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Simone Whittlemore 05/26/2004 03:41:32 PM From DB/Inbox: Simone Whittlemore

Cable Text:

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TELEGRAM

May 26, 2004

To: USMISSION GENEVA - IMMEDIATE
Origin: L
From: SECSTATE WASHDC (STATE 118087 - IMMEDIATE)
TAGS: ICRC, KAWC, PHUM, AF, IZ
Captions: None
Subject: ICRC REPORTS ON IRAQ AND CONGRESSIONAL ACCESS
Ref: CUMMINGS/SOLOMON PHONECON 5/25/04

RELEASED IN FULL

Classified By: E.O. 12958: DECL: E.O. 12958: DECL: 5/25/14

1. (c) ICRC Washington Representative Girod and Legal Adviser Oederlin met with State and Pentagon lawyers on May 25 to consult on Congressional requests for access to confidential ICRC reports to detention facilities. Girod indicated that the ICRC would be meeting on May 27 to discuss how to respond to requests they have received directly from Congress, including a letter to President Kellenberger from Senator Byrd. Girod stressed the importance of maintaining confidentiality.

2. (C) We want to ensure that President Kellenberger has an opportunity to give us his views. Ambassador is accordingly requested to send the following letter.

3. (SBU) Begin text.

Dear President Kellenberger,

Several committees of the U.S. Congress have requested copies of the confidential ICRC reports on visits to detention facilities in Iraq, as well as Guantanamo and Afghanistan. Because of current investigations into detention conditions in Iraq, the Executive Branch believes that it is appropriate for committees of appropriate jurisdiction of the Congress to have access to pertinent reports, on conditions of strict confidentiality.

In our view, reports of this kind are critical to the ICRC's mission worldwide and needed to identify and prevent violations of the Geneva Conventions and to ensure humane treatment. We do not want to take steps that might jeopardize ICRC operations inadvertently, such as by discouraging cooperation at local levels. Accordingly, before making a final decision of the terms and conditions needed to protect confidentiality, we want to ensure that the ICRC has the opportunity to express any concerns that it might have. In particular, if you have views that you wish to have conveyed to Congress, please do not hesitate to let us know.

Finally, our intention is to make the reports available on an exceptional basis given the ongoing investigations. We do not intend to provide such reports routinely.

Sincerely,

END TEXT
POWELL

Additional Addressees:
None

cc:

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: FRANK E SCHMELZER
DATE/CASE ID: 30 SEP 2004 200303827

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E.O. 12958: DECL: 05/25/2014
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End Cable Text

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