

UNCLASSIFIED

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ORIGIN NODS-00

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

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007938

SOURCE: KODAKD.015008

DRAFTED BY: S/WCI:BBLASCHKE:BB -- 01/14/02 (202) 647-5201

APPROVED BY: S/WCI:PPROSPER

EUR/PRA:DC EUR/UBI:JJ SA/PAB:SM AF/E:ZT

L:EB NEA/ARP:MCORBIN P:SBRYANT PM:WHARRIS

DOD/OGC:EDAVIDSON DOD/OSD:CHOLLIS NSC

DOJ:DCOLLINS NEA/ENA:WS EUR/CACEN:RHOAGLAND S/ES-O:DJBAME

DESIRED DISTRIBUTION:

S/WCI, EUR, NEA, SA, AF, L, WHA

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TO AMEMBASSY LONDON IMMEDIATE

AMEMBASSY NAIROBI IMMEDIATE

AMEMBASSY DUSHANBE IMMEDIATE

AMEMBASSY SANAA IMMEDIATE

AMEMBASSY RIYADH IMMEDIATE

AMEMBASSY ISLAMABAD IMMEDIATE

AMEMBASSY TASHKENT IMMEDIATE

AMEMBASSY BAKU IMMEDIATE

AMEMBASSY RABAT IMMEDIATE

INFO USINT HAVANA IMMEDIATE

USSOUTHCOM MIAMI FL IMMEDIATE

USCENTCOM MACDILL AFB FL IMMEDIATE

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S E C R E T STATE 007938

DECAPTIONED

NODIS

E.O. 12958: DECL: 01/14/07

TAGS: PTER, PREL, KAWC

SUBJECT: JANUARY 14 TRANSFER OF DETAINEES FROM AFGHANISTAN

REF: STATE 6135

CLASSIFIED BY AMBASSADOR PIERRE-RICHARD PROSPER FOR REASONS
1.5 (B) (D).

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

UNCLASSIFIED

2. (C) ADDRESSEE POSTS (NOT/NOT INCLUDING HAVANA) ARE REQUESTED TO INFORM 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. PERSONAL INFORMATION ON DETAINEES IN PARAGRAPH 4 MAY BE SHARED WITH HOST GOVERNMENT. PLEASE DO NOT SHARE DETAILS ON NATIONALS FROM THIRD COUNTRIES WITH HOST GOVERNMENT. PLEASE USE TALKING POINTS IN PARAGRAPH 3.

3. (U) TALKING POINTS

-- AT MID-AFTERNOON LOCAL TIME JANUARY 14, A U.S. MILITARY AIRCRAFT ARRIVED AT THE U.S. NAVAL STATION, GUANTANAMO BAY,

CUBA CARRYING A NUMBER OF INDIVIDUALS DETAINED IN RELATION TO MILITARY OPERATIONS IN AFGHANISTAN. THESE INCLUDED (NUMBER) NATIONAL(S) OF YOUR COUNTRY. THE USG DOES NOT
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PAGE 03 STATE 007938 150118Z
INTEND TO MAKE NAMES OF THE INDIVIDUALS BEING DETAINED AT GUANTANAMO BAY PUBLIC AT THIS TIME.

-- THESE INDIVIDUALS POSE A THREAT TO THE UNITED STATES AND INTERNATIONAL PEACE AND SECURITY. FOR OPERATIONAL AND SECURITY REASONS, WE HAVE TRANSPORTED THEM TO THE U.S. NAVAL STATION AT GUANTANAMO BAY.

-- ALL DETAINEES WILL BE TREATED HUMANELY.

-- THE UNITED STATES IS EVALUATING THE POSSIBILITY OF PROSECUTING THESE DETAINEES IN A U.S. FORUM.

-- WE ARE ALSO EVALUATING THE POSSIBILITY OF RETURNING CERTAIN INDIVIDUALS TO THEIR COUNTRY OF NATIONALITY FOR FURTHER LEGAL ACTION. BEFORE MAKING ANY DECISIONS, HOWEVER, WE SEEK ADDITIONAL INFORMATION.

-- IF YOU HAVE INFORMATION CONCERNING THESE DETAINEES, AND ESPECIALLY INFORMATION CONCERNING ANY CRIMINAL CONDUCT (INCLUDING VIOLATIONS OF THE LAWS OF WAR) THAT THEY ARE ALLEGED TO HAVE COMMITTED, WE WOULD APPRECIATE RECEIVING THAT INFORMATION THROUGH THE LAW ENFORCEMENT LIAISON AT OUR EMBASSY.

-- WE WOULD HOPE THAT YOU WOULD BE ABLE TO PROSECUTE VIGOROUSLY ALL OF YOUR NATIONALS WHO HAVE AIDED AL-QAIDA TERRORISTS.

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DO NOT REVEAL ANY INFORMATION FROM YOUR OWN SOURCES THAT
CONNECTS THESE PERSONS WITH AL-QAIDA OR THE TALIBAN?

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-- ARE THERE ANY CHARGES PENDING AGAINST THESE PERSONS IN
YOUR COUNTRY? IF SO, WHAT ARE THOSE CHARGES AND AGAINST
WHOM HAVE THEY BEEN BROUGHT?

-- WOULD THESE PERSONS BE SUBJECT TO PROSECUTION IN YOUR
COUNTRY, AND IF SO, FOR WHAT CRIMES? FOR CRIMES COMMITTED
INSIDE YOUR COUNTRY? FOR CRIMES COMMITTED OUTSIDE,
INCLUDING FOR ACTS RELATED TO THE AFGHAN CONFLICT OR
TERRORIST ACTS?

-- WHAT TYPES OF PUNISHMENTS ARE AVAILABLE UNDER YOUR LAW
FOR OFFENSES THAT HAVE BEEN OR MIGHT BE BROUGHT AGAINST
THESE PERSONS IN YOUR COUNTRY?

IF PRESSED:

-- WE ARE STUDYING THE ISSUE OF ALLOWING FOREIGN
GOVERNMENTS ACCESS TO DETAINEES IN GUANTANAMO BAY.

4. (S/REL TO GOVERNMENTS AS SPECIFIED IN PARA 2) DETAINEE
DATA:

NATIONALITY	NAME	DOB
PAKISTAN	NAFEESI, ABDUL SEDAR	
PAKISTAN	SHA, ZIA	
PAKISTAN	JAMAL-UL-DEEN, MOHAMMED	
PAKISTAN	KHAN, MOHAMMED A.	
PAKISTAN	SAYED, MOHAMMED	
PAKISTAN	MOHAMMED, SHA	

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PAKISTAN	ISHAQ, MOHAMMED
PAKISTAN	NASEER, MONIR
PAKISTAN	TARIK, MOHAMMAD I.
PAKISTAN	KHAN, HAMOODOLLAH
UZBEKISTAN	HASDA, SHARO
YEMEN	AHMED, FARUQ A.
YEMEN	AL MUDHAFFARI, ABDELQADIR H.
YEMEN	ALAHDAL, ABU BAKR IBN ALI MUHAMMAD
YEMEN	BA'AWDA, ALI AHMAD SALIH

B6

B6

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SUDAN AHMED, MOHAMMED S.

