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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
CHIEFS OF THE MILITARY SERVICES
COMMANDERS OF THE COMBATANT COMMANDS
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: Additional Guidance on Implementation of Section 8057(b), DoD Appropriations Act, 2014 (Division C of Public Law 113-76) (“the DoD Leahy law”) and New or Fundamentally Different Units

This memorandum supplements the August 18, 2014, memorandum on “Implementation of Section 8057” (the DoD Leahy law) and provides additional guidance with respect to section 8057(b), commonly referred to as the remediation of units of foreign security forces.

Section 8057(b) provides an exception to the prohibition on providing training, equipment, or other assistance to members of a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights (GVHR), and if the Secretary of Defense, after consultation with the Secretary of State, determines that the government of such country has taken “all necessary corrective steps.”

The attached guidance provides the steps required for a foreign security force unit implicated in GVHR to regain eligibility for Department of Defense (DoD)-funded assistance and the procedures the Department will utilize to assess those steps. It also provides the steps and process required for the Department to determine that, under certain conditions, a newly created unit or a fundamentally different unit is not prohibited from receiving DoD-funded assistance.

The “Joint Department of Defense and Department of State (DOS) Policy on Remediation and the Resumption of Assistance under the Leahy Laws” has been developed in conjunction with the DOS, which will also utilize this policy to determine eligibility for resumption of assistance under the DOS Leahy law (currently section 620M of the Foreign Assistance Act of 1961, as amended).

The Under Secretary of Defense for Policy is delegated the authority to approve “all necessary corrective steps” exceptions under section 8057(b) when DoD and DOS have reached consensus that a unit should be eligible for assistance, consistent with this guidance. Use of the exception in cases where consensus cannot be reached is retained by the Secretary of Defense.

Thank you.

Attachment:
As stated

Handwritten signature: D. HASEL



Joint Department of Defense (DoD) and Department of State (DOS) Policy on Remediation and the Resumption of Assistance Under the Leahy Laws

Summary:

This document provides policy guidance for DoD and DOS on remediation and the resumption of assistance under the DoD and DOS Leahy laws. It describes the steps required for a unit of the security forces of a foreign country that has been implicated in a gross violation of human rights (GVHR) to regain eligibility for DoD-funded and DOS-funded assistance. Furthermore, it addresses the assessments the Departments will undertake to determine whether an implicated unit remains eligible, or can again be deemed eligible, for assistance.¹

Background:

The DoD Leahy law provides that DoD appropriated funds may not be used for any training, equipment, or other assistance for the members of a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a GVHR. The DoD Leahy law provides an exception to this restriction in cases where the Secretary of Defense, in consultation with the Secretary of State, determines that the government of such country has taken all necessary corrective steps.² The DOD will provide notification to Congress not more than 15 days after the use of the exception.

The DOS Leahy law provides that no assistance shall be furnished to any unit of the security forces of a foreign country if the Secretary of State has credible information that such unit has committed a GVHR. The DOS Leahy law provides for an exception to the overall prohibition if the Secretary of State determines and reports to Congress that the government of the country is taking effective steps to bring the responsible members of the security forces unit to justice.³ The DOS law also provides that the Secretary of State shall promptly inform the foreign government of the basis for a decision not to provide assistance and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

¹ DoD recognizes there will be cases where only State Department equities are involved (i.e. some police units) and thus not all cases will require substantive actions from both Departments.

² Sub-section (b) of Section 8057, DoD Appropriations Act, 2014, states, "EXCEPTION.—The prohibition in subsection (a)(1) shall not apply if the Secretary of Defense, after consultation with the Secretary of State, determines that the government of such country has taken all necessary corrective steps, or if the equipment or other assistance is necessary to assist in disaster relief operations or other humanitarian or national security emergencies."

³ Sub-section (b) of Section 620M ("Limitation on Assistance to Security Forces") of the Foreign Assistance Act of 1961, as amended, states: "EXCEPTION. —The prohibition in subsection (a) shall not apply if the Secretary determines and reports to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations that the government of such country is taking effective steps to bring responsible members to justice."

