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DTG 071300Z JUN 04

MSGID/GENADMIN/DJS//

SUBJ/HUMAN RIGHTS VERIFICATION FOR DOD-FUNDED TRAINING OF FOREIGN  
/PERSONNEL//

REF/A/DOC/ASD-SOLIC/YMD:20040429//

REF/B/MSG/DJS/010040ZDEC1999//

REF/C/MSG/DJS/181946ZSEP2000//

REF/D/MSG/SECSTATE/061820ZFEB2003/034981//

REF/E/DOC/DEPSECDEF/YMD:20031003//

POC/DAVID VIENS/LTC/JOINT STAFF J5 CCSA/PENTAGON/TEL:703-695-8163//

NARR/REF A IS ASD-SOLIC MEMO REQUESTING JOINT STAFF REVISE HUMAN  
RIGHTS VETTING GUIDANCE PROCEDURES FOR DOD-FUNDED TRAINING PROGRAMS.

REF B AND C ARE PREVIOUS GUIDANCE MESSAGES ON HUMAN RIGHTS  
VERIFICATION FOR DOD-FUNDED TRAINING PROGRAMS. REF D IS SECSTATE  
REVISED GUIDANCE REGARDING LEAHY AMENDMENTS AND US FOREIGN  
ASSISTANCE. REF E IS DOD INTERNATIONAL COUNTERNARCOTICS POLICY.//  
GENTEXT/REMARKS/1. THIS MESSAGE PROVIDES POLICY GUIDANCE CONCERNING  
HUMAN RIGHTS VERIFICATION FOR DOD-FUNDED TRAINING WITH FOREIGN  
SECURITY FORCES. IT INCORPORATES ASD-SOLIC GUIDANCE IN REF A,  
SUPERCEDES REFS B AND C, REFLECTS DOS GUIDANCE TO EMBASSIES IN REF  
D, AND REFLECTS DOD COUNTERNARCOTICS POLICY IN REF E. THE PURPOSE IS  
TO ASSIST REGIONAL COMBATANT COMMANDERS (COCOMS) AND SERVICES, AS  
WELL AS CDRUSSOCOM, IN COMPLYING WITH CONGRESSIONALLY DIRECTED  
REQUIREMENTS CONCERNING HUMAN RIGHTS VETTING FOR ALL DOD-FUNDED  
TRAINING OF FOREIGN SECURITY FORCES.

2. SUMMARY OF CHANGES TO REF B AND C.

A. DOD WILL ACCEPT INDIVIDUAL OR UNIT HUMAN RIGHTS VETTING, BASED  
ON VETTING CONDUCTED AT THE DEPARTMENT OF STATE AND POST, FROM THE  
DEPARTMENT OF STATE, THE CHIEF OF MISSION, OR THE CHIEF OF MISSION'S  
CIVILIAN DESIGNEE. THIS VERIFICATION WILL BE COMMUNICATED VIA DMS  
MESSAGE OR FRONT CHANNEL CABLE REPRESENTING THAT (QUOTE) THE  
DEPARTMENT OF STATE POSSESSES NO CREDIBLE EVIDENCE OF GROSS  
VIOLATIONS OF HUMAN RIGHTS BY (NAME OF DESIGNATED UNIT OR  
INDIVIDUAL), AS OF THIS DATE. (END QUOTE).

REF B PREVIOUSLY REQUIRED EMBASSIES TO REVIEW ALL FILES ON FOREIGN  
UNITS SCHEDULED FOR DOD-FUNDED TRAINING AND CABLE RESULTS TO DOS.  
UPON RECEIVING THE DOS REVIEW, ASSUMING NEGATIVE REPORTS OF

VIOLATIONS, REF B REQUIRED EMBASSIES TO PROVIDE A THIRD MESSAGE OR MEMO TO THE REGIONAL COCOMS VERIFYING COMPLETION OF THE HUMAN RIGHTS VETTING. THE THIRD MESSAGE OR MEMO IS NO LONGER REQUIRED. NONETHELESS, DOD STILL REQUIRES DMS MESSAGES OR FRONT CHANNEL CABLES FROM BOTH THE EMBASSY AND DOS CONFIRMING THAT BOTH HAVE COMPLETED HUMAN RIGHTS VETTING FOR THE UNIT OR INDIVIDUAL SCHEDULED FOR DOD-FUNDED TRAINING.

