



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600



FEB 11 2004

Mr. Kenneth Roth
Executive Director
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118

Dear Mr. Roth:

Thank you for your letter expressing interest in attending military commission proceedings. Although no charges have been approved and the Appointing Authority has not designated a location for any military commission, if a military commission is held at U.S. Naval Station, Guantanamo Bay, Cuba, it is expected that limited courtroom seating and other logistical issues will preclude attendance by many who desire to observe military commission proceedings. We intend to provide seating for members of the press to permit full and open reporting to the maximum extent practicable. We will also provide appropriate access to the International Committee of the Red Cross.

We will keep your request in mind should the Department of Defense be able to accommodate Human Rights Watch at military commission proceedings in the future.

Sincerely,

Thomas L. Hemingway
Brigadier General, USAF
Legal Advisor to the Appointing Authority
Office of Military Commissions

