

UNCLASSIFIED

RELEASED IN PART

B6, B7(A), B7(C)

A311

Having reviewed the issues raised in the 6 January note verbale, the United States takes this opportunity to advise the ICRC of the following:

- In connection with coalition operations, on occasion, certain detainees were temporarily housed at Doab Prison. The United States did not have in place a policy or directive precluding ICRC access to those detainees. For security reasons, the practice of using the facilities at Doab Prison for coalition purposes has been discontinued, and detainees captured in these coalition operations will no longer be even temporarily housed in that facility.
- While some individuals noted in Annex 1 of the note verbale are unknown to the USG, the United States has taken steps to move the following individuals to the Bagram Detention Center: [REDACTED]
[REDACTED] ICRC representatives may have access to them at Bagram, on the same basis as it has access to other detainees held there. B6, B7(A), B7(C)
- The United States wishes to emphasize that we are still engaged in active hostilities in Afghanistan. Coalition operations, therefore, may continue to result in the detention of individuals who participate in hostilities or provide material support to those who do. It is not always timely or desirable to transfer those captured immediately to the Bagram Detention Center. Enemy combatants who should be detained by the United States are transferred to the Bagram facility. Others may pose a threat to the Afghan government, who may wish to detain them under their own authorities. Still others may be released.
- The health and welfare of enemy combatants captured by the United States in coalition operations is monitored by US personnel to ensure individuals receive necessary medical care and are treated in accordance with applicable law, including United States obligations under the UN Convention Against Torture. US personnel are required to report all allegations of torture or other unlawful practices to the pertinent US authorities and all credible allegations are investigated accordingly. This is true also with respect to the allegations reported in the note verbale.

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SHARON E AHMAD
DATE/CASE ID: 29 NOV 2004 200303827

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Caddel, Jeremy D

From: Caddel, Jeremy D
Sent: Friday, May 14, 2004 6:13 PM
To: Fisher, Eric K(Kabul); Hawkins, Jeffrey J(Kabul); Lynch, Thomas F(Kabul); McGraw, Dick X (Kabul)
Cc: Haslach, Patricia M; Taylor, William B; Caddel, Jeremy D
Subject: TPs for ICRC

Importance: High

RELEASED IN PART
 B6, B7(A), B7(C)

All,

The following unclassified talking points are the ones provided to Amb. Prosper for his use in Geneva.

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- The United States wishes to emphasize that we are still engaged in active hostilities in Afghanistan. Coalition operations, therefore, may continue to result in the detention of individuals who participate in hostilities or provide material support to those who do. It is not always timely or desirable to transfer those captured immediately to the Bagram Detention Center. Enemy combatants who should be detained by the United States are transferred to the Bagram facility. Others may pose a threat to the Afghan government, who may wish to detain them under their own authorities. Still others may be released.
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This is all I've been given on this issue, so it's Post's call on whether this is enough to proceed with a meeting with Wettach. Amb. Khalilzad has been in touch with Amb. Prosper directly and may know more.

Jeremy Caddel
 Office for Afghanistan Reconstruction (SA/AR)
 U.S. Department of State
 (202) 647-5052

In accordance with E.O 12958, this message is UNCLASSIFIED.