The term “appropriate remediation measures” will be used throughout the rest of the document and should be read to mean “all necessary corrective steps” for purposes of the DoD Leahy law, and “effective steps” for purposes of the DOS Leahy law. The term “implicated” will be used throughout the rest of the document and should be read to mean units for which the Secretary of State or the Secretary of Defense has credible information that such unit has committed a GVHR.

Assessing Steps Toward Remediation:

Accurately identifying and thoroughly assessing information available regarding each GVHR and each responsible individual within a unit is critical to a subsequent determination whether the government is taking or has taken appropriate remediation measures.

When both Departments determine there is credible information that a unit has committed a GVHR, and a request is made for that unit to receive DoD-funded or DOS-funded assistance, the Departments will begin the process of assessing whether the partner nation is taking/has taken appropriate remediation measures. This determination will focus on the three primary components of the remediation process: (1) investigation; (2) as appropriate, judicial or administrative adjudication; and (3) as appropriate, sentencing or comparable administrative actions. The review process is described at Tab A.

The Departments may determine that a host government is taking appropriate remediation measures after all three components have concluded or while a component or components remain underway, if the process is deemed sufficiently credible. Whether or not a determination has been made, the Departments reserve the option to restrict assistance to a unit as a policy matter.

Tab A

1. Evaluating Existing Units

- a. The assessment will begin with determining whether the government has taken, or is taking, appropriate remediation measures to resolve all instances of gross violations of human rights (GVHR) that implicate a particular unit. This assessment, and the assessment of the three components, will be based on the totality of circumstances in each case.**
- b. The following factors will be analyzed to assess whether a foreign government has taken or is taking appropriate remediation measures.**

(1) Investigations. The first step required to meet the appropriate remediation measures standard is the initiation of a credible investigation. The investigation in a given case should be conducted by an impartial investigative entity subject to appropriate civilian or military oversight and be completed in a thorough manner. Credibility assessments for investigations are fact-intensive; relevant factors include:

(a) Impartiality: An investigative entity can be assessed as “impartial” if it can be reasonably expected to carry out its duties without undue interference.

(b) Thoroughness: A thorough investigation will make a reasonable effort to gather and examine all available and relevant evidence.

In cases where investigations have commenced and there are sufficient indicators of credibility, the Departments may determine that an implicated unit will remain eligible for assistance provided the investigation is proceeding without undue delay and the implicated individual(s) do not remain in the operational service of the unit.

(2) Judicial or administrative adjudication: The judicial process or administrative adjudication must address all the GVHRs that a credible investigation has found to have been committed by the unit or individual members in question. Judicial processes may be carried out in civilian courts, military courts, or special tribunals. The following factors will be considered in evaluating the credibility of the judicial process or administrative adjudication:

(a) Credibility of the action: The prosecuting entity or administrative official, as appropriate, should be assessed for impartiality. The same factors considered

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above under the impartiality of the investigation will be considered for the prosecuting entity. The Departments must assess whether the prosecution made an effort to prosecute the actual perpetrators.

(b) Credibility of the adjudicatory body: In assessing the credibility of the trial or administrative adjudication itself, the proceeding should be assessed to see if it was thorough and carried out before an impartial body.

(c) Due Process: Assess whether the judicial or administrative process affords due process to the accused. To the maximum extent possible, the judicial process should not itself compromise or violate the rights of the accused.

(3) Sentencing or Comparable Administrative Actions: Sentencing or comparable administrative actions must be appropriate and proportional to the misconduct committed, taking into account the legal, judicial, and administrative systems of the foreign government.

- c. DoD and DOS will assess each of the factors above in accordance with their respective procedures.
- d. Although this guidance reflects generally accepted policy on remediation, the Department of Defense retains the option of determining that “all necessary corrective steps” have been taken with regard to a unit once the alleged GVHR perpetrator(s) has been removed from that unit. This standard will be utilized only for unique and exceptional circumstances. When utilizing this standard, to the greatest extent practicable, DoD will encourage the foreign security force to conduct an investigation into the GVHR and take further appropriate remediation measures.
- e. Under the DoD Leahy law, a report to the appropriate congressional committees is required no later than 15 days after use of the “all necessary corrective steps” exception. Under the DOS Leahy law, the prohibition on assistance is lifted once a determination that the foreign government “is taking effective steps to bring responsible members to justice” and a report to the appropriate congressional committees has been submitted.