B. EXCEPT FOR INDIVIDUAL TRAINING PROVIDED IN THE UNITED STATES, DOD ACCEPTS THAT MEMBERS OF UNITS VETTED AT EMBASSY BOGOTA ARE ALSO CLEARED FOR DOD-FUNDED INDIVIDUAL TRAINING. THIS ACCEPTANCE FOR EMBASSY BOGOTA ONLY IS CONTINGENT UPON THE CONTINUED PRACTICE OF THOROUGHLY VETTING INDIVIDUAL MEMBERS DURING THE PROCESS OF VETTING THE UNIT. VETTING FOR INDIVIDUAL TRAINING PROVIDED IN THE UNITED STATES WILL CONTINUE IN ACCORDANCE WITH EXISTING PROCEDURES.

C. PER REF A AND AS AN AMENDMENT TO REF E, DOD WILL ACCEPT WRITTEN HUMAN RIGHTS VETTING VERIFICATION WITHIN 12 MONTHS OF THE COMMENCEMENT OF TRAINING, ABSENT A CONTRARY WRITTEN REPORT FROM THE DEPARTMENT OF STATE.

3. BACKGROUND. DOD LEAHY PROVISION: THE MOST RECENT VERSION OF THE DOD LEAHY AMENDMENT, SECTION 8077 OF THE FY 2004 DOD APPROPRIATIONS ACT (PUBLIC LAW 108-87) READS AS FOLLOWS:

BEGIN TEXT:

(A) PROHIBITION. -- NONE OF THE FUNDS MADE AVAILABLE BY THIS ACT MAY BE USED TO SUPPORT ANY TRAINING PROGRAM INVOLVING A UNIT OF THE SECURITY FORCES OF A FOREIGN COUNTRY IF THE SECRETARY OF DEFENSE HAS RECEIVED CREDIBLE INFORMATION FROM THE DEPARTMENT OF STATE THAT THE UNIT HAS COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS, UNLESS ALL CORRECTIVE STEPS HAVE BEEN TAKEN.

(B) MONITORING. -- THE SECRETARY OF DEFENSE, IN CONSULTATION WITH THE SECRETARY OF STATE, SHALL ENSURE THAT PRIOR TO A DECISION TO CONDUCT ANY TRAINING PROGRAM REFERRED TO IN SUBSECTION (A), FULL CONSIDERATION IS GIVEN TO ALL CREDIBLE INFORMATION AVAILABLE TO THE DEPARTMENT OF STATE RELATING TO HUMAN RIGHTS VIOLATIONS BY FOREIGN SECURITY FORCES.

(C) WAIVER. -- THE SECRETARY OF DEFENSE, AFTER CONSULTING WITH THE SECRETARY OF STATE, MAY WAIVE THE PROHIBITION IN SUBSECTION (A) IF HE DETERMINES THAT SUCH WAIVER IS REQUIRED BY EXTRAORDINARY CIRCUMSTANCES.

(D) REPORT. -- NOT MORE THAN 15 DAYS AFTER THE EXERCISE OF ANY WAIVER UNDER SUBSECTION (C), THE SECRETARY OF DEFENSE SHALL SUBMIT A REPORT TO THE CONGRESSIONAL DEFENSE SUBCOMMITTEES DESCRIBING THE EXTRAORDINARY CIRCUMSTANCES, THE PURPOSE AND DURATION OF THE TRAINING PROGRAM, THE UNITED STATES FORCES AND THE FOREIGN SECURITY FORCES INVOLVED IN THE TRAINING PROGRAM, AND THE INFORMATION RELATING TO HUMAN RIGHTS VIOLATIONS THAT NECESSITATE THE WAIVER.  
END TEXT.

B. ALL DOD-FUNDED TRAINING PROGRAM EVENTS WITH FOREIGN UNITS AND

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INDIVIDUALS MUST BE REVIEWED IAW DOD LEAHY LEGISLATION. DOD-FUNDED TRAINING INCLUDES, AMONG OTHER THINGS, JOINT AND COMBINED EXERCISES FOR TRAINING (JCETS), COUNTERNARCOTICS TRAINING, COUNTERNARCOTERRORIST TRAINING, HUMANITARIAN DEMINING TRAINING, DOD REGIONAL COUNTERTERRORISM FELLOWSHIP TRAINING AS WELL AS ANY TRAINING ACTIVITIES CONDUCTED UNDER THE COMBATANT COMMANDER'S INITIATIVE FUND. TRAINING MEANS INSTRUCTION OF FOREIGN SECURITY FORCE PERSONNEL THAT MAY RESULT IN THE IMPROVEMENT OF THEIR CAPABILITIES.

C. TRAINING DOES NOT INCLUDE THE FOLLOWING:

(1) EXERCISES. INCIDENTAL TRAINING IS PERMITTED AS PART OF AN EXERCISE, INCLUDING FAMILIARIZATION, SAFETY AND INTEROPERABILITY TRAINING WITH A FORCE WHEN NECESSARY TO PERMIT CONDUCTING THE EXERCISE.