B6

SAUDI ARABIA AL JUHANI, MOHAMMED N.
SAUDI ARABIA AL SUBAY, ADL AL HADI M.
SAUDI ARABIA AL SULAMI, YAHYA S.
SAUDI ARABIA AL BAWARDI, KHALID S.
SAUDI ARABIA MOHAMMED, ABDUL A.
SAUDI ARABIA AL-HUBAYSHI, KHALID SULAYMAN' JAYDH
SAUDI ARABIA (NO LAST NAME), MAJI AFAS RADHI AL SHIMRI
SAUDI ARABIA AL-JABRI, BANDAR AHMAD MUBARAK

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TAJIKISTAN SHARPOV, RUHMEDIN H.
TAJIKISTAN VOKHIDOV, TSABIT

UK RASUL, SHAFIQ
UK IQBAL, ASIF

AZERBAIJAN TSIRADZHO, POOLAD T.

SECRET

PAGE 06 STATE 007938 150118Z
MOROCCO BEN MOUJAN, MUHAMMAD

5. (U) BACKGROUND FOR POSTS

(C) THE MOST PRESSING MATTER AT HAND IS ENSURING THAT THOSE WHO POSE OR MIGHT POSE A CONTINUING THREAT TO THE UNITED STATES REMAIN SECURELY DETAINED. CURRENTLY WE ARE HOLDING OVER 400 INDIVIDUALS IN AFGHANISTAN AND AT GUANTANAMO BAY. AS PRESENTLY ENVISIONED, DETENTIONS AND PROSECUTIONS OF AL-QAIDA AND NOTABLE TALIBAN MEMBERS COULD BE UNDERTAKEN BY THREE PARTIES: THE UNITED STATES, THE RESPECTIVE GOVERNMENTS OF ASSORTED NATIONALS DETAINED IN AFGHANISTAN, AND THE AFGHAN AUTHORITIES THEMSELVES. WE WILL WANT TO MAINTAIN OUR FLEXIBILITY OF ACTION IN ALL SCENARIOS.

(C) IN COMING WEEKS WE WILL MAKE FURTHER TRANSFERS OF DETAINED AL-QAIDA, SENIOR TALIBAN OFFICIALS AND OTHERS WHO WE BELIEVE POSE A THREAT.

(C) WE WILL MAKE DETERMINATIONS AT A LATER DATE CONCERNING DETAINEES WHO MAY BE SUBJECT TO U.S. PROSECUTION. WE WILL ALSO EXAMINE THE POSSIBILITY OF OTHER STATES UNDERTAKING PROSECUTIONS.

(C) THE ISSUE OF ACCESS TO DETAINEES IS STILL BEING STUDIED.

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SLUG RESPONSES FOR S/WCI, L,
DOD/OGC:DAVIDSON, DOD/OSD/SOLIC:HOLLIS, AND NSC

LEGAL:BELLINGER.

POWELL

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CONFIDENTIAL

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ORIGIN SWCI-00

INFO	LOG-00	NP-00	AID-00	ACQ-00	<input type="text"/>	INL-00	SRPP-00	B3 OTHER
	DS-00	EUR-00	FBIE-00	VC-00	TEDE-00	INR-00	LAB-01	
	L-00	VCE-00	MED-07	DCP-01	NSAE-00	NSCE-00	PM-00	
	P-00	SCT-00	SSO-00	SS-00	ASDS-01	SNIS-00	NISC-00	
	PMB-00	DSCC-00	DRL-02	SAS-00	/012R			

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SOURCE: KODAKA.001094
DRAFTED BY: S/WCI:MNEWTON:MN -- 02/01/02 (202) 647-5093
APPROVED BY: EUR:RBRADTKE
S/WCI:PPROSPER P:SBRYANT NSC:JBELLINGER
D:TKAIDANOW S/CT:TMAERTENS L:EBLOOM
PM:GSUCHAN JCS:CBROOKS DOD:EDAVIDSON
EUR/UBI:JJOHNSON S/ES-O:DJBAME
DESIRED DISTRIBUTION:
EUR, S/CT, PM, L

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FM SECSTATE WASHDC
TO AMEMBASSY LONDON IMMEDIATE
INFO JOINT STAFF WASHDC IMMEDIATE 6870
USSOUTHCOM MIAMI FL IMMEDIATE 5440
HQ USEUCOM VAIHINGEN GE IMMEDIATE
DEPT OF JUSTICE WASHDC IMMEDIATE

C O N F I D E N T I A L STATE 020660

E.O. 12958: DECL: 01/29/12
CONFIDENTIAL

PAGE 02 STATE 020660 012037Z
TAGS: PTER, PREL, PINS, UK
SUBJECT: REQUEST FOR ACCESS FROM LEGAL REPRESENTATIVES OF
TERRORISM SUSPECTS AT GUANTANAMO BAY

REF: LONDON 564

CLASSIFIED BY EUR DAS ROBERT BRADTKEFOR REASONS 1.5(B) &
(D)

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

1. (U) THIS IS AN ACTION MESSAGE.
2. (C) REFTEL REQUESTED GUIDANCE FOR POST RESPONSE TO THE
LEGAL REPRESENTATIVE OF TWO DETAINEES WHO CLAIM BRITISH

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DEPARTMENT HAS RECEIVED INFORMATION THAT THE SUSPECTS IN REFTTEL (MR. SHAFIQ RASUL AND MR. ASIF IQBAL) ARE IN U.S. DETENTION AT GUANTANAMO BAY NAVAL STATION, CUBA. BOTH SUSPECTS ARE BEING HELD AT GUANTANAMO BAY BASED ON OPERATIONAL AND SECURITY CONCERNS. POST MAY USE THE TALKING POINTS IN PARA 3 WITH THE LEGAL REPRESENTATIVE OR WITH OTHER LEGAL REPRESENTATIVES WHO APPROACH ON BEHALF OF DETAINEES. POST SHOULD NOT RESPOND IN WRITING. FOREIGN ACCESS TO DETAINEES AT GTMO IS AVAILABLE ONLY TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) AND TO FOREIGN GOVERNMENT OFFICIALS FOR VERY LIMITED AND SPECIFIC PURPOSES.

3. (U) TALKING POINTS. (DO NOT PROVIDE COPY)

-- THE PERSONS IN QUESTION HAVE BEEN TRANSFERRED TO THE U.S. NAVAL BASE AT GUANTANAMO BAY, CUBA. FOREIGN ACCESS TO DETAINEES AT GTMO IS AVAILABLE ONLY TO THE ICRC AND TO
CONFIDENTIAL

PAGE 03 STATE 020660 012037Z
GOVERNMENT OFFICIALS FOR VERY LIMITED AND SPECIFIC PURPOSES.

-- BRITISH OFFICIALS HAVE HAD ACCESS TO THE DETAINEES CLAIMING BRITISH CITIZENSHIP AT GUANTANAMO BAY. THE INTERNATIONAL COMMITTEE FOR THE RED CROSS IS ALSO AT GUANTANAMO BAY WITH ACCESS TO THE DETAINEES.

-- WHILE MANY OF THE DETAINEES CONTINUE TO POSE A SERIOUS SECURITY RISK TO U.S. PERSONNEL AND EACH OTHER, THEY ARE BEING TREATED HUMANELY, AND ARE NOT SUBJECT TO PHYSICAL OR MENTAL ABUSE.

-- 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.

-- TO DATE, THERE HAVE BEEN NO DECISIONS MADE REGARDING CRIMINAL CASES AGAINST ANY DETAINEE OR REGARDING THE FORUM FOR ANY SUCH PROSECUTION.

