z AUG 02 SUBJ: SUPPLEMENTAL PUBLIC AFFAIRS GUIDANCE (PAG) ON DETAINEE; REF. H: CJS MSG, DTG 202352Z AUG 02, SUBJ: EXORD JTF MERGER. REF. I: SECDEF MESSAGE, DTG 061002Z 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

PAGE 03 RUEKJCS7663 UNCLAS 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)


(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?

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

Page 05 RUEKCS7663 UNCLASSIFIED 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
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 DETAINES.
6.4. DETAINES 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.
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 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 PAGE 13 RUEKJCS7663 UNCLAS
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 DETAINES 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 DETAINES 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
DETAINEES 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 OR
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.
7.4.4.5. 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), OASSD (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 DETAINEE
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 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 DETAINERS 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 DETAINERS 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 SUBJECT TO PUBLIC CURIOSITY OR HUMILIATING TREATMENT.

8.4. DETAINERS 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 DETAINERS 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 DETAINERS 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 DETAINERS 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 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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BT
#7663

NNN
<[^>]+> 11/07/2002 1616 <[^>]+> CHAIRS
Deaths of Detainees Under US Military Control
detainees in US custody of cases of deaths occurring among investigations conducted and disposition.
To clarify the number, cause of death,

Purpose
- Guantanamo Bay: 0
- Afghanistan: 4
- Iraq: 55

TOTAL: 59

As of May 20, 2004
US-Controlled Prisons
Detainee Deaths in
Iraq

- 3 pending medical examiner rulings
- 5 died of "unknown causes"
- 6 died of "unnatural causes"
- 1 accidental death (heat stroke, tuberculosis, heart disease, medical conditions)
- 11 died of natural causes
- 8 died during riots or escape attempts
- 21 killed by enemy mortar attack at Abu Ghurab
- 55 detainee deaths (all prisoners)
<table>
<thead>
<tr>
<th>Case #</th>
<th>Circumstances</th>
<th>Autopsy Done?</th>
<th>Investigation/Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Unnatural Causes</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>None</td>
<td>04-014</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>1 gunshot wound to abdomen: &quot;Shot without provocation&quot;</td>
<td>03-571</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>1 blunt force trauma and choking Gagged in standing restraint</td>
<td>03-504</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>1 blunt force trauma and choking Died during interrogation</td>
<td>03-273</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>1 closed head injury; Died 12 hrs after escape attempt</td>
<td>A003-51</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>1 strangulation Found outside isolation unit</td>
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5 "Unknown Causes"

<table>
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<tr>
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<th>Circumstances</th>
<th>Autopsy Done</th>
<th>Investigation / Disposition</th>
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<tbody>
<tr>
<td>None</td>
<td>3 reported as heart attack</td>
<td>No/not reported</td>
<td></td>
</tr>
<tr>
<td>None</td>
<td>1 found dead in bed</td>
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<td></td>
</tr>
<tr>
<td>None</td>
<td>1 died after falling in hospital (was having chest pain)</td>
<td>No/not reported</td>
<td></td>
</tr>
<tr>
<td>Case #</td>
<td>Circumstances</td>
<td>Autopsy Done</td>
<td>Investigation / Disposition</td>
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<td>--------</td>
<td>---------------</td>
<td>--------------</td>
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</tr>
<tr>
<td>04-358</td>
<td>1 unknown history</td>
<td></td>
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<tr>
<td>04-357</td>
<td>1 suspected heart attack</td>
<td></td>
<td></td>
</tr>
<tr>
<td>04-309</td>
<td>1 died sleeping after interrogation</td>
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**Ruling**

3 Pending Medical Examiner
<table>
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<th>Circumstances</th>
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<tbody>
<tr>
<td>A02-93</td>
<td>Yes</td>
<td>Yes</td>
<td>1 Blunt force injuries found</td>
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<tr>
<td>A02-05</td>
<td>Yes</td>
<td>Yes</td>
<td>1 Blunt force to lower</td>
</tr>
<tr>
<td>A03-144</td>
<td>Yes</td>
<td>Yes</td>
<td>1 Blunt force trauma</td>
</tr>
</tbody>
</table>

3 "Unnatural Causes"
Backups
References
Forensic Definitions

- Undetermined manner of death:
  - A death that results inadvertently or where no harm was intended (explicitly or implicitly).

