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**ISSUE PAPER:
GUANTANAMO DETAINEES**

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As part of our operations in the war on terror, the United States has detained al-Qaida, Taliban, and other enemy combatants who pose a threat to the U.S. and our allies. We currently hold around 650 enemy combatants at Guantanamo Bay.

- We are investigating and reviewing all cases in order to reach a determination on final disposition of all detainees as soon as possible. Detainees will be prosecuted by the U.S. Government, will be transferred to their countries of origin for prosecution or detention, or will be released if they no longer pose a threat.
- The United States is treating and will continue to treat all 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.
- We are in ongoing communication with countries whose nationals are being held at Guantanamo. When detainees are being considered for release or prosecution, we work with those detainees' countries to ensure humane treatment.
- Under the terms of the Third Geneva Convention, the Taliban and al-Qaida detainees being held at Guantanamo Bay are not considered to be prisoners of war.
- Even though detainees are not entitled to POW status, they are treated in a manner consistent with international principles pertaining to POWs to the extent appropriate and consistent with military necessity.
- The White House and Department of Defense have made clear that the detainees are not subjected to physical or mental abuse or cruel treatment. It is the policy of the United States to comply with all of its legal obligations in its treatment of detainees, and in particular legal obligations that prohibit torture.

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