PCSS

(2) INDIVIDUAL AND COLLECTIVE INTERFACE ACTIVITIES, E.G., INDIVIDUAL OR SUBJECT MATTER EXPERT EXCHANGES, MIL-TO-MIL CONTACTS, SEMINARS AND CONFERENCES, PARTNERSHIP, AND OTHER SMALL UNIT EXCHANGES WHERE THE PRIMARY FOCUS IS INTEROPERABILITY OR MUTUALLY BENEFICIAL EXCHANGES AND NOT TRAINING OF FOREIGN SECURITY FORCES.

(3) BONA FIDE FAMILIARIZATION AND ORIENTATION VISITS.

(4) PREDEPLOYMENT SITE SURVEYS (PDSS) OR OTHER PLANNING AND COORDINATION VISITS SUPPORTING THE JCET OR TRAINING EVENT DO NOT REQUIRE HUMAN RIGHTS VERIFICATION IF THE IDENTITY OF THE FOREIGN SECURITY ELEMENT OR INDIVIDUALS TO BE TRAINED HAS NOT BEEN CONFIRMED. PDSS MAY BE APPROVED SEPARATELY FROM THE ADVANCE OPERATIONS NODE (ADVON) AND THE MAIN BODY.

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D. FOREIGN CANDIDATES FOR US-SPONSORED TRAINING PROGRAMS, TO INCLUDE IMET AND FMS-PURCHASED TRAINING AT DOD EDUCATIONAL INSTITUTIONS ALREADY RECEIVE HUMAN RIGHTS SCREENING UNDER PROCESSES OUTLINED IN REF D. US-SPONSORED TRAINING PROGRAMS USING REF D SCREENING PROCESSES ARE BEYOND THE SCOPE OF THIS MSG. (NOTE: USING DOD FUNDS

TO TRAIN FOREIGN SECURITY FORCES REQUIRES SPECIFIC STATUTORY AUTHORITY; OTHERWISE, SUCH TRAINING SHOULD BE FUNDED THROUGH SECURITY ASSISTANCE MECHANISMS).

4. IMPLEMENTATION

A. ALL DOD-FUNDED TRAINING EVENTS DESCRIBED IN PARAGRAPH 3B ABOVE MUST BE REVIEWED IAW THE FOLLOWING GUIDANCE:

(1) FOR PURPOSES OF THIS MESSAGE, THE TERM FOREIGN SECURITY FORCES MEANS FOREIGN MILITARY, POLICE, OR OTHER SECURITY FORCES. PER REF D, THE TERM 'GROSS VIOLATIONS OF HUMAN RIGHTS' INCLUDES TORTURE OR CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, PROLONGED DETENTION WITHOUT CHARGES AND TRIAL, CAUSING THE DISAPPEARANCE OF PERSONS BY THE ABDUCTION AND CLANDESTINE DETENTION OF THOSE PERSONS, AND OTHER FLAGRANT DENIAL OF THE RIGHT TO LIFE, LIBERTY OR THE SECURITY OF THE PERSON.'

(2) PDSS OR OTHER PLANNING AND COORDINATION VISITS SUPPORTING

THE JCET OR TRAINING EVENT DO NOT REQUIRE HUMAN RIGHTS VERIFICATION IF THE IDENTITY OF THE FOREIGN SECURITY ELEMENT OR INDIVIDUALS TO BE TRAINED HAS NOT BEEN CONFIRMED. PDSS MAY BE APPROVED SEPARATELY FROM THE ADVON AND THE MAIN BODY.

(3) FOR A TRAINING EVENT THAT DOES NOT REQUIRE ISSUANCE OF A SECDEF DEPLOYMENT ORDER, THE TRAINING EVENT MAY BE CONDUCTED IF EMBASSY HUMAN RIGHTS REVIEW REVEALS NO CREDIBLE INFORMATION OF GROSS VIOLATIONS OF HUMAN RIGHTS BY THE FOREIGN UNIT OR ITS MEMBERS. THE REGIONAL COCOM WILL MAINTAIN A COPY OF THE EMBASSY VERIFICATION STATEMENT ON FILE FOR AUDIT PURPOSES.

