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RELEASED IN PART
B3, CIA, B6, B7(A), B7(C)

INITIALS

APPR: PRP
DRAFT: RWM
CLR 1: EUR
CLR 2: SA
CLR 3: AF
CLR 4: L
CLR 5: PM
CLR 6: NEA
CLR 7: DOD
CLR 8: DOJ
CLR 9: NSC

AVB

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S/WCI:RMILLER
10/02/02 (202) 647-5093
NEA/ARP:LMALENAS

DOD/OGC:EDAVIDSON DOJ:MINCONTRO L/NESA:JDOLAN
NSC/LEGAL:JSCHARFEN CIA/CTC [] DOD/SOLIC:RHYAMS
P:AGORDON PM:SPETERS S/CT:DSCOTT NEA/ARP:LMALENAS S/ES-O:

B3

IMMEDIATE DOHA

IMMEDIATE SECDEF, RUMIAAA/USSOUTHCOM MIAMI FL IMMEDIATE,
RUCJACC/USCENTCOM MACDILL AFB FL IMMEDIATE

E.O. 12958: DECL: N/A

TAGS: PTER, PREL, KAWC, []

SUBJECT: DETAINED [] CAMERAMAN

B7(A), B7(C)

REF: A) DOHA 1342, B) DOHA 2123

E.O. 12958: N/A

1. (SBU/Rel) This is an action request.

B6, B7(A), B7(C)

2. (SBU/Rel) Reftel requested guidance for post response
to letter dated September 16 from []

[] This letter was a follow up to an
earlier letter dated June 4 asking the USG for
information concerning the capture of an []

[] Post
may use the talking points in para 3 with the GOQ who is
exerting pressure for additional information on subject
detainee. Post should not respond in writing nor confirm
that the individual is at Guantanamo. Foreign access to

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detainees at GTMO is normally available only to the International Committee of the Red Cross (ICRC) and to foreign government officials for very limited and specific purposes using an approved procedure for access.

3. (SBU/Rel) Talking Points (Do not provide copy)

-- Due in part to operational constraints and force protection concerns, personal information on detainees may only be shared with host governments. The USG does not share details on nationals from third countries with host government.

-- Information is not normally disclosed outside of established channels because the inappropriate disclosure could provide terrorist organizations or their supporters valuable intelligence that can lead to grave injury to the US or coalition; even disclosure of a limited amount of information could compromise ongoing operations against terrorist organizations, and provide insight into US detainee operations, intelligence operations, or facility information.

-- The individuals transferred to Guantanamo are deemed to pose a continuing threat to the United States and international peace and security and are being detained on the same basis and under the same status as other detainees held in connection with our military operations. For operational and security reasons, we have transported them to the U.S. Naval Station at Guantanamo Bay.

-- All detainees under US control at Guantanamo are, in fact, enemy combatants. At the time of capture, they were bearing arms against us or otherwise acting in direct support of hostile armed forces engaged in an on-going armed conflict.

-- All detainees are being treated humanely. Representatives from the International Committee of the Red Cross are present at Guantanamo Bay and will be given the opportunity to visit with the detainees.

-- The United States is currently assessing the intelligence value, if any, of the detainees, and evaluating the possibility of prosecuting these detainees in an U.S. forum.

-- We are also evaluating the possibility of transferring certain individuals to their country of nationality, including for possible legal action or continued detention.

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-- The USG does not make names of the individuals being detained at Guantanamo Bay public. The USG informs all host governments at the earliest opportunity of information related to the transfer of their national(s) from Afghanistan to U.S. facilities in Guantanamo Bay.

[redacted] has been notified of the transfer of their nationals to Guantanamo Bay and the conditions for access, however, no request for access has been made.

B7(A), B7(C)

-- The USG currently has [redacted] Qatar detainee at Guantanamo. Official notification of this was made in February, 2002. The USG will consider any requests from Qatar for access to their national, and perhaps others, depending upon justification provided. Official requests should be in writing to our Embassy or the Department. To date, no official request for a visit with the Qatar detainee or other detainees has been made.

B7(A), B7(C)

-- Requests must list the purpose of the visit, proposed time frame, names, DPOB, passport information, and positions of all government officials requesting to travel, and the detainees they wish to see. Foreign governments should provide information on languages to be used during interviews, special requirements (e.g., wheelchairs), and passport numbers of travelers prior to travel.

-- Countries of nationality may request through the State Department the opportunity to visit their detainees at Guantanamo Bay for intelligence gathering or law enforcement purposes.

-- Conditions of Access to Guantanamo:

-- Requesting government will reimburse all costs (e.g., transportation, lodging, meals).

-- Transportation will be on U.S. Government air or civilian contract aircraft authorized by the Department of Defense to access Guantanamo. No foreign government official access to Guantanamo is authorized through Cuba.

-- Timing and logistical arrangements of all visits will be controlled by U.S. Southern Command to ensure non-interference with operations and security of U.S. personnel, facilities, and detainees. Concurrent visits from more than one foreign government may not be possible.

-- Visiting officials must have identification (passport) and are subject to search.

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-- Department of Defense security, law enforcement and/or intelligence personnel will be present at all times during the interviews and may end the interview at any time when, in the opinion of the senior Defense representative, the security of U.S. personnel, facilities, or detainees is at risk.

-- Foreign government officials will normally be permitted access to their nationals only and not to detainees of other nationalities.

4. (U) Minimize considered.

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