

PROCEDURES AND RULES FOR NON GOVERNMENTAL ORGANIZATION REPRESENTATIVES FOR OBSERVATION OF MILITARY COMMISSIONS

U.S. Naval Station Guantanamo Bay, Cuba (GTMO)

Introduction

The United States Department of Defense (DoD), through the Office of Military Commissions (OMC), has invited representatives from various Non-Governmental Organizations (NGOs) to observe the military commission proceedings at Naval Station Guantanamo Bay, Cuba (GTMO) to ensure public access and transparency. NGO representatives (NGORs) are afforded this unique and valuable opportunity to attend and observe the courtroom and commission proceedings in person. OMC recognizes the critical role of NGORs and supports their attendance at the proceedings at GTMO because of their respective missions to advance human rights and respect for the law. NGORs are encouraged to attend, observe, analyze, and report on the proceedings to promote transparency, understanding and dialogue.

While at GTMO, NGORs are guests of the United States DoD and represent their Non-Government Organization. As guests, and given the unique nature, security and location of the proceedings, NGORs are required to adhere to rules and procedures established by the OMC while attending commission hearings.

Failure to adhere to the rules and procedures set forth in this document may result in permanent expulsion from the courtroom area, restricted access to GTMO, removal from the installation, revocation of Invitational Travel Orders (ITO) or removal of the parent organization from future invitations to observe commissions.

1) Directives from Security/Military Personnel and NGO Escorts

NGORs will receive information and directives about their movements on the base, in the courtroom and around Camp Justice, such as photography and area restrictions, etc. NGORs are expected to follow any direction, order, regulation, or rule. NGORs are required to be escorted at all times when in the Expeditionary Legal Complex (ELC). NGORs may not move beyond the Gallery of the courtroom or the courtyard area without an NGO Escort. If a member of the Guard Force in the ELC requests that NGORs exit the Gallery and/or courtroom area, NGORs will do so immediately. Refusing to exit or challenging the order to exit will be considered noncompliance and reported immediately to the OMC South Protocol Officer.

2) Badges

NGORs will be issued identification badges which are required for entrance into Camp Justice and the ELC during commission proceedings. The badges are a controlled item and will not be photographed. If a badge is lost, please notify the NGO Escort immediately so a report can be filed with the Office of Special Security. Badges should also be hidden from view in the courtroom and when in public areas outside of Camp Justice. Please direct any questions regarding this practice to the Protocol Officer.

3) Transportation

Van transportation is provided as a courtesy and NGO Escorts will do their best to accommodate transportation requests. However, it may not always be possible to accommodate individual requests, especially with large groups. NGO Escorts will use their discretion to prioritize transportation needs and have the authority to deny a transportation request.

NGO Escorts will be available to provide transportation between the hours of 6:00 am and 10:00 pm. Except for an emergency, NGO Escorts will not provide transportation after 10:00 pm. A local bus route provides free bus transportation to and from downtown eateries until 2:00 am. If NGORs wish to attend a special event which requires transportation after 10:00pm, they should make such requests to the Protocol Officer as soon as possible after arrival. It may be possible to add additional escort resources on a limited basis for after-hours events, but the greater notice provided the better. If transportation is needed after those hours, please contact the Protocol Officer at cell# (757) 975-7422.

Open containers of alcoholic beverages are not permitted in any government vehicle. NGO Escorts will refuse entry to any NGORs who attempt to transport an open container of alcohol in a government vehicle.

4) Role and Treatment of NGO Escorts

NGO Escorts will be assigned to provide direction, logistical support, information and transportation for the duration of the proceedings. NGO Escorts coordinate formal and some social scheduled activities with the OMC South Protocol Officer. There are two shifts of NGO Escorts; one during the day and another in the evening. NGO Escorts will coordinate with each other and with the Protocol Officer to ensure that NGORs are well informed and prepared for scheduled events and itinerary changes.

NGO Escorts are available for transportation up to, but no later than, 10:00 pm. In the event of a medical emergency, NGORs should dial 911 from the phone located in the NGO tents. For other urgent matters after 10:00 pm, including issues with air conditioning, plumbing, security, etc., please contact the Protocol Officer via cell: (757) 975-7422 who will report concerns to the responsible party.

NGO Escorts are not authorized to discuss or disclose information about legal decisions, Commission proceedings, detainee location, transit routes or movement to the ELC, etc. Please submit all related questions to the Protocol Officer.

The Office of Military Commissions strives to create a positive environment and workplace and does not tolerate offensive conduct towards any other individual or group. Offensive Conduct may include, but is not limited to, comments that are disparaging, belittling, harassing, hostile, or abusive. NGO Escorts have a responsibility and obligation to report such behavior to the Protocol Officer immediately. All reports will be investigated and reported to the OMC South Director for possible administrative action.

5) Observance of Protocol

The OMC Protocol Officer is the point of contact for coordinating all NGOR transportation requests for meetings (other than to/from meals). There may be limited opportunities for meetings with varied judicial entities, including the Office of Chief Defense Counsel, Office of Chief Prosecutor or Trial Judge. The Protocol Officer is the focal point to coordinate time, location and transportation if such opportunities are presented.

6) Attendance at Commission Hearings

NGORs are at GTMO for the sole purpose of observing the commission process. NGORs are expected to attend every hearing session open to the public unless a medical condition prevents them from doing so. Timely attendance at military commission proceedings is critical. The tardiness of one person may cause the entire group of NGORs to arrive late to the courtroom gallery. Please report for hearings at the time designated by the NGO Escort. NGORs must go through security screening at the courtroom and be seated in the Gallery one half hour before the proceedings begin.

Electronic devices are not permitted in the ELC at any time. Before entering the ELC, please check to ensure bags/pockets do not contain cell phones, blue tooth devices, Fit bits, Apple watches, or any electronic devices.

The Gallery is an extension of the courtroom. Therefore, NGORs should conduct themselves as they would in any courtroom. Please refrain from any gestures which may be seen as disrespectful (e.g., pointing and/or gesturing towards those seated in the courtroom).

There may be days when the hearings are closed to the public. If this occurs, the NGOR Escort will coordinate with the Protocol Officer to ensure NGORs experience the various historical and unique sites on base. Please keep in mind that this is a courtesy and requires coordination with other military personnel who may have other priorities. Therefore, tours and/or access to restricted areas cannot be guaranteed. NGOs are not required to attend planned joint activities.

Conclusion

By signing this document, I acknowledge that I have read and understand the rules and regulations for NGOR’s while visiting GTMO. I further understand that any failure to adhere to the NGOR rules and procedures set forth in this document may result in permanent expulsion from the courtroom area, restricted access to GTMO, removal from the installation, revocation of Invitational Travel Orders (ITO) or removal of the parent organization from future invitations to observe the commission proceedings.

Full Name _____ Organization _____

Signature _____ Date _____