(4) FOR TRAINING EVENTS REQUIRING A SECDEF DEPLOYMENT ORDER OR SECDEF APPROVAL (E.G., COUNTERNARCOTICS, COUNTERNARCOTERRORISM, JCET, PSYOP, CIVIL AFFAIRS AND HUMANITARIAN DEMINING), DOD WILL ACCEPT INDIVIDUAL OR UNIT HUMAN RIGHTS VETTING, BASED ON VETTING CONDUCTED AT THE DEPARTMENT OF STATE AND POST, FROM THE DEPARTMENT OF STATE, THE CHIEF OF MISSION, OR THE CHIEF OF MISSION'S CIVILIAN DESIGNEE. THIS VERIFICATION WILL BE COMMUNICATED VIA DMS MESSAGE OR FRONT CHANNEL CABLE REPRESENTING THAT (QUOTE) THE DEPARTMENT OF STATE POSSESSES NO CREDIBLE EVIDENCE OF GROSS VIOLATIONS OF HUMAN RIGHTS BY (NAME OF DESIGNATED UNIT OR INDIVIDUAL), AS OF THIS DATE. (END QUOTE) (NOTE: DOD INTERPRETS THE PHRASE 'AS OF THIS DATE' TO MEAN THE DATE OF THE MESSAGE). THE REGIONAL COCOM WILL FORWARD COPIES OF BOTH DOS AND EMBASSY DMS MESSAGES OR CABLES AS PART OF THE REQUEST FOR DEPLOYMENT ORDER OR JCET APPROVAL. REF B PREVIOUSLY REQUIRED EMBASSIES TO REVIEW ALL FILES ON FOREIGN UNITS SCHEDULED FOR DOD-FUNDED TRAINING AND CABLE RESULTS TO DOS. UPON RECEIPT OF THE DOS REVIEW, ASSUMING NEGATIVE REPORTS OF VIOLATIONS, REF B REQUIRED EMBASSIES TO PROVIDE A THIRD MESSAGE OR MEMO TO THE REGIONAL COCOMS VERIFYING COMPLETION OF THE HUMAN RIGHTS VETTING. THE THIRD MESSAGE OR MEMO IS NO LONGER REQUIRED. NONETHELESS, DOD STILL REQUIRES DMS MESSAGES OR FRONT CHANNEL CABLES FROM BOTH THE EMBASSY AND DOS CONFIRMING THAT BOTH HAVE COMPLETED HUMAN RIGHTS VETTING FOR THE UNIT OR INDIVIDUAL SCHEDULED FOR DOD-FUNDED TRAINING.

B. FOR EACH TRAINING EVENT DESCRIBED IN PARAGRAPH 4A (3) AND (4) ABOVE: IF DOS DISCOVERS DURING THE VERIFICATION PROCESS THAT CREDIBLE INFORMATION OF GROSS VIOLATIONS OF HUMAN RIGHTS EXISTS WITH RESPECT TO CERTAIN UNIT(S) OR INDIVIDUAL(S) WHOM DOD PLANS TO HAVE PARTICIPATE IN THE TRAINING EVENT, AND THE REGIONAL COCOM DESIRES TO PROCEED WITH THE TRAINING, THE CASE WILL BE REFERRED, BY THE REGIONAL COCOM, TO THE JOINT STAFF FOR RESOLUTION BY DOD AND DOS. IF THE REGIONAL COCOM BELIEVES THAT CORRECTIVE ACTION (E.G., ADJUSTMENTS TO THE HOST NATION PARTICIPANTS) HAS BEEN, OR CAN BE, TAKEN, AND THE TRAINING EVENT APPROVED ON THAT BASIS, THE REFERRAL TO THE JOINT STAFF SHOULD STATE THIS AND DESCRIBE THE COMPLETED OR RECOMMENDED CORRECTIVE ACTION. HOWEVER, INITIATION OF THE TRAINING EVENT MAY NOT BEGIN PRIOR TO COMPLETION OF THE JOINT REVIEW BY DOS AND DOD. FOR JCETS, A BRIEF SUMMARY OF THE DEROGATORY HUMAN RIGHTS

INFORMATION, RECOMMENDED OR COMPLETED ADJUSTMENTS TO THE FOREIGN SECURITY FORCE, PLUS DOS CONCURRENCE IN THE RECOMMENDED OR COMPLETED ADJUSTMENTS WILL BE NOTED IN THE REMARKS SECTION OF JCET AUTHORIZATION DOCUMENT (JAD) MATRIX SUBMITTED FOR SECDEF APPROVAL. A JOINT DOS-DOD REVIEW WILL RESOLVE THE ISSUE PRIOR TO JAD APPROVAL. C. IF DURING THE DOS HUMAN RIGHTS VERIFICATION PROCESS FOR TRAINING EVENTS DESCRIBED ABOVE, IT IS DISCOVERED THAT CREDIBLE INFORMATION OF GROSS VIOLATIONS OF HUMAN RIGHTS EXISTS (WHERE CORRECTIVE ACTIONS CANNOT BE ACCOMPLISHED AND THE JOINT DOS-DOD REVIEW DOES NOT RESULT IN APPROVING THE TRAINING EVENT), AND EXTRAORDINARY CIRCUMSTANCES NECESSITATE CONDUCTING THE TRAINING EVENT, A SECDEF WAIVER IS REQUIRED. IN SUCH CASES, THE REGIONAL COCOM WILL SUBMIT THE FOLLOWING INFORMATION TO THE JOINT STAFF (J-3/J-5) VIA GENSER MESSAGE:

- (1) NAME, INCLUSIVE DATES AND LOCATION OF TRAINING.
- (2) US UNIT(S) PROVIDING TRAINING.
- (3) HOST NATION UNIT(S) OR INDIVIDUALS PARTICIPATING IN THE TRAINING EVENT.
- (4) DESCRIPTION OF TRAINING AND OBJECTIVES.
- (5) US EMBASSY CONTACT AND POSITION.
- (6) NATURE OF THE GROSS VIOLATION OF HUMAN RIGHTS.
- (7) DESCRIPTION OF ALL CORRECTIVE STEPS TAKEN BY THE HOST NATION, THE EMBASSY POSITION ON EXECUTING THIS TRAINING IN LIGHT OF THE EXISTING GROSS VIOLATION OF HUMAN RIGHTS, AND AN EXPLANATION OF THE EXTRAORDINARY CIRCUMSTANCES THAT JUSTIFY CONDUCTING THE TRAINING DESPITE GROSS HUMAN RIGHTS VIOLATIONS OF FOREIGN UNIT(S) OR INDIVIDUAL(S). SECDEF MAY GRANT THE WAIVER ONLY AFTER CONSULTING WITH SECSTATE. NO ACTIVITY REQUIRING A WAIVER MAY BE CONDUCTED UNTIL SECDEF GRANTS THE WAIVER.

D. IF CREDIBLE INFORMATION OF GROSS HUMAN RIGHTS VIOLATIONS IS FOUND TO EXIST (WHERE ALL CORRECTIVE STEPS CANNOT BE ACCOMPLISHED), AND THE COCOM ELECTS NOT TO PURSUE A SECDEF WAIVER (E.G., CANCELS PROPOSED TRAINING EVENT), THE COCOM WILL SUBMIT FOLLOWING THE INFORMATION VIA GENSER MESSAGE, IMMEDIATELY UPON TRAINING CANCELLATION, TO JOINT STAFF J-3/J-5 INFORMATION TO USDP:

- (1) NAME, DATE AND LOCATION OF TRAINING.
- (2) US UNIT(S) TO HAVE PROVIDED TRAINING.
- (3) HOST NATION UNIT(S) OR INDIVIDUALS TO HAVE PARTICIPATED IN THE TRAINING EVENT.
- (4) DESCRIPTION OF TRAINING AND OBJECTIVES.
- (5) US EMBASSY CONTACT AND POSITION.
- (6) NATURE OF GROSS VIOLATION OF HUMAN RIGHTS.
- (7) DESCRIPTION OF ALL CORRECTIVE STEPS TAKEN OR REJECTED BY THE HOST NATION, EMBASSY POSITION ON EXECUTING THIS TRAINING IN LIGHT OF EXISTING GROSS HUMAN RIGHTS VIOLATIONS, COCOM PROPOSED CORRECTIVE STEPS, AND REASON(S) FOREIGN NATION COULD OR WOULD NOT ACCOMMODATE ALL CORRECTIVE STEPS.

E. TO ENSURE THAT ALL DOD-FUNDED TRAINING IS PROVIDED ONLY TO FOREIGN UNIT(S) AND/OR INDIVIDUALS THAT HAVE BEEN REVIEWED AND APPROVED UNDER THE PROCESS DESCRIBED IN THIS MESSAGE, A REGIONAL COCOM REPRESENTATIVE WILL CONDUCT A FINAL CHECK OF ALL PARTICIPATING UNIT(S) AND/OR INDIVIDUALS PRIOR TO TRAINING. IF POSSIBLE, AVOID ASSIGNING MEMBERS OF THE DOD TRAINING ELEMENT AS THE FINAL CHECKER. THE CHECK WILL BE BASED ON THE FINAL DOS HUMAN RIGHTS CLEARANCE MESSAGE (UNITS AND/OR LISTED INDIVIDUALS) AS DESCRIBED BELOW. IN THE AFTER-ACTION REPORT, INDICATE THAT THE FINAL CHECK WAS COMPLETED. NON-APPROVED UNIT(S), AND/OR INDIVIDUALS, WILL NOT PARTICIPATE IN ANY TRAINING. IF NON-APPROVED UNITS(S) AND/OR INDIVIDUALS SHOW UP FOR TRAINING FROM AN UNCLEARED UNIT OR IF UNCLEARED BY NAME, SUCH INCIDENTS WILL BE REPORTED TO THE EMBASSY POINT OF CONTACT.