- Accident:
  - Accidental

- Homicide:
  - Homicide is not synonymous with murderer (a legal determination) and includes both criminal and excusable homicidal acts and excusable homicides (i.e., self-defense, law enforcement, combat).
  - Another person or persons.
  - A death that results from internecidal (explicitly or implied) or grossly reckless behavior of the victim.

Manner of death:

- Natural
- Accidental
- Suicide
- Homicide
- Undetermined

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.
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
    (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
<table>
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<tr>
<th>Case #</th>
<th>Circumstances</th>
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<th>Investigation / Disposition</th>
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<tr>
<td>A03-61</td>
<td>Strangulation</td>
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<tr>
<td></td>
<td>Found outside isolation unit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>03-273</td>
<td>Closed head injury; Died 12 hrs after escape attempt</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>03-504</td>
<td>Blunt force trauma and choking</td>
<td>Yes</td>
<td>Died during interrogation</td>
</tr>
<tr>
<td>03-571</td>
<td>Blunt force trauma and choking</td>
<td>Yes</td>
<td>Died during interrogation</td>
</tr>
<tr>
<td>04-014</td>
<td>Blunt force trauma and choking</td>
<td>Yes</td>
<td>Gagged in standing restraint</td>
</tr>
<tr>
<td>None</td>
<td>Gunshot wound to abdomen: &quot;Shot without provocation&quot;</td>
<td>No/Not reported</td>
<td></td>
</tr>
</tbody>
</table>
## 5 "Unknown Causes"

<table>
<thead>
<tr>
<th>Case</th>
<th>Circumstances</th>
<th>Autopsy Done</th>
<th>Investigation / Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>3 reported as heart attack</td>
<td>Not reported</td>
<td></td>
</tr>
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<td>1 found dead in bed</td>
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<td>Circumstances</td>
<td>Autopsy Done</td>
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</tr>
<tr>
<td>-------</td>
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<td>--------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>04-309</td>
<td>1 died sleeping after interrogation</td>
<td>Yes; results pending</td>
<td></td>
</tr>
<tr>
<td>04-367</td>
<td>1 suspected heart attack</td>
<td>Yes; results pending</td>
<td></td>
</tr>
<tr>
<td>04-358</td>
<td>1 unknown history</td>
<td>Yes; results pending</td>
<td></td>
</tr>
</tbody>
</table>
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
3 "Unnatural Causes"

<table>
<thead>
<tr>
<th>Case #</th>
<th>Circumstances</th>
<th>Autopsy Done? 3 of 3</th>
<th>Investigation / Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A02-93</td>
<td>1 blunt force injuries found restrained in cell</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>A02-05</td>
<td>1 blunt force to lower extremities</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>A03-144</td>
<td>1 blunt force trauma</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>
Recommendation #2
Backups
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

- ASD Health Affairs Memorandum April 10, 2002
  - "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 circumstances 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.
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.

- 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.

S: 200700 May 04
In advance, thank you for your assistance with this matter. My point of contact is [redacted].

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

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

FROM
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.
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 oriented 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.
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 County'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.
Brunson, Anne C (L-LM)

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

TRANSFERRED TO OTHER AGENCY
DOD

> -----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>>
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.
Treatment of Enemy Prisoners of War
Under the Geneva Convention

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. 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.

- 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
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.
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IMPROVING DETAINEE OPERATIONS AT GUANTANAMO

October 16, 2002
- Cooperation by detainees secured via plea bargains
- Prosecution by military tribunal of certain detainees
- Criminal investigative operation designed to lead to...

Intelligence and Law Enforcement efforts
Intelligence facility for interrogations, and to enable...

Combined
Long-term holding facility for detention of enemy...

GMO's Purposes
Low Value" detainees.