If a remediation process finds the accused not culpable, or the allegation unsubstantiated, the Departments may choose to revisit the original GVHR finding, based upon the new information

revealed. No report to Congress is necessary if the Departments determine upon reexamination that the information that a unit or individual members committed a GVHR is not credible.⁴

In national reconciliation and transitional justice processes where customary legal processes, communal justice, or other non-traditional reparative mechanisms mirror the remediation process and rubric (investigations, judicial or administrative adjudication, and sentencing or comparable administrative actions) described above, the Departments will evaluate the totality of circumstances to determine whether they constitute appropriate remediation measures.

2. Evaluating New and Fundamentally Different Units

A determination that a unit is “new” or “fundamentally different” requires an analysis and procedural process distinct from considering whether a government is taking appropriate remediation measures. Each Department should reference its respective procedures in making this assessment.

New and fundamentally different units are not subject to the same Congressional reporting requirements as units for which the Departments have determined that appropriate remediation measures have been taken.

- a. The Departments may determine that, under certain conditions, a newly created unit, or a pre-existing unit that differs fundamentally from its predecessor that was implicated in GVHR, is eligible for assistance under the DoD and DOS Leahy laws.** A determination of eligibility will not be based solely on time having elapsed since the credible information of GVHR was first received; however, the Departments recognize that over time, significant reorganization or personnel changes within a unit may occur, and that those changes may allow for the resumption of assistance based on a determination that the unit is no longer the same unit that was implicated in the GVHR.
- b. In making a determination whether a unit is new or fundamentally different, the following criteria will be applied:**
 - (1) New Units:** A new unit, by definition, will not have been implicated in any past GVHR. The Departments will assess the below factors to determine whether the unit is a new unit:
 - (a) The unit must not have significant numbers of the same personnel who were assigned to a pre-existing unit implicated in GVHR;**

⁴ A report to Congress is still necessary if the Department determines that a unit or individual members committed a GVHR, but that the remediation process has addressed it sufficiently.

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- (b) The Departments must not be in possession of credible information that the unit's current members, including its commanders, have committed GVHR;
- (c) The unit must serve legitimate institutional, organizational, or operational purposes. Renaming a previously existing unit for the purpose of circumventing remediation for prior suspected GVHR is not an acceptable means of meeting the "new unit" standard.

(2) Fundamentally Different Units: This term applies when DoD and DOS, in consultation, conclude that a unit that was previously implicated in a GVHR may now be considered and vetted as a unit not associated with the prior GVHR because the current unit is so fundamentally different from the unit involved in the GVHR. The Departments will assess the below factors to evaluate whether the unit is fundamentally different in both its role and membership:

- (a) Changes in the role of security force unit would consider factors such as:
 - a. function (operational purpose and activities of the unit);
 - b. reporting structure (institutional oversight of the unit);
 - c. leadership (how the unit is commanded and by whom);
 - d. culture (including professionalism and absence of impunity);
- (b) Changes in membership (requires a complete turnover of personnel since the time of the GVHR).

Other circumstances at the national level may exist that contribute to the determination whether a security force unit is new or fundamentally different. Changes at the national level must be accompanied by changes at the unit level, and the Departments will evaluate the totality of circumstances, including:

- (a) Regime change that resulted in removing the leadership responsible for past GVHR;
- (b) Transitional justice processes, including certain forms of legal pardon, which prevent prosecution or sentencing of certain individuals or units allegedly responsible for past GVHR;
- (c) Respect for human rights within the broader government, as evidenced by conduct and its demonstrated willingness to institute remediation measures.

Even where a determination has been made that a unit is fundamentally different and that the unit is again eligible to receive DoD-funded and DOS-funded assistance, the Departments are encouraged to identify ways to support the establishment of policies,

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regulations, enforcement mechanisms, and early warning systems in these new organizational entities that will help prevent and punish GVHR. In cases where this guidance would not permit a unit to be considered fundamentally different, but extraordinary factual circumstances are present, the Departments may evaluate the particular circumstances to determine if an alternative basis for considering a unit fundamentally different is feasible.

3. Assistance to Partner Nations that Seek to Bring Perpetrators to Justice.

Section (d) of the DOS Leahy law also calls for the United States to “assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.” Further guidance on the implementation of this legal requirements will be forthcoming.