-- YOU SHOULD CONTACT THE FOREIGN AND COMMONWEALTH OFFICE TO INQUIRE ABOUT INFORMATION RELATING TO THE HANDLING OF THESE DETAINEES.
POWELL

CONFIDENTIAL

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B3, NSA50

PAGE 01 LONDON 00928 111706Z
ACTION SWCI-00

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	VCE-00	NSAE-00	SCT-00	IRM-00	SSO-00	SS-00	TEST-00	
	ASDS-01	SNIS-00	NISC-00	DSCC-00	SAS-00	/001W		

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 FM AMEMBASSY LONDON
 TO SECSTATE WASHDC IMMEDIATE 6340
 INFO DEPT OF JUSTICE WASHDC IMMEDIATE
 JOINT STAFF WASHDC IMMEDIATE
 SECDEF WASHDC IMMEDIATE
 USSOUTHCOM MIAMI FL IMMEDIATE
 HQ USEUCOM VAIHINGEN GE IMMEDIATE

UNCLAS LONDON 000928

SENSITIVE BUT UNCLASSIFIED

STATE FOR S/WCI AND EUR/UBI

E.O. 12958: N/A
 TAGS: PTER, PREL, PINS, UK
 SUBJECT: FURTHER REQUESTS FROM UK LAWYERS FOR ACCESS TO
 DETAINEES

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

REF: STATE 20660

UNCLASSIFIED

PAGE 02 LONDON 00928 111706Z

1. (SBU) SUMMARY AND ACTION REQUEST: AMBASSADOR FEBRUARY 8 RECEIVED A LETTER FROM THE LAW FIRM OF CHRISTIAN FISHER REPRESENTING UK CITIZEN FEROZ ABBASI, WHO IS BEING DETAINED IN GUANTANAMO (LETTER FAXED TO EUR/UBI). THE LETTER REQUESTS ACCESS TO THE DETAINEE, A MEETING WITH THE AMBASSADOR, AND RAISES A NUMBER OF LEGAL ISSUES. WE HAVE BEEN TOLD BY THE UK FOREIGN OFFICE THAT WE SHOULD EXPECT FURTHER SIMILAR INQUIRIES FROM LAWYERS AS WELL AS MEMBERS OF PARLIAMENT REPRESENTING THE HOME TOWNS OF THE DETAINEES. WHILE FRONT-PAGE MEDIA ATTENTION TO DETAINEES HAS SLACKENED, WE ANTICIPATE THESE INQUIRIES WILL GENERATE ANOTHER ROUND OF CRITICAL PRESS STORIES. EMBASSY REQUESTS FURTHER DEPARTMENT GUIDANCE TO RESPOND TO THIS LETTER AND OTHER EXPECTED INQUIRIES. END SUMMARY.

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2. (U) ACCESS -- THE LETTER STATES THAT THE UK FOREIGN OFFICE HAS CONFIRMED THAT ABBASI IS IN GUANTANAMO AND HAS BEEN INTERROGATED BY MI5 OFFICERS, BUT THAT CONSULAR ACCESS HAS BEEN DENIED. THE SOLICITORS REQUEST IMMEDIATE ACCESS TO THEIR CLIENT FOR THEMSELVES, FOR STEPHEN SOLLEY, THE CHAIRMAN OF THE BAR HUMAN RIGHTS COMMITTEE, FOR AN INDEPENDENT MEDICAL EXPERT, AND FOR MS. ZUMRATI JUMA, THE MOTHER OF THE DETAINED.

3. (U) CONDITIONS -- THE LAWYERS RAISE QUESTIONS ABOUT THE CONDITIONS IN WHICH ABBASI IS BEING HELD, THE LACK OF ACCESS BY INDEPENDENT PERSONS AND MEDICAL EXPERTS, AND WHETHER HE WILL BE AFFORDED A FAIR TRIAL AND, IF SO, IN WHAT JURISDICTION. THEY CLAIM THAT THE LACK OF ANY INDEPENDENT ACCESS TO ABBASI APPARENTLY CONSTITUTES A "GRAVE BREACH OF INTERNATIONAL LAW" AND THAT THE USG IS LAYING ITSELF OPEN TO SERIOUS ACCUSATIONS SHOULD ANY HARM BEFALL ABBASI WHILE HE IS
UNCLASSIFIED

PAGE 03 LONDON 00928 111706Z
DETAINED IN GUANTANAMO.

4. (U) LEGAL AUTHORITY -- THE SOLICITORS STATE THEY HAVE ASKED FOR AN OPINION FROM MR. SOLLEY ON WHETHER THE U.S. GOVERNMENT HAS THE LAWFUL AUTHORITY TO DETAIN ABBASI, WHETHER HIS STATUS IS THAT OF A PRISONER OF WAR OR A PERSON DETAINED ON SUSPICION OF A CRIME, ON THE CONDITIONS OF HIS DETENTION, HIS TREATMENT, AND HIS RIGHT TO BE BROUGHT BEFORE A COURT OR OTHER TRIBUNAL.

5. (U) PERSONAL MESSAGE -- THE LETTER FURTHER STATES THAT ABBASI'S MOTHER HAS NOT RECEIVED ANY PERSONAL MESSAGE FROM HIM OR INFORMATION ON HIS MEDICAL CONDITION OR WELL BEING, DESPITE PASSING A PERSONAL MESSAGE TO HIM THROUGH THE ICRC. SHE IS SAID TO BE "VERY DISTURBED" THAT MI5 OFFICERS HAVE INTERROGATED ABBASI BUT NO CONSULAR ACCESS HAS BEEN ALLOWED.

6. (U) THE LETTER CLOSES BY STATING THAT THE ATTORNEY IS SENDING COPIES OF THE LETTER TO ABBASI'S MEMBER OF PARLIAMENT, GERAINT DAVIES, AS WELL AS THE FOREIGN OFFICE AND THE BAR AND LAW SOCIETY HUMAN RIGHTS COMMITTEES.
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SOURCE: DISKETTE.019755

