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David Kaye 01/30/2002 01:34:24 PM From DB/Inbox: David Kaye

RELEASED IN FULL

Cable Text:

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TELEGRAM

January 30, 2002

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 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 COLLECTING 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

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: HARRY R MELONE
DATE/CASE ID: 23 NOV 2004 200303827

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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
	DSCC-00	DRL-02	G-00	NFAT-00	SAS-00	/013R	

017756
SOURCE: KODAKC.030004
DRAFTED BY: EUR/RPM:GMFREDERICK:GMF -- 01/29/02 67291
APPROVED BY: EUR/RPM:SKINNERC
DRL/ML:ELBINGERL EUR/PPD:WHITMAND L/HRR:ASURENA
L/PM:DKAYE L/EUR:JDOROSIN

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O 300119Z JAN 02
FM SECSTATE WASHDC
TO USMISSION USOSCE IMMEDIATE
INFO AMEMBASSY LISBON IMMEDIATE
OSCE POST COLLECTIVE IMMEDIATE

UNCLAS STATE 017756

E.O. 12958: N/A
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End Cable Text

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