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TELEGRAM

January 30, 2002

RELEASED IN FULL

To: USMISSION USOSCE - IMMEDIATE

Origin: EUR

From: SECSTATE WASHDC (STATE 17756 - IMMEDIATE)

TAGS: PTER, PREL, SOCI

Captions: None

Subject: GUIDANCE ON ISSUES RELATING TO DETENTION AT GUANTANAMO

Ref: None

1. SUMMARY: IN OFFICIAL OR INFORMAL DISCUSSIONS OF THE STATUS OF THESE ISSUES POST SHOULD DRAW ON THE POINTS CONTAINED IN PARA 3. THE ISSUES RELATING TO USG ACTIONS IN THE WAKE OF SEPTEMBER 11 ARE EVOLVING QUICKLY AND ARE THE SUBJECT OF INTENSIVE INTER-AGENCY DELIBERATION AT THIS TIME. WE MUST REASSURE THE OSCE THAT WE ARE ATTENTIVE TO ITS NEED FOR RESPONSES, BUT IT IS CRUCIAL THAT THE USG RESPONSE BE AS DEFINITIVE AS THE SITUATION WILL ALLOW AT THIS TIME. WE MUST ASK THE OSCE AND OUR FELLOW PARTICIPATING STATES FOR PATIENCE. WHEN WE HAVE RESPONSES TO THE SPECIFIC QUESTIONS THAT ARE BEING RAISED, INCLUDING THE STATUS OF MILITARY VERSUS CIVILIAN TRIBUNALS AND THE STATUS OF ALGERIAN DETAINEES, WE WILL PROVIDE POSTS WITH THAT INFORMATION. END SUMMARY.

2. THE USG IS SEIZED WITH THIS ISSUE. WE ARE COGNIZANT OF OUR RESPONSIBILITIES AS AN OSCE MEMBER TO RESPOND TO THE SERIOUS QUESTIONS POSED TO US. WE FEEL OUR ACTIONS AND OUR PLANS ARE CONSISTENT WITH THE USG'S COMMITMENT TO

RESPECT AND SAFEGUARD INTERNATIONAL LAW. THE USG WELCOMES THE OPPORTUNITY TO ADDRESS THESE ISSUES WITH ITS PARTNERS, AND WE WILL KEEP THE PC INFORMED AS THIS ISSUE DEVELOPS. AT THE SAME TIME, WE MUST ASK THE OSCE AND OUR FELLOW PARTICIPATING STATES FOR PATIENCE. WHEN WE HAVE RESPONSES TO THE SPECIFIC QUESTIONS THAT ARE BEING RAISED, WE WILL CONTACT YOU WITH THAT INFORMATION.

3. POST IS AUTHORIZED TO DRAW FROM THE FOLLOWING POINTS

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: WILLIAM E LANDFAIR
DATE/CASE ID: 04 OCT 2004 200303827

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IN RESPONDING TO QUESTIONS RAISED IN RELATION TO
DETENTIONS AT GUANTANAMO:

--THE LEGAL STATUS OF DETAINEES IS CURRENTLY BEING
REVIEWED WITHIN THE ADMINISTRATION.

--WHATEVER THE LEGAL STATUS OF DETAINEES, THE INDIVIDUALS
BEING DETAINED AT GUANTANAMO ARE BEING TREATED HUMANELY
CONSISTENT WITH THE PRINCIPLES OF THE GENEVA CONVENTIONS.

--EACH DAY THE DETAINEES ARE GIVEN THREE CULTURALLY
APPROPRIATE MEALS.

--IT IS OF COURSE THE CASE THAT THESE DETAINEES ARE VERY
DANGEROUS PEOPLE, AND ALL APPROPRIATE SECURITY PRECAUTIONS
ARE BEING TAKEN.

--WE ARE CONTINUING TO INVESTIGATE THE CONNECTION BETWEEN
THE DETAINEES AND AL QAEDA, AND ARE COLLECTION ANY
RELEVANT INFORMATION CONCERNING CRIMES THAT MAY HAVE
COMMITTED.

--THE INTERNATIONAL COMMITTEE FOR THE RED CROSS IS BEING
GIVEN ACCESS TO THE DETAINEES AT GUANTANAMO TO INSPECT THE
CONDITIONS THERE.
POWELL

Additional Addressees:
None

cc:
AMEMBASSY LISBON

Distribution:

TED5654
ORIGIN EUR-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	A-00	ACQ-00	CA-01
	CCO-00	CG-00	CIAE-00	COME-00	CTME-00	INL-00	DODE-00
	DOEE-00	DOTE-00	SRPP-00	DS-00	EB-00	ED-01	FAAE-00
	FBIE-00	UTED-00	VC-00	HHS-01	H-01	TEDE-00	INR-00
	INSE-00	L-00	VCE-00	M-00	AC-01	NRCE-00	NSAE-00
	NSCE-00	OCS-03	OMB-01	PA-00	PC-01	PM-00	PRS-00
	ACE-00	P-00	SCT-00	SP-00	SS-00	TEST-00	TRSE-00
	T-00	USIE-00	USSS-00	ASDS-01	SNIS-00	NISC-00	PMB-00

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FM SECSTATE WASHDC

TO USMISSION USOSCE IMMEDIATE

INFO AMEMBASSY LISBON IMMEDIATE

OSCE POST COLLECTIVE IMMEDIATE

UNCLAS STATE 017756

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