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ACTION L-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	ACQ-00	CIAE-00	INL-00
	DOTE-00	DS-00	EB-00	EUR-00	FAAE-00	TEDE-00	INR-00
	IO-00	LAB-01	NSAE-00	NSCE-00	OIC-02	OPR-01	PM-00
	P-00	SP-00	SSO-00	SS-00	PMB-00	DSCC-00	PRM-00
	DRL-02	SAS-00	SWCI-00	/006W			

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O 191923Z JUN 02
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 8768
INFO AMEMBASSY LONDON IMMEDIATE
JOINT STAFF WASHDC IMMEDIATE
SECDEF WASHDC IMMEDIATE
USMISSION USNATO IMMEDIATE
USMISSION USUN NEW YORK IMMEDIATE

RELEASED IN PART
B1, 1.4(D)

C O N F I D E N T I A L SECTION 01 OF 05 GENEVA 002277

L FOR CUMMINGS/KAYE/BOWKER; OSD/GC FOR BURGER/LIETZAU; JCS
FOR BROOKS

E.O. 12958: DECL: 06/19/2007
TAGS: IFRC ICRC MOPS
SUBJECT: ICRC: MEETINGS WITH THE ICRC REGARDING THE GLOBAL
WAR ON TERRORISM, STATUS OF DETAINEES, MILITARY COMMISSIONS

B1

REF: A. GENEVA 1830

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B. 01 GENEVA 4432
C. 01 GENEVA 4471

CLASSIFIED BY: STEVE SOLOMON, MISSION DEPUTY LEGAL ADVISER, FOR REASONS
1.5 (B) AND (D)

1. (C) SUMMARY. REPRESENTATIVES OF THE DEPARTMENT, JCS, AND
DOD MET WITH REPRESENTATIVES OF THE ICRC ON THREE OCCASIONS
FROM MAY 21-23 IN GENEVA AS PART OF AN ONGOING DIALOGUE IN
THE AFTERMATH OF SEPTEMBER 11. THE FIRST TWO MEETINGS
FOCUSED ON MILITARY COMMISSIONS, THE STATUS OF DETAINEES, AND
THE APPLICABILITY OF INTERNATIONAL HUMANITARIAN LAW TO THE

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SHARON E AHMAD
DATE/CASE ID: 06 DEC 2004 200303827

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ACLU-RDI 4238 p.1

CONVENTIONS REMAINS ESSENTIALLY UNCHANQD, [REDACTED]

2. (U) BEGIN TEXT OF A STATEMENT BY FM ANNA LINDH
(INFORMAL EMBASSY TRANSLATION):

-- THE NEW MILITARY ORDER THAT SECRETARY OF DEFENSE
RUMSFELD PRESENTED IS A CLEAR IMPROVEMENT COMPARED TO
EARLIER PROPOSALS. THE AMERICAN SIDE STATES IT HAS
STRIVEN TO TAKE INTO CONSIDERATION VIEWS OF OTHER
GOVERNMENTS, AS WELL AS FROM HUMAN RIGHTS GROUPS, WHICH I
WELCOME.

-- IT IS GOOD THAT ACCUSED PERSONS WILL RECEIVE THE RIGHT
OF LEGAL DEFENSE AND CAN EVEN DECIDE FOR THEMSELVES WHICH
ATTORNEY THEY WANT TO REPRESENT THEM AND THAT THERE IS
THE POSSIBILITY OF APPEALING THE COMMISSION'S JUDGMENT.

-- I STILL THINK THE AMERICAN ADMINISTRATION IS OBLIGATED
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PAGE 03 STOCKH 00505 251708Z
TO TREAT THE PRISONERS AS PRISONERS OF WAR UNTIL A COURT
HAS DECIDED OTHERWISE, AND COMPLETELY APPLY THE GENEVA
CONVENTION. NATURALLY, THE DEATH PENALTY IS ALWAYS IN
EVERY SITUATION, UNACCEPTABLE FOR EU COUNTRIES.

END TEXT.

MILOVANOVIC

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