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E.O. 12958: DECL: 03/04/07

TAGS: PTER, KAWC, PHUM, PINR

SUBJECT: CONDITIONS FOR ACCESS TO DETAINEES AT GUANTANAMO BAY.

REF: STATE 20095

CLASSIFIED BY AMBASSADOR PIERRE-RICHARD PROSPER FOR REASONN
1.5(B) & (D)

1. (U) This is an action message, see para. 3.

2. (C) Post was notified in reftel of USG policy guidance for foreign access to detainees at Guantanamo Bay. Reftel described the procedures for requesting access and the conditions governing such access. The letter in paragraph conveys USG consent to foreign government access while ensuring that the host nation is clear regarding its responsibility to the USG and is prepared to cooperate full with our law enforcement and intelligence collection efforts. Please deliver the response letter below. No signed original will follow.

2. (SBU/REL) Message Text:

The Government of the United States is pleased to grant your Government's request that the following representatives of Government of

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[Redacted]

Be given access to:

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[Redacted]

who are being detained by the United States at U. S. Naval Station, Guantanamo Bay, Cuba, in connection with Operation Enduring Freedom.

Your Government's access to these detainees is limited to intelligence and/or law enforcement purposes. Based on pending visits by other governments, and operational requirements, your officials are tentatively scheduled to have access from April 22 to April 26.

To protect the interests and ensure the safety of all concerned, the following conditions will apply to the visit to Guantanamo Bay:

1. The United States will video tape and sound record the interviews between representatives of your government and the detainee(s) named above. Your government representatives may photograph, video tape, or make sound recordings during interviews only with prior approval of the U.S. Department of Defense.

2. The U.S. Department of Defense must be provided a copy of your government's final report on the visit, in addition to copies of all tapes, transcripts, records of conversations, and other information gathered by your representatives at Guantanamo Bay. Such information should be delivered to [Redacted] as soon as practicable following the visit to Guantanamo Bay. Before arrival in Guantanamo Bay, please provide [Redacted] the the name of the official within your government who will have responsibility for providing this information.

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3. U.S. Department of Defense security or law enforcement personnel will be present at all times during detainee interviews and the senior U.S. representative present may terminate an interview at any time.

4. It is important that your representatives brief U.S. officials at Guantanamo Bay, both before and after interviewing detainees. The purpose of the in-brief is to coordinate security procedures, familiarize your officials with our interview and other procedures, and to discuss the perspectives of your officials on the investigative, intelligence, and other information relevant to the particular detainees. The in-brief will also address any special concerns that your officials may have. At the conclusion of the interviews with detainees, a follow-up briefing with your and DoD officials will be scheduled at Guantanamo to address any questions U.S. and your representatives may have concerning matters which were discussed during the detainee interviews.

5. On the date of travel to Guantanamo Bay, your representatives must have proper identification (passport or military identification card unless otherwise agreed to by the United States Department of Defense). Be aware that all personnel (U.S. and foreign) traveling to Guantanamo Bay are subject to search. Transportation of your representatives will be on a U.S. Government aircraft or a civilian air carrier under contract to the United States. Access to Guantanamo Bay through Cuba is not permitted.

6. Your Government will be required to reimburse the Department of Defense for all costs associated with the visit incurred by the US Government, including the costs of transportation, lodging, and meals unless other arrangements

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have been made to cover these costs.

Specific arrangements concerning your travel should be made directly with United States Southern Command J-3, Mr. Anderson or Ms. Brogie, who may be contacted at (305) 437-3715 or (305) 437-3713. Please do not hesitate to contact this office should you have any questions concerning the conditions above, or any other matter regarding your country's visit to Guantanamo Bay.

[Standard Close]
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