Guantanamo Bay, Cuba
U.S. Military Commission Observation Project of the Program in International Human Rights of Indiana University McKinney School of Law

On 28 February 2014, the Pentagon’s Guantanamo Bay Convening Authority granted NGO Observer Status to the Program in International Human Rights Law (PIHRL) of Indiana University McKinney School of Law (IU McKinney).

PIHRL (pronounced “Pearl”) representatives may travel to Guantanamo Bay, Cuba to attend, observe, analyze, critique, and publish hearings in high profile cases against detainees charged with terrorism-related offenses. Travel may also be to the Ft. Meade, Maryland military base where the same Guantanamo Bay hearings may be viewed via secure video-link.

IU McKinney “Affiliates” are eligible for selection to represent the PIHRL on missions to Guantanamo Bay or to Ft. Meade. “Affiliates” include IU McKinney students, graduates, faculty and staff.

The PIHRL has created the “Military Commission Observation Project” (“MCOP”) which will implement PIHRL responsibilities as a selected NGO. The FAQ below provides additional information about the MCOP.

The first hearings that MCOP representatives will attend are in April 2014, and the deadline is tight for the MCOP to identify representatives for this first round. Any Affiliate interested in the possibility of traveling to Guantanamo Bay or to Ft. Meade for these April 2014 hearings should immediately submit a letter of interest addressed to the MCOP, e-mailed to gedwards@indiana.edu and kbrocket@iupui.edu.

Details will be circulated as more permanent MCOP selection guidelines are developed for future hearings.

Below are some FAQs regarding the MCOP and the April 2014 hearings.

FAQs

1. What is the MCOP?
   a. The PIHRL created the MCOP to implement responsibilities under the Pentagon’s Convening Authority grant to the PIHRL of NGO Observation Status for Guantanamo Bay U.S. Military Commission hearings.
   b. MCOP missions include:
      i. To further teaching, research, and service related to U.S. Military Commissions at Guantanamo Bay, Cuba and other tribunals with similar jurisdiction, and
      ii. To facilitate IU Affiliates to attend, observe, analyze, critique, and publish on U.S. Military Commissions at Guantanamo Bay, Cuba and other designated U.S. Military Commission viewing sites.

2. What hearings are active at Guantanamo Bay?
   a. The principal ongoing hearings relate to two cases:
      i. 911 Defendants. This case is against several persons accused of masterminding the attacks of 11 September 2001 on the World Trade Center and the Pentagon. Khalid Shaikh Mohammad (KSM) is one of the accused.
      ii. USS Cole Defendants. This case is against persons accused of masterminding the suicide attacks against the USS Cole, which was a U.S. Navy destroyer attacked by a small explosive-laded boat when
the destroyer was docked in the harbor of Aden, Yemen on 12 October 2000. The attack killed 17 and wounded 39 members of the USS Cole crew.

iii. Hearings in these two cases appear to be (and appear to have been) scheduled on average once every two months, for 1 – 3 weeks at a time.

iv. Additional hearings involving other accused may also be scheduled.

b. General information about the GTMO Military Commission cases can be found on many websites.

i. This link provides a Human Rights Watch summary. http://www.hrw.org/features/guantanamo. Many other unofficial sources are available online.

ii. Official information can be found on the Department of Defense website here: http://www.mc.mil/.

3. Where can hearings be observed?
   a. Live in person at Guantanamo Bay (GTMO)
   b. Live via secure video-link at Ft. Meade, Maryland

4. When are the hearings?
   a. The Military Commissions posts hearing dates on the “court calendar” like one might find at a civilian court in the U.S. The GTMO court calendar can be found here: http://www.mc.mil/CASES/CourtCalendar.aspx
   b. Three sets of hearings are scheduled for April 2014.
   c. The Convening Authority invited the PIHRL to nominate representatives for these 3 sets of hearings.
   d. The court calendar provides information about additional hearings scheduled for several months after April.

5. What are my responsibilities as a MCOP representative?
   a. To travel to Ft. Meade or Guantanamo Bay as a representative of the PIHRL.
   b. To attend, observe, analyze and critique the proceedings.
   c. To report on the proceedings (blog, journal, etc) for dissemination through the MCOP.
   d. To de-brief other MCOP representatives upon return.
   e. To be available to brief future MCOP representatives.