DoD Procedures for Resumption of Assistance Under the DoD Leahy Law

This document supplements the “Joint Department of Defense (DoD) and Department of State (DOS) Policy on Remediation and the Resumption of Assistance under the Leahy Laws” (hereafter “the policy”).

Part 1:

The following procedures provide further guidance on the process by which an existing unit of a foreign security force that has been denied assistance under the DoD Leahy law will be evaluated for the resumption of assistance.

1. The Senior Defense Official (SDO) in country will submit a request addressing how the foreign government has taken or is taking appropriate remediation measures, using the template at Enclosure 1, through the relevant Combatant Command (CCMD) for endorsement to the Joint Staff.

2. A Remediation Review Panel (RRP) will be convened by Office of the Under Secretary of Defense for Policy/Stability and Humanitarian Affairs (OSD-P/SHA) within 2 weeks of the receipt of a request for a review and associated CCMD endorsement.

- The RRP will be composed of O-6/GS-15/FSO-1 members from the following offices or bureaus: OSD-P/Special Operations and Low Intensity Conflict (SOLIC), OSD-Policy Regional Office, Joint Staff (Deputy Directorate-Global Policy and Partnerships (DD-GPP)), DoD Office of the General Counsel, State Bureau of Democracy, Human Rights and Labor (DRL), State Regional Bureau, State Functional Bureau, and the State Office of the Legal Adviser.

2a. In those cases where the RRP reaches consensus, within two weeks of the RRP decision, OSD-P/SHA will prepare an Action Memo to the Under Secretary of Defense for Policy (USD(P)) recommending that USD(P) make the determination that appropriate remediation measures have been taken and that the unit is eligible to receive DoD-funded assistance under the DoD Leahy law or recommending that USD(P) endorse a decision by the RRP that the unit does not currently meet the standard for remediation. OSD-P/SHA will prepare the required congressional notification for transmission within 15 days of the USD(P)'s determination.

2b. In those cases where the RRP is unable to reach consensus, but DoD believes the partner nation has taken or is taking appropriate remediation measures for the unit in question, a Senior Remediation Review Panel (SRRP) will be convened within 2 weeks. Once the SRRP reaches a decision, OSD-P/SHA will prepare an action memo within two weeks to USD(P) recommending that USD(P) make the determination that appropriate remediation measures have been taken and that the unit is eligible to receive DoD-funded assistance under the DoD Leahy law or recommending that USD(P) endorse a decision by the RRP that the unit does not currently meet

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the standard for remediation. OSD-P/SHA will prepare the required congressional notification for transmission within 15 days of the USD(P)'s determination.

- The SRRP will be composed of DASD-level members from the following offices or bureaus: OSD-P/SOLIC, Joint Staff (DD-GPP), and OSD-P Regional Office, State DRL, State Regional Bureau, and the State Functional Bureau.

3. If the SRRP is unable to reach agreement, every effort will be made at the Assistant Secretary level and/or the Under Secretary level to achieve consensus. Should there be no resolution, OSD-P, in conjunction with the Joint Staff (J5), will decide whether the Department should proceed with a recommendation to the Secretary of Defense. OSD-P/SHA will be responsible for preparing an action memorandum to the Secretary, which will include the views of the Department of State.

4. If the Secretary of Defense makes the determination that appropriate remediation measures have been taken and that the unit is eligible to receive DoD-funded assistance under the DoD Leahy law, OSD-P/SHA will prepare the required congressional notification for transmission within 15 days of the Secretary's determination. OSD-P/SHA will also notify the Department of State.

Part 2:

The following procedures provide further guidance on the process by which a unit of a foreign security force, for which the Secretary of State has determined that appropriate remediation measures have been taken and that the unit is eligible to receive DOS-funded assistance under the DOS Leahy law, will be considered eligible for assistance under the DoD Leahy law.

1. State DRL will provide OSD-P/SHA a copy of the Secretary of State determination that a unit is eligible for resumption of assistance under the DOS Leahy law within 7 days of a determination.