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APPROVED BY: S/WCI:PPROSPER

EUR/UBI:RKING L:EBLOOM P:SBRYANT PM:PETERS

SA:SMCGANN DOJ:DCOLLINS EUR:DCAGAN DOD:SULLIVAN

NEA/ARN:RERDMAN S/ES-O:NEBROWN NEA/ENA:CHENZEL

EUR/WE:JCEFKN NEA/ARP:MCORBIN

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FM SECSTATE WASHDC

TO AMEMBASSY LONDON IMMEDIATE

AMEMBASSY MANAMA IMMEDIATE

AMEMBASSY PARIS IMMEDIATE

AMEMBASSY KUWAIT IMMEDIATE

AMEMBASSY RABAT IMMEDIATE

AMEMBASSY ISLAMABAD IMMEDIATE

AMEMBASSY DOHA IMMEDIATE

AMEMBASSY RIYADH IMMEDIATE

AMEMBASSY MADRID IMMEDIATE

AMEMBASSY DAMASCUS IMMEDIATE

AMEMBASSY TUNIS IMMEDIATE

AMEMBASSY SANAA IMMEDIATE

INFO USINT HAVANA IMMEDIATE

USSOUTHCOM MIAMI FL IMMEDIATE

USCENTCOM MACDILL AFB FL IMMEDIATE

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MILITARY ADDEES PLS TREAT AS SPECAT EXCLUSIVE

E.O. 12958: DECL: 02/8/07

TAGS: PTER, PREL, KAWC

SUBJECT: FEBRUARY 11 TRANSFER OF DETAINEES TO GUANTANAMO

REF: A) STATE 6135 B) STATE 20095

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

UNCLASSIFIED

1. (U) THIS IS AN ACTION MESSAGE.
2. (S) POSTS ARE REMINDED THAT THE NODIS CAPTION IS DESIGNED TO PROTECT THE MOST SENSITIVE INFORMATION CONVEYED BETWEEN POSTS AND WASHINGTON. IT MEANS, WITH VERY FEW AND SPECIFIC EXCEPTIONS, THAT THERE IS "NO DISTRIBUTION" TO ANY OTHER ADDRESSEE OTHER THAN THE DEPARTMENT. IN SOME CASES, HOWEVER, THERE MAY BE COMPELLING REASONS TO SHARE POST-ORIGINATED NODIS MESSAGES WITH OTHER POSTS. THE BEST WAY TO GET YOUR NODIS MESSAGE TO ANOTHER POST IS TO PROVIDE A SUGGESTED LIST OF ADDITIONAL ADDRESSEES IN THE FIRST PARAGRAPH OF YOUR CABLE. THE DEPARTMENT WILL MAKE EVERY EFFORT TO TURN YOUR REQUEST AROUND QUICKLY.

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3. (C) ADDRESSEE POSTS (NOT/NOT INCLUDING HAVANA) ARE REQUESTED TO INFORM 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. PERSONAL INFORMATION ON DETAINEES IN PARAGRAPH 6 MAY BE SHARED WITH HOST GOVERNMENT. WE WILL PROVIDE FURTHER IDENTIFYING DETAILS ON DETAINEES THAT COULD BE SHARED WITH HOST GOVERNMENTS AS IT BECOMES AVAILABLE. PLEASE DO NOT SHARE DETAILS ON NATIONALS FROM THIRD COUNTRIES WITH HOST GOVERNMENT. PLEASE USE TALKING POINTS IN PARAGRAPH 4.

4. (U) TALKING POINTS

-- AT MID-AFTERNOON LOCAL TIME FEBRUARY 11, A U.S. MILITARY AIRCRAFT ARRIVED AT THE U.S. NAVAL BASE, GUANTANAMO BAY, CUBA CARRYING A NUMBER OF INDIVIDUALS DETAINED IN RELATION TO MILITARY OPERATIONS IN AFGHANISTAN. THESE INCLUDED (NUMBER) NATIONAL(S) OF YOUR COUNTRY. THE USG DOES NOT INTEND TO MAKE NAMES OF THE INDIVIDUALS BEING DETAINED AT GUANTANAMO BAY PUBLIC AT THIS TIME.

-- THESE INDIVIDUALS POSE A THREAT TO THE UNITED STATES AND INTERNATIONAL PEACE AND SECURITY. FOR OPERATIONAL AND SECURITY REASONS, WE HAVE TRANSPORTED THEM TO THE U.S. NAVAL STATION AT GUANTANAMO BAY.

-- ALL DETAINEES WILL BE TREATED HUMANELY.

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-- THE UNITED STATES IS EVALUATING THE POSSIBILITY OF
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PAGE 04 STATE 027780 130347Z
PROSECUTING THESE DETAINEES IN A U.S. FORUM.

-- WE ARE ALSO EVALUATING THE POSSIBILITY OF RETURNING CERTAIN INDIVIDUALS TO THEIR COUNTRY OF NATIONALITY FOR FURTHER LEGAL ACTION. BEFORE MAKING ANY DECISIONS, HOWEVER, WE SEEK ADDITIONAL INFORMATION.

-- IF YOU HAVE INFORMATION CONCERNING THESE DETAINEES, AND ESPECIALLY INFORMATION CONCERNING ANY CRIMINAL CONDUCT (INCLUDING VIOLATIONS OF THE LAWS OF WAR) THAT THEY ARE ALLEGED TO HAVE COMMITTED, WE WOULD APPRECIATE RECEIVING THAT INFORMATION THROUGH THE LAW ENFORCEMENT LIAISON AT OUR EMBASSY.

-- WE WOULD HOPE THAT YOU WOULD BE ABLE TO PROSECUTE VIGOROUSLY ALL OF YOUR NATIONALS WHO HAVE AIDED AL-QAIDA TERRORISTS.

-- DO YOU HAVE ANY INFORMATION FROM YOUR OWN SOURCES THAT CONNECTS THESE PERSONS WITH AL-QAIDA OR THE TALIBAN?

-- ARE THERE ANY CHARGES PENDING AGAINST THESE PERSONS IN YOUR COUNTRY? IF SO, WHAT ARE THOSE CHARGES AND AGAINST WHOM HAVE THEY BEEN BROUGHT?

-- WOULD THESE PERSONS BE SUBJECT TO PROSECUTION IN YOUR COUNTRY, AND IF SO, FOR WHAT CRIMES? FOR CRIMES COMMITTED INSIDE YOUR COUNTRY? FOR CRIMES COMMITTED OUTSIDE, INCLUDING FOR ACTS RELATED TO THE AFGHAN CONFLICT OR TERRORIST ACTS?

SECRET

PAGE 05 STATE 027780 130347Z
-- WHAT TYPES OF PUNISHMENTS ARE AVAILABLE UNDER YOUR LAW FOR OFFENSES THAT HAVE BEEN OR MIGHT BE BROUGHT AGAINST THESE PERSONS IN YOUR COUNTRY?

5. REF B PROVIDES DETAILED GUIDANCE REGARDING REQUESTS FOR ACCESS TO DETAINEES IN GUANTANAMO.

6. (S/REL TO GOVERNMENTS AS SPECIFIED IN PARA 3)
DETAINEE DATA:

NAME	DOB	NATIONALITY
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UNCLASSIFIED

AL KHALIFA, SULEIMAN

BAHRAIN

B6

ACHAB KANOUNI, IMAD

FRANCE

KAMEL, ABDULLAH KAMEL ABUDULLAH

KUWAIT

BIN NASR, ISMAIIL SAIID ALI

MOROCCO

AIMAN, IJAZ

PAKISTAN

AHMED, ALI

PAKISTAN

HANEETH, MOMAD

PAKISTAN

AL MARI, JARALAH

QATAR

AL-NUR, ANWAR HAMDAN MUHAMMED

SAUDI ARABIA

AL-BALUSHI, SALAH ABDUL RASUL ALI ABDUL JRAHMAN

B6

SAUDI ARABIA

B6
B6

HAMUD, HAMUD DAKHIL

SAUDI ARABIA

AL ZAHRANI, KHALID MOHAMMED

SAUDI ARABIA

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PAGE 06 STATE 027780 130347Z

