June 23, 2004

Mr. Scott W. Muller
General Counsel
Central Intelligence Agency
Washington, D.C. 20505

Re: Status of

Dear Scott:

You have asked whether [redacted] is a "protected person" and whether his [redacted] would violate the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, Aug. 12, 1949, 6 U.S.T. 3516, 754 U.N.T.S. 287. You have informed us that [redacted] and have provided additional information establishing that [redacted] illegally entered [redacted] after the occupation had begun and that [redacted] is an operative of the military wing of the Hizballah terrorist organization.

This letter confirms our previous oral advice that [redacted] would not violate the Geneva Convention. Based on the information you have provided, we have determined that [redacted] is not a "protected person" and that his [redacted] would accordingly not violate the Convention. We have further determined that even if [redacted] were a "protected person," his [redacted] would not constitute a prohibited "deportation" or "transfer" within the meaning of Article 49 or Article 147 of the Convention.

Sincerely,

Jack L. Goldsmith III
Assistant Attorney General