(1) UNITS. PRIOR TO COMMENCEMENT OF TRAINING, A REGIONAL COCOM REPRESENTATIVE WILL CHECK THAT DOS HAS REVIEWED AND CLEARED EACH UNIT (OR PARTIAL UNIT) TO BE TRAINED, AND THAT ALL INDIVIDUALS TO RECEIVE TRAINING ARE ASSIGNED TO THE UNIT(S) TO BE TRAINED. THE CHECK MAY BE ACCOMPLISHED BY VERBALLY CONFIRMING THAT TRAINEES ARE FROM THE APPROVED UNIT(S) USING THE DOS MESSAGE; INDIVIDUAL ROSTER VERIFICATION IS NOT REQUIRED. PER REF D, THE PHRASE 'UNIT' FOR THE PURPOSES OF THE LEAHY AMENDMENTS WILL BE DETERMINED ON A CASE-BY-CASE BASIS. AS A GENERAL RULE, DOS ASKS POSTS TO CONSIDER THE LOWEST ORGANIZATIONAL ELEMENT OF A SECURITY FORCE CAPABLE OF EXERCISING COMMAND AND DISCIPLINE OVER ITS MEMBERS.

(2) INDIVIDUAL TRAINING. PRIOR TO COMMENCEMENT OF TRAINING, A REGIONAL COCOM REPRESENTATIVE WILL CHECK THAT THE INDIVIDUALS TO BE TRAINED ARE THOSE WHOM DOS HAS REVIEWED AND CLEARED. THE CHECK OF INDIVIDUALS MAY BE ACCOMPLISHED BY ROLL CALL USING THE DOS MESSAGE. F. IF INADVERTENT TRAINING OF UNAPPROVED FOREIGN UNIT(S) AND/OR INDIVIDUALS IS DISCOVERED, THE APPROPRIATE EMBASSY AND THE JOINT STAFF VIA THE REGIONAL COCOM WILL BE NOTIFIED OF THE CIRCUMSTANCES OF THE ADMINISTRATIVE ERROR WITHIN SEVEN (7) DAYS OF THE DISCOVERY. THE REGIONAL COCOM WILL ALSO REQUEST THE EMBASSY CONDUCT A HUMAN RIGHTS REVIEW OF THE UNAUTHORIZED UNIT(S) OR INDIVIDUALS, CONSISTENT WITH THIS MESSAGE, AND REPORT THOSE FINDINGS TO THE JOINT STAFF AS SOON AS POSSIBLE.

G. HUMAN RIGHTS REVIEW OF DOD FUNDED TRAINING IS A HIGH-INTEREST ITEM FOR CONGRESS. ACCORDINGLY, IT IS IMPERATIVE THAT REGIONAL COCOMS MAINTAIN DETAILED RECORDS OF ALL DOD-FUNDED TRAINING AND THE REQUIRED HUMAN RIGHTS VERIFICATION STATEMENT TO DOCUMENT DOD COMPLIANCE WITH THE FY04 DEFENSE APPROPRIATIONS ACT. DOD SENIOR LEADERSHIP MAY REQUEST TRAINING RECORDS TO SUPPORT FUTURE CONGRESSIONAL TESTIMONY. SUCH RECORDS MUST INCLUDE:

- (1) NAME, DATE, AND LOCATION OF TRAINING.
- (2) US UNIT(S) PROVIDING TRAINING.
- (3) UNIT(S) OR INDIVIDUALS PARTICIPATING IN THE TRAINING EVENT.
- (4) DESCRIPTION OF TRAINING AND OBJECTIVES.

(5) DOS MESSAGE VERIFYING DOS POSSESSES NO CREDIBLE INFORMATION OF GROSS HUMAN RIGHTS VIOLATIONS BY INTENDED FOREIGN PARTICIPANTS (OR PROVIDING CREDIBLE INFORMATION OF GROSS VIOLATIONS OF HUMAN RIGHTS).

(6) ANY CORRECTIVE STEPS TO ACHIEVE HUMAN RIGHTS COMPLIANCE, ALONG WITH SUBSEQUENT REPORTS TO JOINT STAFF REGARDING ADJUSTMENTS OR CORRECTIVE STEPS TAKEN.

(7) SECDEF WAIVER REQUESTS AND RESULTS.

(8) REPORTS TO JOINT STAFF REGARDING DECISION NOT TO PURSUE SECDEF WAIVER WHERE COCOM OR SERVICE PROPOSED CORRECTIVE STEPS ARE NOT ACCOMMODATED BY FOREIGN NATION(S).

