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Very respectfully yours,

Bush/DC

January 31, 2001

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Dear Mr. President,

My husband and I feel that the Afghan prisoners are just that — prisoners of war. Why not go with the expertise of Colm. Powell, your the one who told us that we are at war. We agree with the editorial from the San Francisco Chronicle. We deplore the present atmosphere of secrecy in this administration.

WHB233782

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UNITED STATES DEPARTMENT OF STATE  
 REVIEW AUTHORITY: SHARON E AHMAD  
 DATE/CASE ID: 30 DEC 2009 200900076

## 1/29/02 The law is the law

SF Chronicle

**P**RESIDENT BUSH seems confused about what to call the fighters captured in the Afghan conflict. In a press conference yesterday, he called them "prisoners" three times, before correcting himself and calling them "detainees."

Bush's confusion is the result of an unprecedented public dispute between Secretary of State Colin Powell, who notes that the Geneva Conventions cover the Taliban and al Qaeda fighters, and Vice President Dick Cheney and other hard-liners, who pretend they don't. In fact, international law couldn't be clearer.

■ **Government status.** Both the United States and Afghanistan are signatories of the Geneva Conventions. Although Washington withheld diplomatic recognition from the Taliban, the conventions give POW status to all "members of regular armed forces who profess allegiance to a government or an authority not recognized by the detaining power."

■ A soldier is a soldier

conventions do not apply to independent militia, the Taliban and most al Qaeda fighters were clearly fighting as the armed forces of the Afghan regime. Only the al Qaeda recruits being trained for terrorist operations elsewhere in the world would not be covered.

■ **Interrogation.** Nothing in the conventions precludes interrogating POWs. With or without POW status, it will be difficult to encourage hostile detainees to provide information. In the absence of torture, which is explicitly barred by the conventions and U.S. law, plea bargaining is likely to be the interrogators' main tactic.

■ **Prosecution.** The conventions explain that POW status does not protect detainees from being charged with war crimes, crimes against humanity, or other violations of U.S. criminal law.

The United States cannot cherry-pick international law, obeying certain man- ring others. Bush should

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THE WHITE HOUSE  
WASHINGTON

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TO:

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DATE: 16 Aug 02

CONTROL NUMBER:

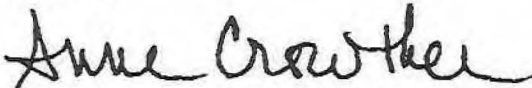
Please see attached

We are forwarding the enclosed constituent BULK mail for your review and direct response to the constituent. President Bush is requesting that all Federal agencies respond to constituent BULK mail within 30 days. Once you have responded to the constituent, please fax me (202-456-2992) a copy of that response letter. We no longer need your copy of the original correspondence returned to us.

If you have questions about these procedures or need to provide updated contact information, you may reach Meredith Anderson at (202) 456-7486; by fax at (202) 456-5502; or by email at Meredith\_Anderson@who.eop.gov

President Bush appreciates your cooperation and assistance.

Sincerely,



Anne Crowther  
Director  
Agency Liaison  
Presidential Correspondence

UNITED STATES DEPARTMENT OF STATE  
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