6. Can I receive academic or pro bono credit?
   a. Yes. Pro bono credit will be available to currently enrolled McKinney students.
   b. IU McKinney graduate affiliates may be able to receive pro bono credit from their employers.
   c. Academic credit may be available through arrangements with an IU McKinney professor.

7. How does one get to Guantanamo Bay?
   a. Flights depart from Andrews Air Force Base (AAFB) direct to GTMO.
   b. There is no charge to PIHRL MCOP Observers for flights between AAFB and GTMO.
   c. AAFB is 17 miles from Washington, National Airport. It is 47 miles from Washington, Dulles Airport.
   d. Participants must travel from their homes to AAFB, and from AAFB back to their homes. One can drive from Indiana to AAFB, or fly to a civilian airport and travel by taxi to AAFB.

8. How does one get to Ft. Meade?
   a. Ft. Meade is easily accessible from Dulles Airport, Baltimore Airport, or Washington National Airport.
   b. One can also drive to Ft. Meade from Indiana.

9. How much time would I spend at GTMO?
   a. Recently, most hearings have been scheduled for blocks of 4 or 5 days. Typically flights depart AAFB one day before the scheduled hearing dates, and return to AAFB the day after the hearings end.
b. Hearing dates are posted on the court calendar. [http://www.mc.mil/CASES/CourtCalendar.aspx](http://www.mc.mil/CASES/CourtCalendar.aspx)

c. Dates for hearings are subject to change, including cancellation.

10. How much money do I need at Guantanamo Bay?
   a. Money would be needed for food (inexpensive).
   b. ATMs are available on GTMO.

11. Where do I eat at Guantanamo Bay?
   a. Restaurants are available on GTMO and around Ft. Meade.
   b. More information about restaurants can be found on the official Military Commission website.

12. Where do I sleep?
   a. Sleeping quarters are provided by the military at GTMO.
   b. Multiple inexpensive hotels / motels are located near Ft. Meade.

13. Do I have to be a U.S. citizen?
   a. No. But you do need to have a passport to travel to Guantanamo Bay.
   b. You need a government ID, but not a passport, to enter Ft. Meade. If you travel to Ft. Meade by car and you want to take your car onto the base, you will need the car’s registration.

14. Do I need training to be a PIHRL MCOP representative?
   a. MCOP representatives will participate in a pre-departure briefing, either in person or via live videolink.
   b. Training will cover International Humanitarian Law, International Human Rights Law, and International Criminal Law. It will cover the Military Commissions Act of 2009, and other U.S. domestic law relevant to the proceedings. It will cover the substantive and procedural law related to the proceedings to be observed, including particulars of the pending cases.

15. Do I need insurance?
   a. Yes. (The PIHRL will be checking into the availability of insurance through the University for Affiliates.)

16. What do I do if I am interested in joining a PIHRL mission to Guantanamo Bay or Ft. Meade?
   a. If you are interested in joining a PIHRL MCOP mission in April 2014, please submit a statement of interest immediately to K. Brockett (kbrocket@iupui.edu) and G. Edwards gedwards@indiana.edu.
   b. If you are interested in joining a later PIHRL MCOP, please feel free to send in a statement of interest now. Additional information about the selection process will be circulated later.

17. When will selections be made for April 2014 hearings?
   a. The Military Commission Convening Authority requested the PIHRL to submit by Friday, 21 March 2014, the names of PIHRL representatives nominated to attend the 3 sets of April 2014 hearings.
   b. Thus, the PIHRL will submit names by that date for April 2014 travel to Guantanamo Bay. If you have an interest in traveling to Guantanamo Bay next month, please submit your statement of interest immediately.
   c. However, if a prospective April 2014 MCOP representative wishes to travel to Ft. Meade, and not to Guantanamo for April 2014, the MCOP may submit those names later.
   d. Again, to clarify, the MCOP must submit names to travel to Guantanamo Bay in April 2014 by Friday, 21 March 2014. Names of Ft. Meade April representatives may be submitted later.