



REPLY TO
ATTENTION OF

DEPARTMENT OF DEFENSE
UNITED STATES SOUTHERN COMMAND
3511 NW 91ST AVENUE
MIAMI, FL 33172-1217

SCCS

09 AUG 2004

MEMORANDUM FOR

Commander, Joint Task Force Guantanamo, US Naval Base Guantanamo Bay, Cuba, APO AE 09360
JTF Surgeon, Joint Task Force Guantanamo, US Naval Base Guantanamo Bay, Cuba, APO AE 09360

SUBJECT: USSOUTHCOM Policy on Health Care Delivery to Enemy Persons Under U.S. Control at
US Naval Base Guantanamo Bay, Cuba

1. References:

a. DoD Directive 2310.1, "DoD Program for Enemy Prisoners of War (EPOW) and Other Detainees,"
August 18, 1994

b. Third Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949

c. AR 190-8, OPNAVINST 3461.6, AFJI 31-304, MCO 3461.1, "Enemy Prisoners of War, Retained
Personnel, Civilian Internees and Other Detainees," 1 October 1997

d. HA Policy 02-005, "DoD Policy on Medical Care for Enemy Persons Under U.S. Control Detained
in Conjunction with Operation ENDURING FREEDOM," April 10, 2002

e. USSOUTHCOM Confidentiality Policy for Interactions Between Health Care Providers and Enemy
Persons Under U.S. Control Detained in Conjunction with Operation ENDURING FREEDOM, August 6,
2002

2. This policy memorandum, issued under the authority of reference (d), provides guidance, consistent
with references (a) through (e), for medical care for enemy detainees under U.S. control at US Naval Base
Guantanamo Bay, Cuba.

3. Background. Enemy persons have been detained at US Naval Base Guantanamo Bay, Cuba, since
January 2002. Joint Task Force-Guantanamo (JTF-Guantanamo) was established in November 2002.
Since January 2002 the U.S. SOUTHCOM Surgeon's Office has been providing guidance regarding the
healthcare being provided to the "detainees" at JTF-Guantanamo and its predecessor, JTF-160. This
policy encapsulates guidance that has been provided.

4. All health care is delivered at the U.S. Naval Base Guantanamo Bay, Cuba.

5. HQUSSOUTHCOM does not have approval authority for evacuation to the United States for health
care.

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NOV00453

SCCS

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6. Level I and II medical care is provided at the detainee hospital.

7. Level III medical care is provided by the U.S. Naval Hospital Guantanamo Bay as needed.

8. Detention Hospital:

a. The detention hospital at JTF-Guantanamo is a fixed facility.

b. Manpower: Basic requirements are for internal medicine, family practice, General Surgery, psychiatry, psychology, dental, nursing staff (to include ICU nurses) and hospital corpsman staff. The Naval Hospital provides some medical and surgical support along with administrative, computer and supply support.

9. Mental Health Care:

a. Mental health care to detainees is provided as part of Detainee Hospital care.

b. One block of the detention camp is designated as an inpatient psychiatric facility. It is staffed full time with a team of providers devoted exclusively to detainee mental health care. This includes a psychiatrist, psychologist, psychiatric nurses and psychiatric technicians. The Social Worker assigned to USNH Guantanamo also serves as a consultant to the facility.

c. Mental health support to JTF personnel is provided separately.

10. Health and Medical Care:

a. All detainees are provided a safe environment with adequate nutrition. Medical personnel who gain knowledge of physical or mental ill-treatment of detainees will report this ill-treatment to the appropriate military authority.

b. All detainees undergo a complete physical exam upon arrival. Particular attention is given to potential infectious diseases. Detainees found to have a possible history or clinical evidence of infectious diseases are treated and kept in isolation until the treatment is completed before entry into the general population.

c. Medical care and treatment shall be provided whenever necessary. Detainees are offered routine general medicine, dental, optometry, infectious disease, internal medicine, general surgery, orthopedics, physical therapy and limb-prosthetics. Required specialty care not available at the Detention Hospital or U.S. Naval Hospital, Guantanamo Bay is requested via proper channels.

d. Extraordinary situations that require special diagnostic and/or specialized medical care beyond the capability of the Department of Defense to provide or import to U.S. Naval Base, Guantanamo Bay are considered on a "case by case" basis. Such cases are reviewed by all applicable parties and possible options for care are submitted to CDR USSOUTHCOM for review and concurrence then forwarded to Office of the Secretary of Defense (OSD) via Joint Staff J-4-HSSD for final disposition.

NOV00454

SCCS

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e. No experimental drugs are used on any detainee. All medications utilized are U.S. Food and Drug Administration approved.

f. No human research is to be conducted.

g. U.S. accepted standards of medical care (current practice guidelines) are used.

11. Detainees are not allowed to stop oral intake to the point where it adversely affects their health.

12. Communications between detainees and military medical, dental and mental health care providers are not confidential and are not subject to the assertion of privileges by or on behalf of detainees.

a. Medical information can be made available to appropriate military authority as required and released by the JTF-Guantanamo Surgeon or the Command Surgeon, USSOUTHCOM.

b. Health care providers who directly care for detainees and JTF members may not become active participants in the collection of information for purposes other than medical treatment.

13. Any health care issues beyond the scope of usual clinical practice causing an ethical dilemma are reviewed and addressed as follows:


a. The detainee hospital physician in-charge submits a clinical summary and recommendations to the JTF Surgeon who in turn forwards the information to USSOUTHCOM Surgeon.

b. The USSOUTHCOM Surgeon in consultation with the Joint Staff J4-HSSD/SG convenes a panel to include a detainee hospital physician, JTF Surgeon, SCDCOS, SCCH, SCSJA, JS J4-HSSD/SG-2 and others as required to consider the case and make recommendations to the SCCOS, CDR JTF-Guantanamo and CDR USSOUTHCOM. In certain situations (reference 10d above) case recommendations may require submission to OSD via Joint Staff J4-HSSD for final disposition.

14. The JTF Surgeon develops SOPs for daily operations.

15. My point of contact for detainee medical issues is the Command Surgeon, DSN [REDACTED]

FOR THE COMMANDER:


MICHAEL R. LEHNERT
Brigadier General, U.S. Marine Corps
Chief of Staff, U.S. Southern Command

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NOV00455