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RELEASED IN PART  
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Dear:

Thank you for your recent expression of concern regarding the alleged apprehension of a young Afghan man, [redacted] during a U.S. military operation which may have occurred [redacted]

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As a general rule, the U.S. government does not disclose the specific circumstances surrounding the capture of a particular detainee due to operational, security, and force protection concerns. Furthermore, the U.S. military is not in a position to confirm or deny the actual capture or detention of personnel within Afghanistan. If individuals are captured or detained within Afghanistan, following their processing at a holding facility within Afghanistan, they will either be released or recommended for transfer to the U.S. Naval Station located at Guantanamo Bay, Cuba for further processing. Upon their arrival at Guantanamo Bay, the detainee's government will be promptly notified of such transfer.

Regarding visits, representatives of the International Committee of the Red Cross have access and freely conduct visits of any detainee under U.S. control. As noted above, foreign governments are permitted to schedule a visit of their national. These visits are only authorized for law enforcement and intelligence purposes. Government visits of a consular nature are not authorized. Visits by attorneys, family members, and members of non-governmental organizations or public interest groups are not permitted. The U.S. government is currently engaged in an ongoing armed conflict. No law or custom of war provides that families have any right of access to detained enemy combatants.

Rest assured, the U.S. has treated and will continue to treat all detained personnel humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Third Geneva Convention of 1949. The bottom line is that all detainees are being treated well, and the U.S. government is acting in accordance with both U.S. domestic and international law.

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: SHARON E AHMAD  
DATE/CASE ID: 16 NOV 2004 200303827

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