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RELEASED IN PART
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B3 B1

CIA/CTC: [REDACTED] DOD/SOLIC:RHYAMS P:BBRINK [REDACTED]

S/ES:PNEUREITER

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TO [REDACTED] IMMEDIATE

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S E C R E T STATE 142463

NODIS DECAPTIONED

E.O. 12958: DECL: 7/07/12

TAGS: PTER, KAWC, PINR, [REDACTED]

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SUBJECT: DISPOSITION OF [REDACTED] DETAINEES AT GUANTANAMO BAY.

CLASSIFIED BY S/WCI/AMBASSADOR PIERRE-RICHARD PROSPER, FOR
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REASONS 1.5(B)(D).

REF: [REDACTED]

B1

1. (U) THIS IS AN ACTION MESSAGE -- SEE PARAGRAPH 3.

2. (S) REFTELS DESCRIBE LATEST COMMUNICATIONS FROM [REDACTED] REGARDING
ITS NATIONALS DETAINED AT GUANTANAMO AND RELAY A NUMBER OF
INQUIRIES, PRIMARILY TO HELP IT ADDRESS PRESSURES FROM THE
FAMILIES OF DETAINEES. PARA 5 PROVIDES INTERAGENCY CLEARED
GUIDANCE UPON WHICH GOB MAY DRAW IN RESPONDING TO FAMILY
CONCERNS.

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B1

5. (SBU/REL) TALKING POINTS TO BE SHARED WITH [REDACTED] FOR ITS REFERENCE IN RESPONDING TO CONCERNS OF FAMILY MEMBERS:

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-- WHILE WE HAVE EVIDENCE THAT DETAINEES AT GTMO ARE A THREAT TO THE USG AND OTHERS, WE ARE NOT IN A POSITION TO ADDRESS PUBLICLY THE PARTICULAR CIRCUMSTANCES OF THE DETENTION OR THE ACTIVITIES THAT LED TO THE DETENTION OF ANY OF THE INDIVIDUALS AT GUANTANAMO.

-- INDIVIDUALS DETAINED IN GUANTANAMO ARE ENEMY COMBATANTS CAPTURED IN CONNECTION WITH AN ON-GOING ARMED CONFLICT AND RELATED ATTACKS AGAINST THE UNITED STATES, ITS CITIZENS AND CITIZENS OF NUMEROUS OTHER NATIONS. ENEMY COMBATANTS CONTINUE TO POSE A SERIOUS SECURITY THREAT TO U.S. AND COALITION PARTNERS. THEY ARE BEING HELD IN ACCORDANCE WITH THE LAWS AND CUSTOMS OF WAR, WHICH PERMIT THE UNITED STATES TO HOLD ENEMY COMBATANTS AT LEAST FOR THE DURATION OF HOSTILITIES.

-- THE UNITED STATES IS TREATING THESE INDIVIDUALS HUMANELY AND IN A MANNER CONSISTENT WITH THE PRINCIPLES OF THE THIRD GENEVA CONVENTION OF 1949. REPRESENTATIVES OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS ARE AT GUANTANAMO BAY AND MEET WITH DETAINEES INDIVIDUALLY AND PRIVATELY.

-- ALL DETAINEES ARE PROVIDED THREE MEALS A DAY THAT MEET MUSLIM DIETARY LAWS (IF DESIRED), AS WELL AS MEDICAL CARE, CLOTHING, SHELTER, SHOWERS, AND OPPORTUNITIES TO WORSHIP.

-- UNDER THE LAW OF ARMED CONFLICT, CAPTURED ENEMY COMBATANTS HAVE NO RIGHT TO COUNSEL OR TO THE COURTS TO CHALLENGE THEIR DETENTION. IF AND WHEN A DETAINEE IS CHARGED WITH A CRIME, HE

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WOULD HAVE THE RIGHT TO COUNSEL AND FUNDAMENTAL PROCEDURAL SAFEGUARDS.