2. OSD-P/SHA will draft an action memo for USD(P) recommending that USD(P) make the determination that appropriate remediation measures have been taken and that the unit is eligible to receive DoD-funded assistance under the DoD Leahy law. The action memo will be coordinated with the Joint Staff, OSD-P/Regional Office, OSD-P/Functional Office and Office of the General Counsel.

3. OSD-P/SHA will prepare the required congressional notification for transmission within 15 days of USD(P)'s determination.

Part 3:

The below procedures provide further guidance on the process by which new or fundamentally different units of a foreign security force will be evaluated for eligibility for assistance.

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1. The SDO in country will submit a request addressing how the foreign government has met the criteria, using the template at Enclosure 2 of the policy, through the relevant CCMD for endorsement to the Joint Staff.
2. An RRP will be convened within 2 weeks of the receipt of a request for a review and associated CCMD endorsement.
 - 2a. In those cases where the RRP reaches consensus, within 2 weeks of the RRP decision, OSD-P/SHA will prepare an action memo to USD(P) recommending that the Department determine that the unit is “new” or “fundamentally different” and not prohibited from receiving DoD-funded assistance under the DoD Leahy law or recommending that the Department endorse a decision by the RRP that the unit does not meet the criteria.
 - 2b. In those cases where the RRP is unable to reach consensus, an SRRP will be convened within 2 weeks. Within 2 weeks of the SRRP decision, OSD-P/SHA will prepare an action memo to USD(P) recommending that the Department determine that the unit is “new” or “fundamentally different” and not prohibited from receiving DoD-funded assistance under the DoD Leahy law or recommending that the Department endorse a decision by the RRP that the unit does not meet the criteria.
3. If the SRRP is unable to reach agreement, every effort will be made at the Assistant Secretary level and/or the Under Secretary level to achieve consensus. Should there be no resolution, OSD(P), in conjunction with the Joint Staff, will determine whether the Department should proceed with a recommendation to the Secretary. OSD-P/SHA will be responsible for preparing an action memorandum to the Secretary, which will include the views of the Department of State.

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ENCLOSURE 1 – Template to Request Resumption of Assistance Under “Appropriate Remediation Measures”

MEMORANDUM FOR DIRECTOR JOINT STAFF, ATTN: DJ5, DEPUTY DIRECTOR
FOR GLOBAL POLICY AND PARTNERSHIPS

THROUGH: [COMBATANT COMMANDER]

SUBJECT: Recommendation for [Unit] be Considered Eligible for DoD Assistance

1. I recommend [Unit] be considered eligible for DoD assistance under the DoD Leahy Law. [Country] is taking/has taken appropriate all necessary corrective steps regarding the Gross Violations of Human Rights (GVHR) that led to the limitation on assistance. All previous instances of GVHR for which there is credible information have been addressed or are being addressed appropriately, and there is no credible information regarding any new additional GVHR.
2. On [date], the [unit] was initially denied DoD assistance after credible information implicated [unit] in a GVHR that occurred on [date]. [Provide a one or two sentence overview of the GVHR here.] A complete summary of the incident(s) is provided in attachment one.
3. I believe the foreign government has taken all necessary corrective steps in accordance with the DoD DOS Policy on Remediation and the Resumption of Assistance. [Provide a short two-to-three sentence overview of how the necessary corrective steps were accomplished (e.g. a credible investigation and trial were completed resulting in []).] A complete summary of all appropriate remediation measures is located in attachment two.
4. My point of contact for this action is [], and can be reached at [e-mail and phone #].

Country Senior Defense Official

Attachments:

1. GVHR case background
2. Steps taken to remediate unit

cc:

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Attachment 1 - GVHR Case Background

1. Unit Name to include Service:
2. Unit Commander Name:
3. Date(s) of Incident:
4. Location of Incident: (e.g., town, district, etc...)
5. Alleged GVHR description:
6. Circumstances surrounding the incident:

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Attachment 2 – Appropriate Remediation Measures Taken to Remediate the Unit