AL HARBI, TARIQ SALAH HUSAN

SAUDI ARABIA

B6

AL GHANAMI, ABDUALLAH MUHAMMED SALIH

SAUDI ARABIA

AL NASIR, IBRAHIM MUHAMMED IBRAHIM

SAUDI ARABIA

AL JAHDALI, ZIYAD SA'ID FARAJ 1978

SAUDI ARABIA

AL BARAKAT, KHALID HASSAN HUSAYN

SAUDI ARABIA

YASSER, HIMDY

SAUDI ARABIA

AL FRIH, MAJED HAMAD

SAUDI ARABIA

AHMAD, AHMAD ABD AL RAHMAN

SPAIN

KHANTUMANI, ABD-AL-NASIR MOHAMMED ABD-AL-QADIR

B6

SYRIA

KHANTUMANI, MUHAMMAD

SYRIA

B6

DUKHAN, MOMMUR BEDAWI

SYRIA

ATAHAR, RIYAD NASIR MOHAMMED

TUNISIA

AHMED, RHUHEL

UNITED

B6

KINGDOM

JAMAL, AL-HARITHA

UNITED

KINGDOM

SULAYMAN, ABD AL-RAHMAN ABU ABU AGHAYTH

YEMEN

B6

SALIH, ABD ALRAZAQ MUHAMMED

YEMEN

ABDULLAH, SAIID AHMAD JMUHAMMAD

YEMEN

AL HAMIRI, MUHAMMED ABDALLAH MUHMMAD AWAD DYAB

B6

YEMEN

UNCLASSIFIED

1.-----, ----- JHSIN SALIH
BASARDAH, MUHAMMED SALIH BASARDAH



YEMEN
YEMEN

SECRET

UNCLASSIFIED

PAGE 07 STATE 027780 130347Z

7. (U) BACKGROUND FOR POSTS

(C) THE MOST PRESSING MATTER AT HAND IS ENSURING THAT THOSE WHO POSE OR MIGHT POSE A CONTINUING THREAT TO THE UNITED STATES REMAIN SECURELY DETAINED. CURRENTLY WE ARE HOLDING OVER 400 INDIVIDUALS IN AFGHANISTAN AND AT GUANTANAMO BAY. AS PRESENTLY ENVISIONED, DETENTIONS AND PROSECUTIONS OF AL-QAIDA AND NOTABLE TALIBAN MEMBERS COULD BE UNDERTAKEN BY THREE PARTIES: THE UNITED STATES, THE RESPECTIVE GOVERNMENTS OF ASSORTED NATIONALS DETAINED IN AFGHANISTAN, AND THE AFGHAN AUTHORITIES THEMSELVES. WE WILL WANT TO MAINTAIN OUR FLEXIBILITY OF ACTION IN ALL SCENARIOS.

(C) IN COMING WEEKS WE WILL MAKE FURTHER TRANSFERS OF DETAINED AL-QAIDA, SENIOR TALIBAN OFFICIALS AND OTHERS WHO WE BELIEVE POSE A THREAT.

(C) WE WILL MAKE DETERMINATIONS AT A LATER DATE CONCERNING DETAINEES WHO MAY BE SUBJECT TO U.S. PROSECUTION. WE WILL ALSO EXAMINE THE POSSIBILITY OF OTHER STATES UNDERTAKING PROSECUTIONS.

8. (U) PLEASE SLUG RESPONSES FOR S/WCI, L, DOD/OGC:DAVIDSON, DOD/OSD/SOLIC:HOLLIS, AND NSC/LEGAL:BELLINGER.
POWELL

SECRET

<< END OF DOCUMENT >>

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED PTQ2596

PAGE 01 LONDON 01150 211440Z
ACTION VO-03

INFO LOG-00 MFA-00 NP-00 ACQ-00 CA-01 [] DODE-00 B3 NSA
DOTE-00 DS-00 EB-00 EUR-00 OIGO-00 FFAE-00 UTED-00
FBO-00 TEDE-00 INR-00 NSAE-00 SCT-00 IRM-00 TEST-00
DSCC-00 SAS-00 /004W

-----69DAD0 211609Z /38

R 211408Z FEB 02
FM AMEMBASSY LONDON
TO SECSTATE WASHDC 6562
FBI WASHDC
HQ INS WASHDC
USCUSTOMSSVC WASHDC

RELEASED IN PART B3 NSA,B3 INA,B3, B6,B3

UNCLAS LONDON 001150

E.O. 12958: N/A
TAGS: KVPR, CVIS, PINR, PTER, ASEC, UK
SUBJECT: []

1. [] B3 INA

2. JAMAL AL-HARITH AKA JAMAL UDEEN
[]

B3 OTHER
B6

3. ACCORDING TO THE FEBRUARY 4 LONDON TIMES, EL-HARITH IS BEING INTERROGATED BY THE FBI AT KANDAHAR AIRPORT IN AFGHANISTAN. HE IS THE FIFTH BRITISH CITIZEN HELD BY THE U.S. THE TIMES CLAIMS THAT THE FBI CANNOT DETERMINE IF HE
UNCLASSIFIED

PAGE 02 LONDON 01150 211440Z
IS AL-QAEDA, TALEBAN, MISGUIDED FOOT SOLDIER OR SIMPLY A STRAY BRITISH TOURIST. HE CLAIMED TO THE REPORTER THAT HE ARRIVED IN NORTHERN PAKISTAN AFTER SEPTEMBER 11. HE PAID A TRUCK DRIVER TO TAKE HIM TO IRAN AND TURKEY VIA AFGHANISTAN. HE WAS DETAINED BY TALEBAN SOLDIERS, BEATEN, AND PUT IN KANDAHAR JAIL IN OCTOBER ALONG WITH OTHER 'POLITICAL' PRISONERS. THE REPORTER FOUND HIS STORY HARD TO BELIEVE.

[]

B3 OTHER

FAKISH

UNCLASSIFIED

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

<< END OF DOCUMENT >>

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PTQ2595

RELEASED IN PART
B3, NSA50, INA, B6

PAGE 01 LONDON 01149 211440Z
ACTION VO-03

INFO	LOG-00	MFA-00	NP-00	AF-00	ACQ-00	CA-01		B3 OTHER
	DODE-00	DOFE-00	DS-00	EB-00	EUR-00	OIGO-00	FAAE-00	
	UTED-00	FBO-00	TEDE-00	INR-00	IO-00	NSAE-00	SCT-00	
	IRM-00	TEST-00	DSCC-00	SAS-00	/004W			

-----69DACE 211609Z /38

R 211408Z FEB 02
FM AMEMBASSY LONDON
TO SECSTATE WASHDC 6561
FBI WASHDC
HQ INS WASHDC
USCUSTOMSSVC WASHDC
INFO AMEMBASSY KAMPALA

UNCLAS LONDON 001149

E.O. 12958: N/A
TAGS: KVPR, CVIS, PINR, PTER, ASEC, UK
SUBJECT: [REDACTED]

B3 OTHER

2. FERUZ ABBASI, [REDACTED]

B3 OTHER
B6

3. ACCORDING TO THE FEBRUARY 4 LONDON TIMES, ABBASI MOVED TO
BRITAIN WHEN HE WAS EIGHT. HE REPORTEDLY TURNED TO ISLAM
UNCLASSIFIED

PAGE 02 LONDON 01149 211440Z
AFTER BEING MUGGED IN SWITZERLAND. HE RETURNED TO BRITAIN,
STARTED ATTENDING A MOSQUE, STOPPED TALKING TO HIS FAMILY
AND EVENTUALLY DISAPPEARED ALTOGETHER. AT SOME POINT, HE
MADE HIS WAY TO AFGHANISTAN, WHERE HE HELPED DEFEND THE LAST
TALIBAN STRONGHOLD OF KUNDUZ BEFORE IT FELL. HE WAS
CAPTURED AND IS CURRENTLY BEING HELD AT GUANTANAMO BAY.

