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01/22/03 09:50 FAX 6172483870

KERRY BOSTON

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JOHN KERRY  
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510-2102

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AND TRANS  
FOREIGN I  
INTELL  
SMALL B

One Bowdoin Square  
Tenth Floor  
Boston, MA 02114  
(617) 565-8519

January 22, 2003

Mr. Paul V. Kelly  
Assistant Secretary  
Bureau of Legislative Affairs  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C 20520

RECEIVED  
2003 JAN 22 AM 9:41  
LEGISLATIVE AFFAIRS

Dear Assistant Secretary Kelly,

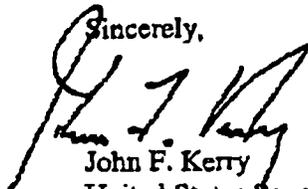
I am forwarding to you a copy of a letter from Dr. Michael Grodin concerning his request for an immediate investigation into the allegations of torture and other mistreatment of suspected Al-Qaeda detainees.

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

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UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: SHARON E AHMAD  
DATE/CASE ID: 30 SEP 2004 200303827

mailto:john\_kerry@kerry.senate.gov  
www.kerry.senate.gov

01/22/03 09:50 FAX 8172483870

KERRY BOSTON

01/21/03 TUE 14:01 FAX 817 414 1464

BUMC-HEALTHLAW

y3c.

# BOSTON CENTER FOR REFUGEE HEALTH & HUMAN R

*Caring for Refugees and Survivors of Torture and Related Trauma*



Education and Advocacy:  
Health Law Department  
Boston University School of Public Health  
715 Albany Street  
Boston, Massachusetts 02118  
Ph: (617) 638-4626  
Fax: (617) 414-1464

Clinical Office:  
Dowling 7  
One Boston Medical Center Place  
Boston, Massachusetts 02118

Ph: (617) 414-4794  
Fax: (617) 414-4796

<http://www.gphr.org/refugee/>

Senator John Kerry  
One Bowdoin Square  
Tenth Floor  
Boston, MA 02114

Boston, Jan. 21st 2003

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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-Qaada 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 "endurance and 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 persecuted 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 Norredam, M.D.  
Senior researcher, Boston Center for Refugee Health and Human Rights

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MASSACHUSETTS

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SMALL BU

United States Senate  
WASHINGTON, DC 20510-2102

FAX

To: Assistant Secretary Kelly

Fax No. 202 647-1418

Date: 1/22/2003

Pages (excluding cover): 2

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

Thank you.

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: SHARON E AHMAD  
DATE/CASE ID: 30 SEP 2004 200303827

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e mail: john.kerry@senate.gov  
www: http://www.senate.gov/kerry

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United States Senate

COMMITTEE ON FOREIGN RELATIONS  
WASHINGTON, DC 20510-6225

July 23, 2004

RECEIVED  
2004 AUG 13 A 9 10  
LEGISLATIVE AFFAIRS

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,

*Joe Biden*  
Joseph R. Biden, Jr.  
Ranking Member

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