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UNCLASSIFIED

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RELEASED IN PART Channel: n/a
B1, 1.4(D), B7(A), B7(C), B3, CIA

ORIGIN NODS-00

INFO LOG-00 CCOE-00 SAS-00 /000R

072911
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DRAFTED BY: S/WCI:RMILLER -- 03/19/03 (202) 647-5093
APPROVED BY: S/WCI:PPROSPER
DOD/OGC:EDAVIDSON DOJ:JMCATAMNEY L/PM:JADOLAN D:DPITTMAN
CIA/[] DOD/SOLIC:AFORTUNE P:BBRINK S/CT:SMOLNAR
NEA/ARP:DJONES S/ES-O:MSCHELAND

B3

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O 200230Z MAR 03 ZFF6
FM SECSTATE WASHDC
TO AMEMBASSY [] IMMEDIATE
INFO JOINT STAFF WASHDC IMMEDIATE 3137
USSOUTHCOM MIAMI FL IMMEDIATE
USCENTCOM MACDILL AFB FL IMMEDIATE
SECDEF WASHDC IMMEDIATE 6820
DEPARTMENT OF JUSTICE WASHDC PRIORITY

B1, B7(A), B7(C)

S E C R E T STATE 072911

DECAPTIONED

NODIS
MILITARY ADDRESSEES, HANDLE AS SPECAT EXCLUSIVE

E.O. 12958: DECL: 03/19/13
TAGS: PTER, KAWC, PHUM, PINR, []
SUBJECT: VISIT TO GUANTANAMO

B1, B7(A), B7(C)

REF: [] B) STATE 20095 []

B1, B7(A), B7(C)

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

1. (U) THIS IS AN ACTION REQUEST - SEE PARAGRAPH 4.
2. (S) POST IS ADVISED THAT DEPARTMENT OF DEFENSE IS PREPARED TO APPROVE THE TRANSFER OF FIVE (5) [] NATIONALS, CURRENTLY IN USG CONTROL AT GUANTANAMO, TO THE CONTROL OF [] FOR CONTINUED DETENTION SUBJECT TO THE CONCLUSION OF A TRANSFER AND DETENTION AGREEMENT.
3. (S) THIS BI-LATERAL AGREEMENT WILL REQUIRE A SERIES OF ASSURANCES FROM [] INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

B1, B7(A), B7(C)

B1, B7(A), B7(C)

-- ACKNOWLEDGEMENT OF A LEGAL BASIS FOR [] TO KEEP THE DETAINEES IN DETENTION,

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SHARON E AHMAD
DATE/CASE ID: 15 MAR 2005 200303827

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-- CONTINUED DETENTION DURING THE COURSE OF HOSTILITIES OR UNTIL MUTUALLY AGREED OTHERWISE,

-- ASSURANCES OF HUMANE TREATMENT IN A MANNER CONSISTENT WITH THE PRINCIPLES OF THE THIRD GENEVA CONVENTION OF 1949 AND APPLICABLE INTERNATIONAL LAW,



B1

-- REGULAR ACCESS BY ICRC,

-- WILLINGNESS TO INITIATE INVESTIGATION AND POSSIBLE PROSECUTION,

-- ENSURING BASIC DUE PROCESS WITH ANY PROSECUTION,

-- COMMITMENT NOT TO PERSECUTE THE DETAINEES.

4. (S) POST IS AUTHORIZED TO APPROACH [REDACTED] AND INFORM THEM OF THE USG DECISION AND DETERMINE THEIR WILLINGNESS TO ENTER INTO SUCH A BI-LATERAL AGREEMENT ADDRESSING THE AFOREMENTIONED CONDITIONS AND/OR ASSURANCES.

B1, B7(A), B7(C)

5. (S) THE FORMAL BI-LATERAL AGREEMENT FOR USE IN NEGOTIATIONS WITH [REDACTED] WILL BE FORWARDED TO POST, UPON C-175 AUTHORIZATION, EXPECTED WITH THE NEXT 24 HOURS.
POWELL

NNNN