Dear Assistant Secretary Kelly,

I am forwarding to you a copy of a letter from Dr. Michael Grodin concerning his request for an immediate investigation into the allegations of torture and other mistreatment of suspected Al-Qaeda detainees.

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in the attached correspondence.

Please convey a copy of your response to the issues raised in Dr. Grodin's letter to Meaghan F. Hohl of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,

John F. Kerry
United States Senator

JFK/mfh
Dear Senator John Kerry,

The Boston Center for Refugee Health and Human Rights provides comprehensive health care for refugees and survivors of torture and related trauma. Moreover, we advocate for the promotion of health and human rights in the United States and worldwide. The purpose of torture is to deliberately destroy not only the physical and emotional well-being of individuals, but also the dignity and will of entire communities. In our work with survivors of torture, we are daily confronted with the destructive effects of torture on human beings.

At the Boston Center for Refugee Health and Human Rights we are deeply concerned by allegations of torture and other mistreatment of suspected Al-Qaeda detainees by US officials as described in the Washington Post on Dec. 26, 2002. The allegations imply that US officials are using methods of torture such as "enduring stress" techniques to interrogate prisoners of war in Afghanistan. These techniques include "standing or kneeling for hours", and "being held in awkward positions". Such acts, if true, violate international legal prohibitions against torture and other ill treatment under treaties that the United States has ratified. These treaties include the 1949 Geneva Conventions and the Convention against Torture.

As the Senator of Massachusetts where the Boston Center for Refugee Health and Human Rights is situated we ask you to call for an immediate investigation of these allegations. If they are true, the responsible US officials should be prosecuted under international law.

Sincerely yours,

Michael Grodin, M.D.
Professor of Health Law, Bioethics and Human Rights, Boston University.
Co-director, Boston Center for Refugee Health and Human Rights

Marie Norrodam, M.D.
Senior researcher, Boston Center for Refugee Health and Human Rights
United States Senate  
WASHINGTON, DC 20510-2102

FAX

To: Assistant Secretary Kelly

Fax No.  202-647-4414

Date: 1/22/2003

Pages (excluding cover): 2

Comments:

If there is a problem with the transmission of this fax, please call (617) 565-8519.

Thank you.
The Honorable Colin L. Powell  
Secretary of State  
Washington, DC 20520  

Dear Mr. Secretary:  

On June 22, 2004, the White House released several internal Administration documents regarding the treatment of enemy prisoners and combatants.

Included among these documents are several memoranda prepared by the Office of Legal Counsel at the Department of Justice; I have a particular interest in learning the Department’s views about two of these memos. The first, dated January 22, 2002, is entitled “Application of Treaties and Laws to al Qaeda and Taliban Detainees”; the second, dated August 1, 2002, is entitled “Standards of Conduct for Interrogation under 18 U.S.C. 2340-2340A.”

I write to pose several questions:

1. Was the Department of State involved in the preparation of either of these memoranda? If not, when did the Department learn of their existence?

2. Does the Department of State agree with the conclusion, set forth in the memorandum of January 22, 2002, that the President could have decided to suspend temporarily U.S. obligations under the Third Geneva Convention with regard to Afghanistan? If so, please explain the legal basis for that opinion.

3. Does the Department of State agree with the analysis of the Convention Against Torture set forth in part II of the memorandum of August 1, 2002, at pages 14-22? Is this analysis consistent with the Department’s prior interpretations of the Convention, including any authoritative representations made to the Senate during its consideration of the Convention?

I appreciate your attention to this request.

Sincerely,

Joseph R. Biden, Jr.  
Ranking Minority Member