B3 OTHER

[REDACTED] FARISH

UNCLASSIFIED

<< END OF DOCUMENT >>

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

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RELEASED IN PART
B3, NSA50, B1, 1.4(B), 1.4(D)

PAGE 01 LONDON 01696 131850Z
ACTION EUR-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	CA-01		INL-00	B3 OTHER
	WHA-00	DS-00	FBIE-00	TEDE-00	INR-00	LAB-01	L-00	
	NSAE-00	OCS-03	PC-01	SCT-00	SS-00	ASDS-01	DSCC-00	
	LBA-00	PRM-00	DRL-02	SAS-00	SWCI-00	/009W		

-----740CE1 131850Z /38

O 131851Z MAR 02
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 7177
INFO SECDEF WASHDC IMMEDIATE
JOINT STAFF WASHDC IMMEDIATE

Classification Extended ~ Class: CONFIDENTIAL ~ Reason: 1.4 (B,D) ~
Declassify on: 3/13/2027

C O N F I D E N T I A L LONDON 001696

DEPT FOR L, S/WCI, AND EUR/UBI

E.O. 12958: DECL: 03/11/2022
TAGS: PTER, KWAC, CJAN, UK
SUBJECT: LAWSUIT AGAINST UK GOVERNMENT OVER CUBA DETAINEES

CLASSIFIED BY: POLMINCOUNS MORT DWORREN. REASONS PARA. 1.5 (B).

1. (U) EMBASSY RECEIVED MARCH 13 A TWO-INCH THICK LEGAL DOCUMENT FROM CHRISTIAN FISHER, SOLICITORS OF LONDON CONCERNING AN ACTION BROUGHT AGAINST THE UK GOVERNMENT ON BEHALF OF FEROZ ALI ABBASI, DETAINED IN GUANTANAMO BAY, CUBA (COPY EXPRESS MAILED 3/13 TO EUR/UBI).

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

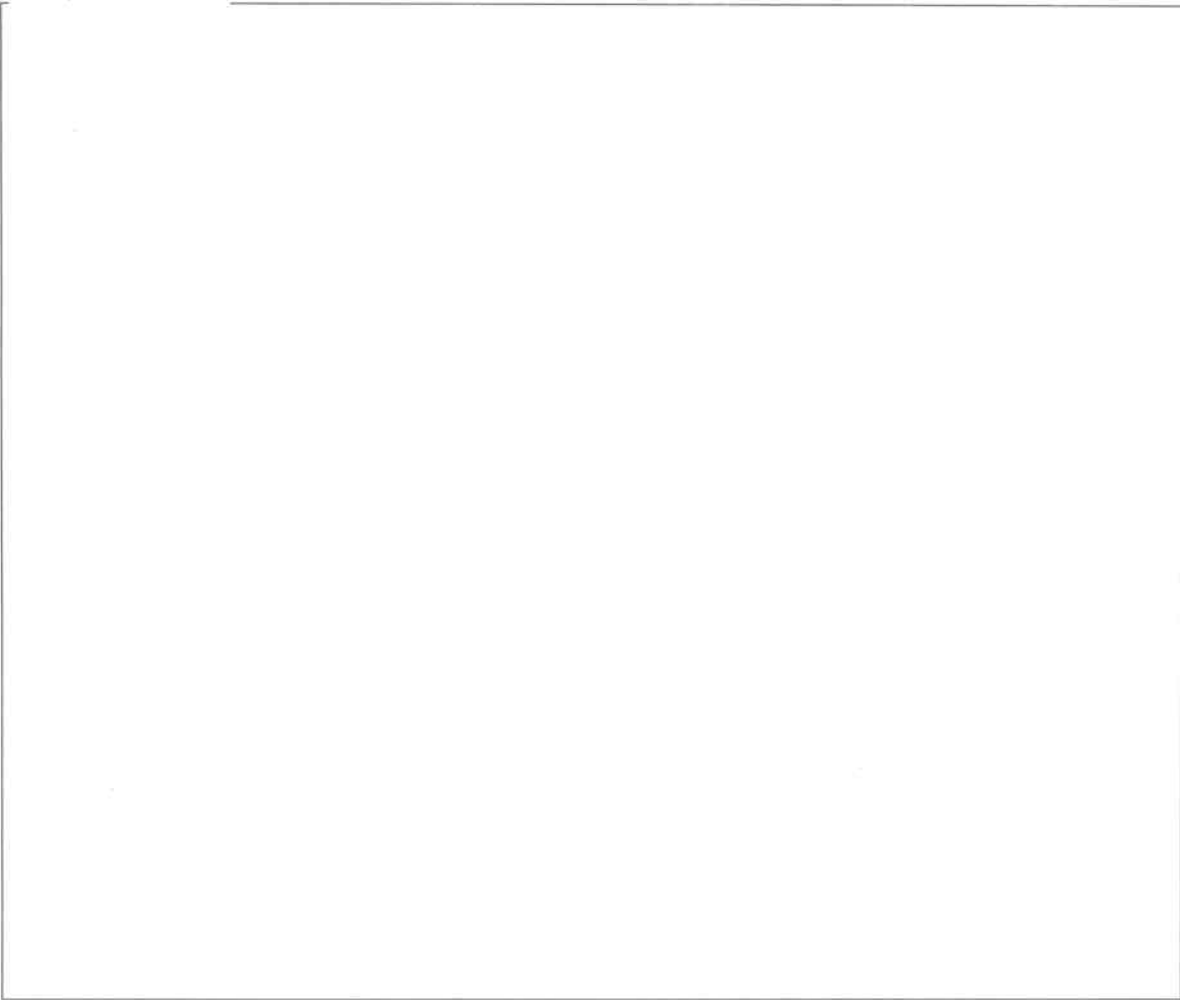
CONFIDENTIAL

PAGE 02 LONDON 01696 131850Z

2. (U) BEGIN TEXT OF COVER LETTER: 13 MARCH 2002 REF LC.TS.J01221-002

DEAR SIR: RE: FEROZ ALI ABBASI
DETAINED IN CAMP X-RAY, GUANTANAMO
WE ENCLOSE BY WAY OF SERVICE ON YOU PROCEEDINGS BROUGHT ON BEHALF OF OUR CLIENT ZUMRATI JUMA AND HER SON FEROZ ABBASI AGAINST THE BRITISH GOVERNMENT IN THE BRITISH COURTS. THIS IS SERVED YOU AS A REPRESENTATIVE OF THE US GOVERNMENT, WHICH IS AN INTERESTED PARTY. THE CASE HAS BEEN LISTED BEFORE THE DIVISIONAL COURT IN FRONT OF LORD JUSTICE MAY ON FRIDAY 15TH MARCH 2002 AND PLEASE LET US KNOW IF YOU WILL BE REPRESENTED AT THE HEARING.
YOURS FAITHFULLY,
CHRISTIAN FISHER. END TEXT.