(9) SPECIFICALLY STATE WHETHER TRAINING WAS CANCELLED, DELAYED OR RESCHEDULED.

5. DOS HAS DIRECTED EMBASSIES (REF D) TO HELP ENSURE DOD COMPLIES WITH HUMAN RIGHTS VETTING REQUIREMENTS. IN THOSE INSTANCES WHERE THE HUMAN RIGHTS REVIEW REVEALS INFORMATION OF A GROSS HUMAN RIGHTS VIOLATION, DOS AND EMBASSY ASSISTANCE SHOULD INCLUDE DETERMINATION OF WHETHER HUMAN RIGHTS INFORMATION IS 'CREDIBLE,' DOCUMENTATION OR VERIFICATION OF INFORMATION CONCERNING HUMAN RIGHTS VIOLATIONS, AND DETERMINATION OF WHETHER COCOM OR COUNTRY TEAM-PROPOSED CORRECTIVE STEPS ARE APPROPRIATE. IF EMBASSIES FAIL TO RESPOND TO THE COCOM'S REQUESTS FOR REQUIRED HUMAN RIGHTS VERIFICATION, TRAINING CANNOT PROCEED. THEREFORE, IF TRAINING IS PLACED AT RISK DUE TO LACK OF RESPONSE WITHIN A REASONABLE PERIOD, COCOMS SHOULD NOT HESITATE TO REQUEST JOINT STAFF ASSISTANCE IN OBTAINING DOS COOPERATION. REGIONAL COCOMS SHOULD ALSO ENSURE THAT SECSTATE IS AN INFO ADDRESSEE ON ALL REQUESTS TO EMBASSIES FOR HUMAN RIGHTS REVIEW OF PROPOSED DOD-FUNDED TRAINING TO FACILITATE NECESSARY INFORMATION SHARING BETWEEN SECSTATE AND COUNTRY TEAMS.

6. IF, DURING IMPLEMENTATION OF THIS GUIDANCE, QUESTIONS ARISE CONCERNING WHETHER SPECIFIC DOD-FUNDED TRAINING PROGRAMS/EVENTS REQUIRE HUMAN RIGHTS VERIFICATION, JOINT STAFF (J-3/J-5) SHOULD BE CONTACTED. JCET POC IS J3/SOD, DSN 225-8119. POLICY POC IS J5/CCSA, AT DSN 225-8163.//

#### **TO Addressees**

(OR1) TAYZ50, PTSC, CNO

(DN1) DOD, NAVY, ORGANIZATIONS(SC), CNO WASHINGTON DC(SC)

(OR2) TVYY3, HQMC, CMCS

(DN2) DOD, USMC, ORGANIZATIONS, CMC WASHINGTON DC(SC)

(OR3) TAYZ50, PTSC, CSA

(DN3) DOD, ARMY, ORGANIZATIONS, DA HQDA EXEC OFFICE(SC), CSA(SC)

(OR4) TAYZ50, PTSC, AFXO

(DN4) DOD, AF, ORGANIZATIONS, HQ USAF(SC), XO(SC)  
(OR5) HEFL21, CDRUSASOC FT BRAGG NC  
(DN5) DOD, AUTODIN PLAS, C-CD, CDRUSASOC FT BRAGG NC  
(OR6) XYLJ5, CPXPS10, ECJ5MC  
(DN6) DOD, EUCOM, ORGANIZATIONS, EUCOM J5 DIRECTORATE(MC)  
(OR7) XYLJ5, CPXPS10, ECJ3MC  
(DN7) DOD, EUCOM, ORGANIZATIONS, EUCOM J3 DIRECTORATE(MC)  
(OR8) NRTH76, CPXNRTH76, V3HQNORTHCOMJ5  
(DN8) DOD, NORTHCOM, ORGANIZATIONS, HQ NORTHCOM(SC), J5(SC)  
(OR9) NRTH76, CPXNRTH76, V3HQNORTHCOMJ3  
(DN9) DOD, NORTHCOM, ORGANIZATIONS, HQ NORTHCOM(SC), J3(SC)  
(OR10) EUVB7, CPXPEUVB02, HQ USPACOM J5  
(DN10) DOD, PACOM, ORGANIZATIONS, CDR USPACOM HONOLULU HI(SC), HQ USPACOM J5(SC)  
(OR11) EUVB7, CPXPEUVB02, HQ USPACOM J3  
(DN11) DOD, PACOM, ORGANIZATIONS, CDR USPACOM HONOLULU HI(SC), HQ USPACOM J3(SC)  
(OR12) NVZR1, USCENCOM CCJ5(MC)  
(DN12) DOD, CENTCOM, ORGANIZATIONS, USCENCOM CCJ5(MC)  
(OR13) NVZR1, USCENCOM CCJ3(MC)  
(DN13) DOD, CENTCOM, ORGANIZATIONS, USCENCOM CCJ3(MC)  
(OR14) QCEY4, HQJ5MC  
(DN14) DOD, SOUTHCOM, ORGANIZATIONS, HQ USSOUTHCOM(MC), HQ USSOUTHCOM J5(MC)  
(OR15) QCEY4, HQJ3MC  
(DN15) DOD, SOUTHCOM, ORGANIZATIONS, HQ USSOUTHCOM(MC), HQ USSOUTHCOM J3(MC)  
(OR16) SLWA4, CDR(MC)  
(DN16) DOD, SOCOM, ORGANIZATIONS, CDR USSOCOM(MC)

