

UNCLASSIFIED//FOR PUBLIC RELEASE
MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA

<p>UNITED STATES OF AMERICA</p> <p>v.</p> <p>ABD AL RAHIM HUSSAYN MUHAMMAD AL NASHIRI</p>	<p>AE 284U</p> <p>RULING</p> <p>DEFENSE MOTION FOR APPROPRIATE RELIEF: TO ALLOW A SUPERVISED SKYPE CALL BETWEEN MR. AL NASHIRI AND HIS ELDERLY PARENTS</p> <p>12 MAY 2015</p>
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1. On 25 June 2014, the Defense filed AE 284,¹ requesting the Accused “be permitted to Skype with his elderly parents for one hour under supervision of the Joint Task Force-GTMO.” (AE 284 at 1). The Government’s response requested the Commission deny the Defense’s motion and incorporate AE 277B.² (AE 284A at 1). The Defense filed a reply.³ The Commission heard oral arguments in a closed session on 6 August 2014.⁴ On 6 November 2014, the Government informed the Commission that a new communication system and policy would be in place between late 2014 and early 2015.⁵ The Commission directed the Government to provide updates as to the progress and projected implementation of the new communication system.⁶

2. On 15 April 2015, the Government notified the Commission that the Direct Interactive Communication Experience (“DICE”) between HVDs and family members was implemented and available quarterly to the Accused. (AE 284T at 1). The Accused was able to communicate

¹ AE 284 Defense Motion for Appropriate Relief: To Allow a Supervised Skype Call Between Mr. al Nashiri and His Elderly Parents, filed 25 June 2014.

² AE 277B SEALING ORDER Senior Medical Officer’s Personally Identifiable Information, dated 19 June 2014.

³ AE 284B Classified Reply to Government’s Classified Response to AE 284A, filed 16 July 2014.

⁴ See Redacted Unofficial/Unauthenticated Transcript of the al Nashiri (2) Motions Hearing Dated 6 August 2014 from 1:09 P.M. to 1:30 P.M. at pp. 5092-5105.

⁵ See Unofficial/Unauthenticated Transcript of the al Nashiri (2) Motions Hearing Dated 6 November 2014 from 9:05 A.M. to 10:51 A.M. at pp. 5312-5317.

⁶ *Id.* at p. 5316.

with his family on 18 January 2015 for thirty minutes and declined another opportunity to do so on 15 April 2015. The next scheduled DICE opportunity will be 15 July 2015. *Id.* at 2.

3. The Commission finds the implementation of the DICE communication system and the scheduled quarterly sessions for the Accused render AE 284, AE 284L,⁷ and AE 284Q⁸ **MOOT**.

So **ORDERED** this 12th day of May, 2015.

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VANCE H. SPATH, Colonel, USAF
Military Judge
Military Commissions Trial Judiciary

⁷ AE 284L Defense Supplement to AE284 Defense Motion for Appropriate Relief: To Allow a Supervised Call Between Mr. Al-Nashiri and His Elderly Parents, filed 22 September 2014.

⁸ AE 284Q Defense Motion to Compel Production of Witnesses in Support of AE284 and AE284L: Defense Motion for Appropriate Relief - To Allow a Supervised Skype Call between Mr. Al-Nashiri and His Elderly Parents, filed 28 October 2014.