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5. (C) EMBASSY DOES NOT INTEND TO ACKNOWLEDGE RECEIPT OF THE LETTER AND ATTACHMENTS FROM CHRISTIAN FISHER, SOLICITORS. WE DO NOT BELIEVE PUBLIC COMMENT IS WARRANTED, BUT SOLICITORS OR ACTIVISTS MAY PRESS THE POINT. WE SUGGEST THE FOLLOWING LINE, IF ASKED: THIS MATTER IS BEFORE A UK COURT, AND IT THEREFORE IS INAPPROPRIATE TO COMMENT.
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<< END OF DOCUMENT >>

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PT07716

RELEASED IN PART

B3, NSA50, B1, 1.4(B), 1.4(D)

PAGE 01 LONDON 01989 261818Z
ACTION EUR-00

INFO	LOG-00	NP-00	AID-00	A-00	ACQ-00	CA-01	CCO-00
	[]	INL-00	DODE-00	DOEE-00	DOTE-00	SRPP-00	DS-00
	EB-00	FAAE-00	FBIE-00	VC-00	H-01	TEDE-00	INR-00
	L-00	M-00	AC-01	DCP-01	NSAE-00	NSCE-00	OCS-03
	OMB-01	PA-00	PM-00	PRS-00	ACE-00	P-00	SCT-00
	SP-00	SSO-00	SS-00	TRSE-00	T-00	USIE-00	USSS-00
	ASDS-01	PMB-00	DSCC-00	PRM-00	DRL-02	G-00	SAS-00
	SWCI-00	/011W					

B3 OTHER

-----7B7435 261836Z /38

O 271821Z MAR 02
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 7506

Classification Extended ~ Class: SECRET ~ Reason:1.4(b,d) ~
Declassify on: 3/27/2027

S E C R E T LONDON 001989

NOFORN

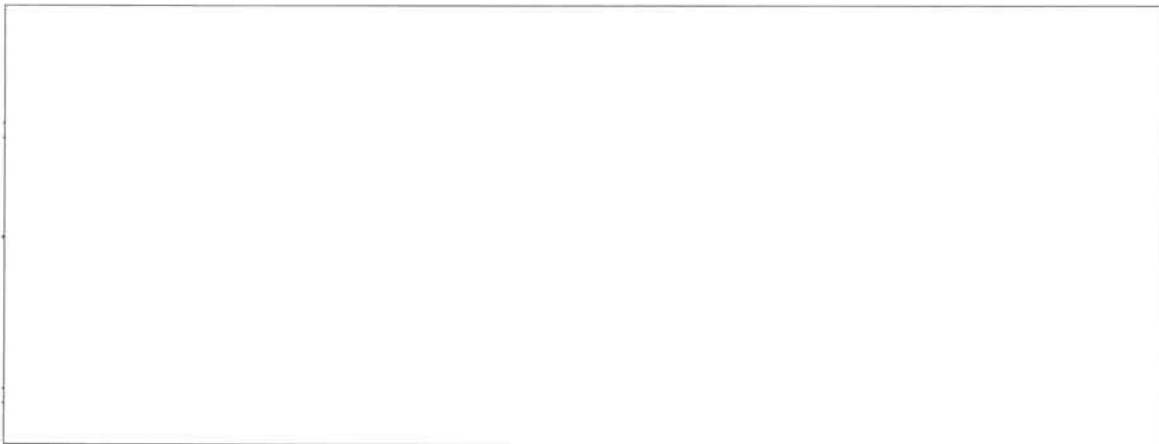
DEPT ALSO FOR CWG-PM, S/WCI, L/NESA, L/EUR AND EUR/UBI

E.O. 12958: DECL: (EXEMPT)
TAGS: MOPS, MARR, PTER, KWAC, UK
SUBJECT: FURTHER DEVELOPMENTS ON UK DETAINEES

REF: A) LONDON 1827 B) STATE 55108 C) LEADER-L/NESA
DOLAN FAX 3/27 D) LONDON 1696

SECRET

PAGE 02 LONDON 01989 261818Z
CLASSIFIED BY: POLMINCOUNS MORT DWORCKEN. REASON 1.6X6.



B1

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

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2. (C) LEGAL ACTION ON GITMO DETAINEES: EMBASSY RECEIVED A FURTHER 46-PAGE DOCUMENT FROM CHRISTIAN FISHER, SOLICITORS (REF C AND EXPRESS MAILED TO L), REPRESENTING FEROZ ALI ABBASI, CURRENTLY DETAINED IN GUANTANAMO BAY, AND HIS MOTHER, ZUMRATI ZAITUN JUMA. THE DOCUMENT SEEKS FROM THE UK COURTS PERMISSION TO APPEAL THE MARCH 15 REFUSAL TO GRANT JUDICIAL REVIEW OF THE ACTIONS OF THE FOREIGN AND HOME OFFICES IN DEALING WITH THE DETAINEES IN GUANTANAMO. EMBASSY UNDERSTANDS FROM DOJ/CIV REP LONDON THAT THE REQUEST FOR PERMISSION TO APPEAL WILL NOT BE CONSIDERED UNTIL THE TRANSCRIPT OF THE MARCH 15 ORAL JUDGMENT IS FORMALLY AVAILABLE. THAT WILL NOT HAPPEN BEFORE THE WEEK OF APRIL 1 AT THE EARLIEST; A MORE REALISTIC TIME FRAME IS THE WEEK OF APRIL 8.

SECRET

PAGE 03 LONDON 01989 261818Z

3. (C) FURTHER CORRESPONDENCE RE: JAMAL UDDIN/AL-HARITH: ROBERT LIZAR, SOLICITOR REPRESENTING JAMAL UDDIN/AL-HARITH, WROTE THE EMBASSY MARCH 19 ASKING FOR CONFIRMATION THAT U.S. MILITARY AUTHORITIES WILL ALLOW ACCESS TO THEIR CLIENT BY A LEGAL REPRESENTATIVE, AND HAVE ACCESS BY LETTER, TELEPHONE, AND IN PERSON. WE ARE PREPARING A RESPONSE, DRAWING ON EARLIER DEPARTMENTAL GUIDANCE, THAT WILL STATE THAT NO LEGAL ACCESS TO THE DETAINEES IS POSSIBLE AT THIS TIME, THAT THE ICRC WILL DELIVER MAIL, AND THAT NO DECISIONS HAVE BEEN MADE REGARDING CRIMINAL CASES AGAINST ANY DETAINEE OR REGARDING THE FORUM FOR ANY SUCH PROSECUTION.

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SECRET

<< END OF DOCUMENT >>

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SECRET

PTQ1110

RELEASED IN PART
B6

PAGE 01 STATE 079411 261830Z
ORIGIN NODS-00

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

079411

SOURCE: DISKETTE.020938

DRAFTED BY: S/WCI:JCROCK:JC -- 04/26/02 (202) 647-5201

APPROVED BY: S/WCI:PPROSPER

L/NESA:JDOLAN P:SBRYANT PM:SPETERS DOD/OGC:EDAVIDSON

DOD/JS:PMCCARTHY DOD/SOLIC:MVACCARO EUR/UBI:PHERNANDEZ

DOJ:DCOLLINS S/ES-O:VCRITES

-----8C3FAE 261832Z /38

O 261820Z APR 02 ZFF6

FM SECSTATE WASHDC

TO AMEMBASSY LONDON IMMEDIATE

INFO USINT HAVANA IMMEDIATE

USSOUTHCOM MIAMI FL IMMEDIATE

USCENTCOM MACDILL AFB FL IMMEDIATE

S E C R E T STATE 079411

DECAPTIONED

NODIS

E.O. 12958: DECL: 04/25/07

TAGS: PTER, PREL, KAWC, UK

SUBJECT: TRANSFER OF DETAINEE TO GUANTANAMO

REF: A) STATE 6135 B) STATE 20095

CLASSIFIED BY S/WCI PIERRE PROSPER, FOR REASONS 1.5 (B)
SECRET

PAGE 02 STATE 079411 261830Z
AND (D).