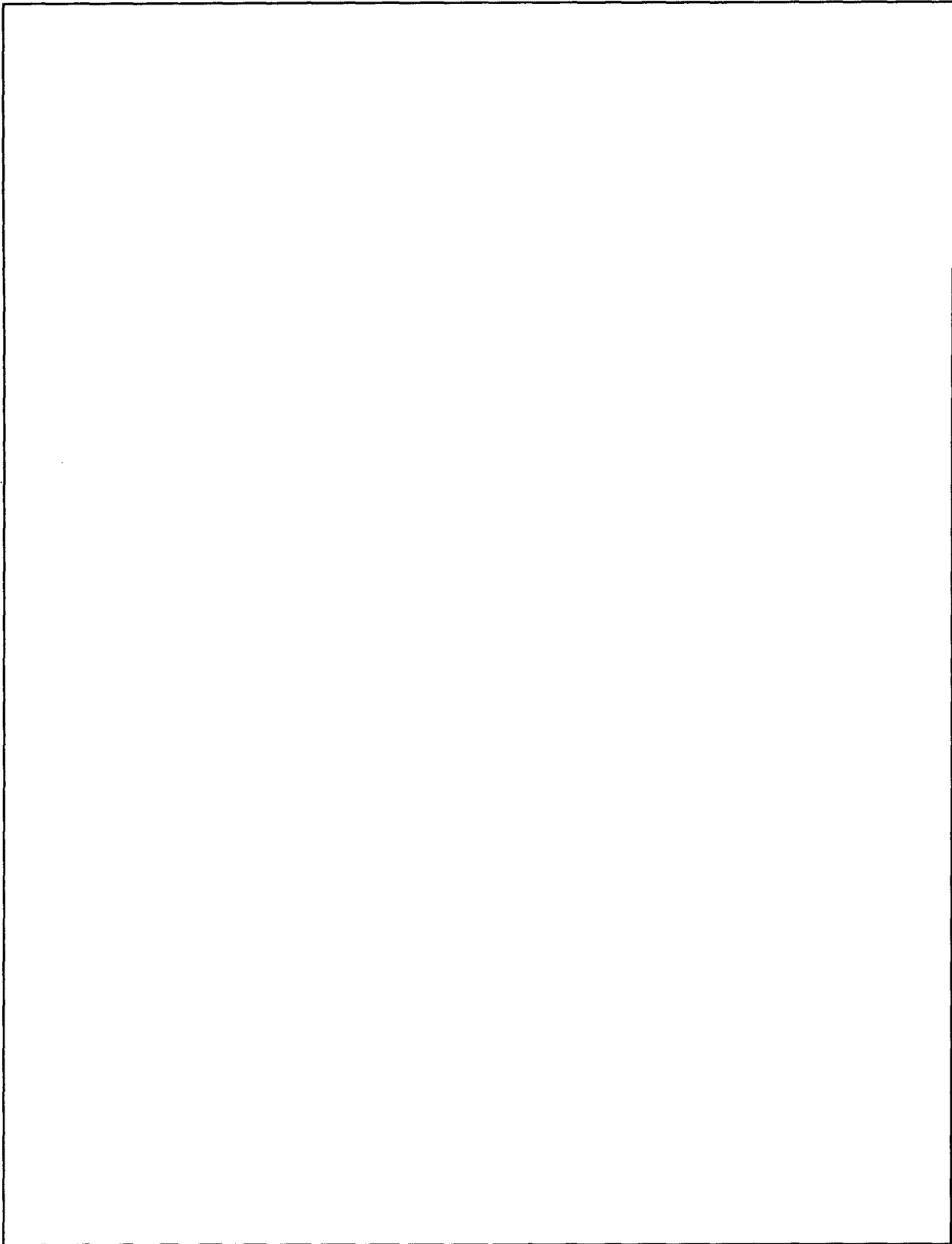
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PAGE 04 STATE 142463 251750Z
-- TO DATE, NO DETAINEE AT GUANTANAMO HAS BEEN CHARGED WITH A CRIME.

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8.) (U) PLEASE SLUG RESPONSES FOR S/WCI, L, [DOD/OGC:DAVIDSON,
DOD/OSD/SOLIC:VACCARO, AND NSC LEGAL:BELLINGER.]
POWELL

ABC

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