

UNCLASSIFIED

RELEASED IN FULL

TU

Release of Photographs of Detainees at Guantanamo by USG.

The photographing of detainees at Guantanamo, and public disclosure of these photographs by USG officials in early January, 2002, received considerable media attention and criticism from the international community. Rules governing the photographing of detainees and OSD public affairs guidance are based upon Article 13, Third Geneva Convention of 1949, which provides that "prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity". While this provision does not expressly prohibit the taking of photographs, the USG has interpreted this to mean that taking photographs and publishing them in newspapers or journals would be holding the prisoners up to public curiosity and therefore forbidden. However, published OSD Public Affairs Guidance at that time permitted photo/video coverage of detainees as long as such coverage did not identify the individual detainees by name or by image. Current PA guidance regarding photographing of Iraqi POWs prohibits photographs that show their recognizable face, nametag or other identifying feature.

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: SHARON E AHMAD  
DATE/CASE ID: 16 NOV 2004 200303827

UNCLASSIFIED

DOS-000440