1. (U) THIS IS AN ACTION MESSAGE.
2. (C) EMBASSY LONDON IS REQUESTED TO INFORM HOST GOVERNMENT AT THE EARLIEST OPPORTUNITY OF INFORMATION RELATED TO THE TRANSFER OF ITS NATIONAL TO U.S. FACILITIES IN GUANTANAMO BAY. PERSONAL INFORMATION ON DETAINEE IN PARAGRAPH 5 MAY BE SHARED WITH HOST GOVERNMENT. WE WILL PROVIDE FURTHER IDENTIFYING DETAILS ON DETAINEE THAT COULD BE SHARED WITH HOST GOVERNMENTS AS IT BECOMES AVAILABLE. POST, AND HOST GOVERNMENT, SHOULD BE AWARE THAT MUCH OF THIS INFORMATION IS SELF-REPORTED BY THE DETAINEE. IT MAY BE INACCURATE AND

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

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3. (U) TALKING POINTS

-- ON APRIL 20, AN INDIVIDUAL CLAIMING TO BE A NATIONAL OF YOUR COUNTRY WAS TRANSPORTED TO THE U.S. NAVAL BASE, GUANTANAMO BAY, CUBA WHERE HE IS CURRENTLY HELD IN DETENTION. THE USG DOES NOT INTEND TO MAKE NAMES OF INDIVIDUALS DETAINED AT GUANTANAMO BAY PUBLIC AT THIS TIME.

--THE INDIVIDUAL IS BEING DETAINED ON THE SAME BASIS AND UNDER THE SAME STATUS AS OTHER DETAINEES BEING HELD IN CONNECTION WITH OPERATION ENDURING FREEDOM.

-- THE INDIVIDUAL IS BEING TREATED HUMANELY.

-- THE UNITED STATES WILL BE EVALUATING THE POSSIBILITY OF
SECRET

PAGE 03 STATE 079411 261830Z
PROSECUTING THIS INDIVIDUAL IN A U.S. FORUM.

-- WE WILL ALSO BE EVALUATING THE POSSIBILITY OF RETURNING CERTAIN DETAINEES TO THEIR COUNTRY OF NATIONALITY FOR FURTHER DETENTION AND LEGAL ACTION. BEFORE MAKING ANY DECISIONS, HOWEVER, WE SEEK ADDITIONAL INFORMATION.

-- IF YOU HAVE INFORMATION CONCERNING THIS DETAINEE, AND ESPECIALLY INFORMATION CONCERNING ANY CRIMINAL CONDUCT (INCLUDING VIOLATIONS OF THE LAWS OF WAR) THAT HE IS ALLEGED TO HAVE COMMITTED, WE WOULD APPRECIATE RECEIVING THAT INFORMATION THROUGH THE LAW ENFORCEMENT LIAISON AT OUR EMBASSY.

-- WE WOULD HOPE THAT YOU WOULD ALSO UNDERTAKE TO INVESTIGATE THE ACTIVITIES OF YOUR NATIONALS WHO HAVE AIDED AL-QAIDA TERRORISTS, AND TO THE GREATEST EXTENT POSSIBLE, BE ABLE TO VIGOROUSLY PROSECUTE THEM FOR THEIR CRIMINAL CONDUCT.

-- DO YOU HAVE ANY INFORMATION FROM YOUR OWN SOURCES THAT CONNECTS THIS PERSON WITH AL-QAIDA OR THE TALIBAN?

-- ARE THERE ANY CHARGES PENDING AGAINST THIS PERSON IN YOUR COUNTRY? IF SO, WHAT ARE THOSE CHARGES?

-- WOULD THIS PERSON BE SUBJECT TO PROSECUTION IN YOUR COUNTRY, AND IF SO, FOR WHAT CRIMES? FOR CRIMES COMMITTED INSIDE YOUR COUNTRY? FOR CRIMES COMMITTED OUTSIDE,

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ACTS RELATED TO THE AFGHAN CONFLICT OR
TERRORIST ACTS?

UNCLASSIFIED

SECRET

PAGE 04 STATE 079411 261830Z

-- WHAT TYPES OF PUNISHMENTS ARE AVAILABLE UNDER YOUR LAW FOR OFFENSES THAT HAVE BEEN OR MIGHT BE BROUGHT AGAINST THIS PERSON IN YOUR COUNTRY?

4. (U) REFTEL B PROVIDES DETAILED GUIDANCE REGARDING REQUESTS FOR ACCESS TO DETAINEES IN GUANTANAMO.

5. (S/REL TO GOVERNMENT AS SPECIFIED IN PARA 2) DETAINEE DATA:

NAME: MUBANGA, MARTIN

DATE OF BIRTH: [REDACTED]

NATIONALITY: UK

PLACE OF BIRTH: [REDACTED]

HOME CITY: [REDACTED]

NEXT OF KIN: [REDACTED]

ADDRESS OF NEXT OF KIN: [REDACTED]

NAME/ADDRESS OF NOTIFIED: [REDACTED]

[REDACTED]

DATE ARRIVED AT GUANTANAMO: 20 APRIL 2002

B6

B6

6. (S) WE UNDERSTAND THAT THERE MAY BE CONFUSION OVER THIS INDIVIDUALS NATIONALITY. HE CLAIMS TO HAVE DUAL UK AND ZAMBIA NATIONALITIES.

7. (C) BACKGROUND FOR POST

THE MOST PRESSING MATTER AT HAND IS ENSURING THAT THOSE WHO POSE OR MIGHT POSE A CONTINUING THREAT TO THE UNITED

SECRET

PAGE 05 STATE 079411 261830Z

STATES REMAIN SECURELY DETAINED. CURRENTLY WE ARE HOLDING OVER 500 INDIVIDUALS IN AFGHANISTAN AND AT GUANTANAMO BAY. AS PRESENTLY ENVISIONED, DETENTIONS AND PROSECUTIONS OF AL-QAIDA AND NOTABLE TALIBAN MEMBERS COULD BE UNDERTAKEN BY ANY NUMBER OF PARTIES, INCLUDING THE UNITED STATES, THE RESPECTIVE GOVERNMENTS OF NATIONALITY OF THOSE DETAINED, COUNTRIES ATTACKED OR TARGETED FOR ATTACK BY PARTICULAR DETAINEES, AND/OR THE AFGHAN AUTHORITIES THEMSELVES. WE WILL WANT TO MAINTAIN OUR FLEXIBILITY OF ACTION IN ALL SCENARIOS.

WE WILL MAKE DETERMINATIONS AT A LATER DATE CONCERNING

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----- MAY BE SUBJECT TO U.S. PROSECUTION. WE WILL
ALSO EXAMINE THE POSSIBILITY OF OTHER STATES UNDERTAKING
PROSECUTIONS.

END BACKGROUND.

8. (U) PLEASE SLUG RESPONSES FOR S/WCI, L,
DOD/OGC (DAVIDSON), DOD/OSD/SOLIC (VACCARO), DOJ/CRM (BRUCE
SWARTZ), AND NSC/LEGAL (BELLINGER).
POWELL

SECRET

<< END OF DOCUMENT >>

UNCLASSIFIED