1. Provide the same short two to three sentence overview as in the base memorandum of how the unit accomplished all appropriate remediation measures here (e.g., As a result of a credible investigation and trial or administrative adjudication were completed resulting in XX sentence). Complete subsequent paragraphs as applicable.
2. Investigation(s):
 - 2a. Investigation was conducted by X (e.g., military tribunal, civilian judicial system, etc.).
 - 2b. The investigating office is considered impartial based on X.
 - 2c. Describe the investigation, to include its timeline, thoroughness and major findings and recommendation.
 - 2d. Was the alleged offender removed from the unit? And if so, where?
3. Judicial and administrative adjudication.
 - 3a. Was the matter referred for judicial or administrative adjudication? If not, why? If so, by whom?
 - 3b. Who conducted the judicial or administrative adjudication (e.g., commander, civilian or military judge/jury, etc.)?
 - 3c. Address whether the judicial/administrative standards complied with of the country. If so, explain.
 - 3d. Describe the judicial or administrative adjudication to include dates and other pertinent information (to include the specific charges).
 - 3d. Was the matter adjudicated in a manner free from improper influence such as political considerations?
 - 3e. What was the result of the actions (e.g., trial, dismissal, etc.)?
 - 3f. Was due process afforded to the accused in accordance with the legal norms of the body adjudicating the case?
4. Sentencing or administrative adjudication .
 - 4a. Was punishment issued, in either the form of a criminal sentence or an adverse administrative adjudication? If not, why? If so, what was the sentence or administrative adjudication?
 - 4b. Who imposed sentence or administrative adjudication (e.g., commander, judge, jury, etc.)?

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4c. Was the sentencing or administrative adjudication free from improper influence such as political considerations? If so, explain.

4d. Was the sentencing or comparable administrative adjudication must be appropriate and proportional to the misconduct committed, considering the legal, judicial and administrative standards of the foreign government's laws. If so, explain.

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**ENCLOSURE 2 – Template for Recommendation for Determining a Unit is “New” or
“Fundamentally Different”**

MEMORANDUM FOR DIRECTOR JOINT STAFF, ATTN: DJ5, DEPUTY DIRECTOR
FOR GLOBAL POLICY AND PARTNERSHIPS

THROUGH: [COMBATANT COMMANDER]

SUBJECT: Recommendation for Determining [Unit] is [“New” or “Fundamentally Different”]

1. I recommend that [Unit] be considered [“new” or “fundamentally different.”]
2. [Explain credible information of GVHR and how it relates to the Unit as well as other related units.] [Explain why the Unit should be considered either “new” or “fundamentally different,” using the criteria in the policy.] A complete summary of the incident(s) is provided in attachment one.
4. My point of contact for this action is [], and can be reached at [e-mail and phone #].

Country Senior Defense Official

Attachments:

1. GVHR case background
2. New or fundamentally different unit background

cc:

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Attachment 1 - GVHR Case Background

1. Unit Name to include Service:
2. Unit Commander Name at Time of Incident:
3. Date(s) of Incident:
4. Location of Incident: (e.g., town, district, etc...)
5. Alleged GVHR description:
6. Circumstances surrounding the incident:

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Attachment 2 - New or Fundamentally Different Unit Background

1. Provide a short two to three sentence overview of how the unit has become a new or fundamentally different unit (e.g., On XXX date, XXX unit was stood up and replaced XXX unit and the new mission includes X, Y, and Z). Complete subsequent paragraphs as applicable.
2. New unit.
 - 2a. Discuss whether the unit has a significant number of the same personnel as the preexisting unit that was implicated in the GVHR.
 - 2b. Describe the current unit's mission and how it differs from the mission of the unit implicated in the GVHR.
 - 2c. Is there any credible information that any personnel currently in the unit have been implicated in GVHR?
 - 2d. Explain the organizational history of the current unit, including any shared organization history with the former unit and any distinct missions, capabilities, or other distinguishing attributes of the current unit.
3. Fundamentally different unit.
 - 3a. Discuss whether the unit's mission, structure, and leadership are different than those of the unit implicated in the GVHR.
 - 3b. Are there any personnel currently in the unit who were in the unit at time of the GVHR?
4. Factors to consider for both new and fundamentally different units.
 - 4a. Did a change in national or military leadership result in legal or administrative accountability for the leaders of the unit responsible for the GVHR? If so, explain.
 - 4b. Does a transitional justice process exist that includes legal pardons or other impediments to criminal prosecution or sentencing of individuals or units allegedly responsible for a past GVHR? If so, explain.
 - 4c. Explain the country's record regarding human rights.