New Effort: JTGTO and Criminal Investigative Task Force

- Number will increase as new enemy combatants are captured, then decrease over time.
- Total number of detainees should stabilize, then decrease over time.
- Others are considered "low value," but still hostile to U.S.
- Intelligence value, or to be "hardcore" jihadists.
- More than half of population assessed to be of medium or high
  may have committed prosecutable war crimes.
- may have information that could help prevent next attack.
- captured because they pose a threat to U.S. security.
- They are "enemy combatants":
- Holding enemy combatants from 41 countries (Ages 16 - 90).

Detainees at GTMO: Present and Future

SECRET/NOFORN
appropriate controls.

while ensuring that those detainees posing a continuing threat are kept under

Challenge is to release or transfer detainees that pose a low risk to U.S.

Criminal investigation and threat assessment still ongoing.

- 33 cases forwarded by SOUThCom. Intelligence exploitation finished.

Additional Transfers Under Consideration:

Release/transfer cases approved by Deputy Secretary of Defense:

Transfer/transfer detainees.

New Effort: DOD has established an Interagency Process for

Transfer/Release of Detainees
Additional space for enemy combatants.

- New facilities being constructed.
- New effort: DoD substantially improving facility.

...and maximum security. Currently provides only two levels of segregation - General population and developed to safely/securely hold detainee population. Capacity for...

GTMO Facilities: Present and Future
Mubanga:
Positive identification of Richard Reid, Jose Padilla, and Martin

Other key details:

Use of Internet:

How cells are set up and propagated:

Financing and fund-raising:

Tactics, techniques, procedures, and equipment:

Recruitment methods:

A1-Qadida's Modules Operands:

Safe houses

Training camps

Details about terrorist infrastructure:

Summary of Intelligence Results To Date
Detainee Policy Group

Other Initiatives Already Under Taken
Society.

- Purpose is to help select detainees, decompress/prep for return to
  Reintegration Initiative (New effort, just started)

- Coordinate diplomatic efforts.
- Coordinate intelligence and law enforcement efforts.
- Review case files for potential transfers or releases.

- Purpose is to:
  - Chartered by DOD at the Assistant Secretary level,
    - Interagency Experts Group

- DOD has combined JTF's into single operation.

- Previously, 2 JTF's with conflicting mandates ran GTMO -- one to serve as
  Consolidated GTMO command

Initiatives Being Undertaken (cont'd)
and propose additional measures.
Second, "Blue Ribbon" panel review in February to check on progress.
In addition to day-to-day oversight, OSE/OSD (Policy) will administer a
provided impetus for many important changes.
Joint Staff-commissioned "External Review" completed in September.
Frequent meetings, visits to GTMO.
Close relationship with Congressional Intelligence committees.
Good ideas are proposed by other agencies, DoD is implementing.
Constant process of adjustment and refinement. As shown, when
learning as we go.
A "cold start" for DoD. No experience in this type of effort. We are
GTMO is an Evolutionary Process.
United States, its allies, and friends. But we will keep dangerous people off the battlefield, and we will prevent captured terrorists from causing further harm to the

Investigators to mount successful prosecutions against terrorists. We will provide the facilities needed for U.S. Criminal
Key Question

Negotiations with Foreign Countries

CTMO Influx and Outflow

Intelligence Highlights

Interrogation Progress

Changes Made To Date (Recap)

CTMO Update Briefing
conducted. More intelligence generated. FB1 production also increased. Analytic support at GTMO having an effect. More interrogations.

Previous changes to enhance training improve manpower and deploy.

Interrogations at GTMO
Interrogations at GTMO

5.

SECRET//NOFORN

minimum security housing

Induces cooperation, including

New multi-facility layout that

could go home.

Realize there is a chance they

Releases and transfers (Detainees

made over past few months, including:

number of changes that have been

Improved exploitation attributable to a

SECRET//NOFORN
Transfer agreements:

Key Question
UNCLASSIFIED
DRAFT

23 March 2003

INFORMATION PAPER

Subject: PHOTOGRAPHING AND FILMING EPWS

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]