



United States Department of State

Washington, D.C. 20520

May 13, 2004

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NOTE TO THE SECRETARY

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FROM: IO - Kim R. Holmes

SUBJECT: UN Letters to the U.S. about Torture Allegations in Iraq

On May 7, BBC reported that a UN human rights Special Rapporteur repeatedly asked the CPA for explanations about deaths in detention in Iraq.

With respect to the treatment of Iraqi detainees, UN officials have twice written letters to the CPA, addressed to Paul Bremer. The first instance is a letter dated March 12, 2004, from Theo van Boven, UN Special Rapporteur on Torture, regarding the detention of four Iraqis allegedly being held incommunicado in Basra.

The second letter, dated May 11, 2004, is an inquiry from Asma Jahangir, UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, expressing general concern regarding torture and humiliating treatment in Iraqi prisons.

We are currently working to generate appropriate responses to these inquiries.

Given the quantity and recent dates of these letters, media characterization of "repeated requests" is not accurate. While the CPA has been asked to provide, on several occasions, information about possible human rights issues in Iraq, these requests have not been related to detention or torture in Iraqi prisons. Inquiries received to date are as follows:

From Asma Jahangir, UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions:

- (1) An October 20, 2003 letter regarding use of force against Iraqi civilians;
- (2) A May 20, 2003 letter regarding authority of U.S. military to shoot

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looters on sight and; (3) a May 12, 2003 letter regarding civilians shot in Fallujah.

From Paul Hunt, UN Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health:

- A May 3, 2004 letter regarding, among other things, prevention of access to Fallujah's General Hospital.

From Ambeyl Lligabo, UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression:

- An October 29, 2003 letter regarding U.S. military arrests, short-term detention, and/or firing upon journalists.

On April 5, 2004, Department responded to Ms. Jahangir's first three letters. Department is coordinating with the interagency appropriate responses to the remaining inquiries.

Inquiries from these UN officials have been addressed to CPA Baghdad, with a copy to U.S. Mission Geneva and to you. The one exception is Ms. Jahangir's May 20, 2003 letter, which was addressed to you.

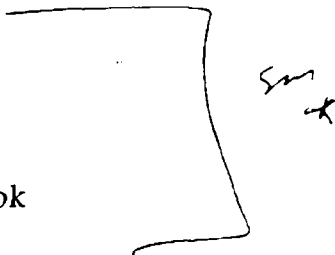
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Drafted:
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Cleared:
IO – MLAGON - ok
IO/SHA – JCPERRY - ok
DRL/FO – MKOZAK - ok
L/HRR – RHARRIS - ok
US Mission Geneva –DELAURENTIS - ok



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