



DEPARTMENT OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
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ALEXANDRIA, VA 22350

March 7, 2024

MEMORANDUM FOR NON-GOVERNMENT ORGANIZATION OBSERVERS

SUBJECT: Non-Government Organization Observer Selection Policy


In 2003, the Office of Military Commissions (OMC) initiated a process to bring national and international Non-Government Organizations (NGOs) to observe commission proceedings onboard Naval Station Guantanamo Bay, Cuba (NSGB). In selecting an organization for observer status and inclusion in the pool of NGOs approved for travel to NSGB to observe Military Commissions, OMC considers the following criteria: (1) reach of the applicant organization; (2) nexus of the applicant's organizational mission to military commissions, the prosecution of war crimes, international law, and/or human rights; and (3) the extent to which the applicant's organization provided longstanding and frequent coverage of such issues.

To date, OMC accommodated all approved NGO observers who expressed interest in traveling to view proceedings onboard NSGB. OMC also provides remote viewing locations with a closed-circuit television (CCTV) connection at the Pentagon and Fort Meade, Maryland.

The below procedures will be used for approved NGO observers to travel to and attend in-person onboard NSGB. This memorandum provides updates to OMC's NGO Policy and procedures, and supercedes all previous policies regarding NGO observer selection.

- The maximum number of NGO observers allowed to observe each week of military commission proceedings in-person onboard NSGB is seven.
- For each week of scheduled hearings, all NGOs in the pool of NGOs approved for travel onboard NSGB to observe Military Commissions will be invited to send a representative to NSGB. The invitation will contain instructions on how to submit a request for attendance.
- Allocation of slots will be done by a random number generator should requests to attend exceed availability.
- If there are more than seven NGOs interested in attending a particular week, those NGOs not randomly selected as an observer will be given priority to send a representative to view the next week of scheduled commission hearings onboard NSGB.
- Starting October 1, 2024, NGOs must recertify their status on an annual basis at the beginning of each fiscal year (October 1st). In order to remain in the observer selection pool, NGOs must confirm the justification contained within its original application and that its ability to meet the NGO criteria still exists.

All NGOs are welcome to send observers to view military commission proceedings via the CCTV feed at the Pentagon and Fort Meade, regardless of their participation onboard NSGB.


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