**CC/Info Addressees**

(OR1) SBDJ2, CDR USJFCOM NORFOLK VA(SC)  
(DN1) DOD, JFCOM, ORGANIZATIONS, CDR USJFCOM NORFOLK VA(SC)  
(OR2) TAYZ50, PTSC, USDPOLICY  
(DN2) DOD, OSD, ORGANIZATIONS, USD(POLICY)(SC)  
(OR3) HEFL21, SECDEF WASHINGTON DC  
(DN3) DOD, AUTODIN PLAS, R-S, SECDEF WASHINGTON DC  
(OR4) HEFL21, SECSTATE WASHINGTON DC  
(DN4) DOD, AUTODIN PLAS, R-S, SECSTATE WASHINGTON DC  
(OR5) VEJX2, V3CDRUSTRANSCOM



(DN5) DOD, TRANSCOM, ORGANIZATIONS, CDR USTRANSCOM(SC)  
(OR6) SGDE4, COMMANDER  
(DN6) DOD, STRATCOM, ORGANIZATIONS, COMMANDER(SC)  
(OR7) NCBW1MFI3, COMDT COGARD WASHINGTON DC  
(DN7) DOD, AUTODIN PLAS, CE-CS, COMDT COGARD WASHINGTON DC  
(OR8) TAYZ17, TAYZ20, CPXTAYZ05, JOINTSTAFF  
(DN8) DOD, JCS, ORGANIZATIONS, JOINT STAFF(SC)  
(OR9) TAYZ17, TAYZ20, CPXTAYZ05, JSJ3JOINTOPSDIV  
(DN9) DOD, JCS, ORGANIZATIONS, JOINT STAFF(SC), JOINT STAFF J3(SC), JOINT STAFF  
J3 JOINT OPS DIV(SC)  
(OR10) TAYZ17, TAYZ20, CPXTAYZ05, JSJ5  
(DN10) DOD, JCS, ORGANIZATIONS, JOINT STAFF(SC), JOINT STAFF J5(SC)  
(OR11) HEFL21, USMILGP BOGOTA CO  
(DN11) DOD, AUTODIN PLAS, U-Z, USMILGP BOGOTA CO  
(OR12) TAYZ17, TAYZ20, CPXTAYZ05, JSSPECOPSDIV  
(DN12) DOD, JCS, ORGANIZATIONS, JOINT STAFF(SC), JOINT STAFF J3(SC), JOINT  
STAFF J3 SPEC OPS DIV(SC)  
**Originator-OR** - TAYZ17, TAYZ20, CPXTAYZ05, DJSSC  
**Originator-DN** - DOD, JCS, ORGANIZATIONS, OFFICE OF THE CHAIRMAN(SC), DJS(SC)  
**ContentType** - 2.16.840.1.101.2.1.2.3  
**SecurityPolicyID-ACP120** - 2.16.840.1.101.2.1.3.14  
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**ClassificationMark-ACP120** - UNCLASSIFIED//  
**PrivacyMark-ACP120** -  
**PrecedenceCopy** - PRIORITY  
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**Recipient-OR** - SLWA4, CDR(MC)  
**Recipient-DN** - DOD, SOCOM, ORGANIZATIONS, CDR USSOCOM(MC)  
**Signers-DN** - DoD, JCS, Organizations, OFFICE OF THE CHAIRMAN(sc), DJS(sc), DJS MSG  
CTR(sc)  
**ThisMMUser** -  
/C=US/ADMD=DMS/PRMD=DMS+GOV+SIPR/O=VA7/OU=TAYZ17/OU=TAYZ20/S=DJS  
**ThisMMUserID** - BFAB467702AF184896D8D1CC4F8FB47D 040607150858Z  
**Attachments** - WINMAIL.DAT  
**AttachmentsPath** - D:\Telos\Data\XMLInput\Attachment/A002086330.001