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RELEASED IN PART  
B3, CIA, B7(A), B7(C)

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ORIGIN SWCI-00

INFO	LOG-00	NP-00	AF-00	AMAD-00	ACQ-00	CIAE-00	INL-00
	DINT-00	DOT-00	DS-00	MEDE-00	EB-00	EUR-00	FAAE-00
	FBIE-00	UTED-00	TEDE-00	INR-00	IO-00	JUSE-00	L-00
	NEA-00	DCP-01	NSAE-00	NSCE-00	P-00	SCT-00	SS-00
	TEST-00	ASDS-01	DSCC-00	G-00	SAS-00	/002R	

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SOURCE: KODAKD.012015

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DOD/OGC:EDAVIDSON DOJ:MINCONTRO L/NESA:JDOLAN NSC/LEGAL:JSCHARFEN

CIA/CTC: [REDACTED] DOD/SOLIC:RHYAMS P:AGORDON NEA/ARP:MCORBIN

B3

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B7(A), B7(C)

-----D80700 121521Z /38

O 121515Z AUG 02

FM SECSTATE WASHDC

TO AMEMBASSY [REDACTED] IMMEDIATE

B7(A), B7(C)

INFO JOINT STAFF WASHDC IMMEDIATE 4266

USSOUTHCOM MIAMI FL IMMEDIATE

USCENTCOM MACDILL AFB FL IMMEDIATE

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SENSITIVE

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B7(A), B7(C)

TAGS: PTER, KAWC, PINR, [REDACTED]

SUBJECT: DISPOSITION OF [REDACTED] AT GUANTANAMO BAY.

REF: A) EMBASSY/POL FAX, 1 AUG 02 B) [REDACTED] 1423

B7(A), B7(C)

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

2. (SBU) REF A DESCRIBES THE LATEST COMMUNICATION FROM [REDACTED]  
WIVES OF [REDACTED] NATIONALS DETAINED AT GUANTANAMO AND RELAYS A  
NUMBER OF INQUIRIES. PARAGRAPH 3 PROVIDES AN INTERAGENCY CLEARED  
RESPONSE THAT THE EMBASSY IS AUTHORIZED TO TRANSMIT BY LETTER

B7(A), B7(C)

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ONLY TO THE WIVES AND FAMILY MEMBERS WHO HAVE REQUESTED IT.  
EMBASSY MAY ALSO SHARE THEIR RESPONSE WITH THE GOVERNMENT OF  
[REDACTED] AS IT DEEMS APPROPRIATE.

B7(A), B7(C)

3. (SBU/REL) GUIDANCE FOR POST'S USE IN RESPONDING TO INQUIRIES  
FROM FAMILY MEMBERS:

--THE UNITED STATES GOVERNMENT HAS STATED ON NUMEROUS OCCASIONS  
THAT [REDACTED] WORKING IN CLOSE COOPERATION  
WITH THE GOVERNMENT OF [REDACTED] TOOK CONTROL LAST  
JANUARY OF [REDACTED] NATIONALS WHO POSED A CREDIBLE SECURITY  
THREAT TO US PERSONNEL AND FACILITIES HERE AS WELL AS TO THE

PEOPLE OF [REDACTED] THE [REDACTED]  
TRANSPORTED [REDACTED] ON JANUARY 19 TO GUANTANAMO BAY.

B7(A), B7(C)

-- WE ARE NOT IN A POSITION TO ADDRESS THE PARTICULAR  
CIRCUMSTANCES OF THE DETENTION OR THE ACTIVITIES THAT LED TO THE  
DETENTION OF ANY OF THE INDIVIDUALS AT GUANTANAMO.

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-- 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 UNITED STATES AND COALITION  
PARTNERS. THEY ARE BEING HELD IN ACCORDANCE WITH THE  
INTERNATIONAL LAW OF ARMED CONFLICT, 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 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  
WOULD HAVE THE RIGHT TO COUNSEL AND FUNDAMENTAL PROCEDURAL  
SAFEGUARDS.

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-- TO DATE, NO DETAINEE AT GUANTANAMO HAS BEEN CHARGED WITH A CRIME.

--AS FOR COMMUNICATION WITH FAMILY MEMBERS, DETAINEES ARE ALLOWED TO CORRESPOND BY MAIL WITH FAMILY MEMBERS, SUBJECT TO SCREENING  
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FOR SECURITY AND OPERATIONAL PURPOSES. NOT ALL DETAINEES HAVE BEEN SENT MAIL, AND NOT ALL ELECT TO WRITE LETTERS HOME. TELEPHONE CALLS AND VISITS ARE NOT POSSIBLE FOR OPERATIONAL REASONS.

4. (SBU) BACKGROUND INFORMATION FOR POST ONLY: FAMILY MEMBERS OF DETAINEES OF MANY NATIONALITIES HAVE PRESSED FOR MORE INFORMATION AND OFTEN THREATENED LEGAL ACTION IF THE USG FAILS TO PROVIDE THEM WITH SUCH. AT THIS TIME, IT IS DEEMED STILL TOO SENSITIVE TO THE ONGOING OPERATION ENDURING FREEDOM EFFORTS TO PROVIDE ANY SPECIFIC INFORMATION ON INDIVIDUALS DETAINED AT GUANTANAMO.  
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