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Screening of Detainees

- The Geneva Convention requires that a tribunal make a determination as to whether a person qualifies as a POW only if there is "any doubt." The Convention does NOT require review by a tribunal in every circumstance.
- There is no doubt that members of Al Qaida are not POWs. They do not qualify as POWs under any legal theory. They are terrorists whose main objective is to kill civilians.
- We also believe there is no doubt that the Taliban detainees we are holding are not POWs. Even if the Convention applies to the Taliban, the Taliban lack the attributes of a regular armed forces.
- We have a careful process in place to screen the people taken to Guantanamo. They were screened at least twice before they were transferred. They were screened by US armed forces before they were taken to Qandahar, and they were interviewed a second time in Qandahar.
- We are confident that all of the detainees we are holding in Guantanamo are either Al Qaida terrorists, Taliban leaders, foreign fighters, or others who aided Al Qaida.
- Our ongoing screening process has left no doubt that none of these detainees belong to any of the categories enumerated in Article 4 of the Convention.
- We are continuing to question each of the detainees in Guantanamo to obtain more information about each one.
- Although we believe there is no doubt that the detainees we are holding are not POWs, we are prepared to review individual cases should any doubt arise.

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SHARON E AHMAD
DATE/CASE ID: 07 APR 2005 200303827

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