

Baumert, Kevin A

LB20A

From: Hill, Steven R
Sent: Wednesday, August 29, 2007 5:41 PM
To: Baumert, Kevin A
Subject: RE: ICCPR One year follow-up

RELEASED IN PART
B5, B6

[Redacted] The obligation to prevent cruel, inhuman, or degrading treatment or punishment is in Article 16 of the Convention and in similar provisions in the law of armed conflict.

B5

<http://www.usmission.ch/Press2006/0505BellingerOpenCAT.html>

From: Baumert, Kevin A
Sent: Wednesday, August 29, 2007 4:50 PM
To: Padmanabhan, Vijay M
Cc: Deeks, Ashley S; Harris, Robert K; Hill, Steven R
Subject: FW: ICCPR One year follow-up

[Redacted]

B5

Thanks,
Kevin

-----Original Message-----

From: Robert Harris [Redacted]
Sent: Monday, August 20, 2007 2:50 PM
To: Baumert, Kevin A; [Redacted]
Cc: Hill, Stephen A (Baghdad); Harris, Robert K; [Redacted]
[Redacted] Padmanabhan, Vijay M; Nixon, Gina M
Subject: ICCPR One year follow-up

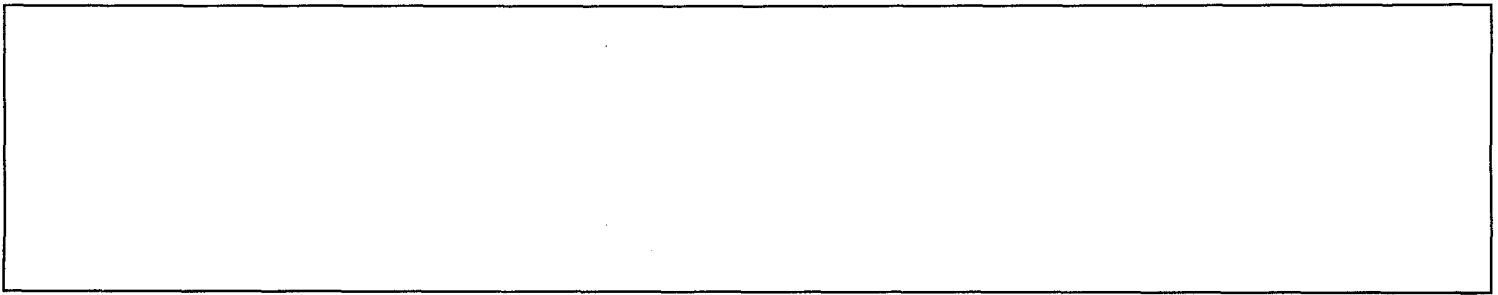
B6

B6
B6
B6

Kevin,

[Redacted]

B5



B5

Thanks to all.

Bob

[Redacted]

UNCLASSIFIED

LQ5

Conklin, Maegan L

From: Garber, Judith G
Sent: Wednesday, August 27, 2008 1:21 PM
To: Wilson, Damon M. (Europe-NSC); Fried, Daniel; Sterling, Adam H. (Europe-NSC)
Cc: Bellinger, John B (L Bureau); Ansley, Judith
Subject: RE: [Redacted]

RELEASED IN PART
B1, 1.4(B), 1.4(D), B5, B6

Per Embassy Warsaw, Radio Zet reported the information last Friday that the Procuracy had opened an investigation based on information they claimed came from a proseutor in the Giertych case. Others picked up that report and ran with it.

From: Wilson, Damon M. (Europe-NSC) [mailto:[Redacted]]
Sent: Wednesday, August 27, 2008 8:27 AM
To: Fried, Daniel; Sterling, Adam H. (Europe-NSC)
Cc: Bellinger, John B (L Bureau); Garber, Judith G; Ansley, Judith
Subject: [Redacted]

[Redacted]

From: Fried, Daniel [mailto:FriedD@state.sgov.gov]
Sent: Wednesday, August 27, 2008 8:05 AM
To: Wilson, Damon M. (Europe-NSC); Sterling, Adam H. (Europe-NSC)
Cc: Bellinger, John B (L Bureau); Garber, Judith G
Subject: [Redacted]

[Large Redacted Area]

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: JOHN S BLODGETT
 CLASSIFICATION: SECRET REASON: 1.4(B), 1.4(D)
 DECLASSIFY AFTER: 27 AUG 2028
 DATE/CASE ID: 24 AUG 2009 200706444

UNCLASSIFIED

3/27/2009

L 0928

B1

B6

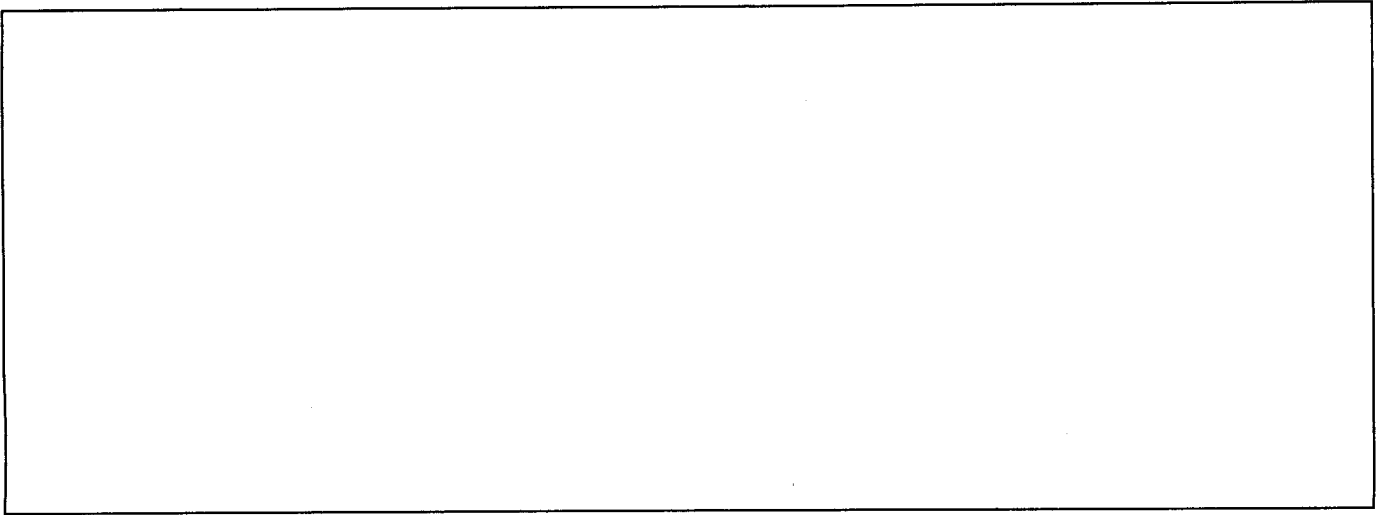
B1

B5

B1

B1, B5

[Redacted]



LQ42

Conklin, Maegan L

From: Witten, Samuel M
Sent: Wednesday, November 30, 2005 1:22 PM
To: Bellinger, John B (L Bureau); Dorosin, Joshua L
Subject: FW: Transport of prisoners by CIA is not a crime - Portuguese paper

RELEASED IN PART
B5

-----Original Message-----

From: Allegrone, Kathleen H
Sent: Wednesday, November 30, 2005 1:20 PM
To: Witten, Samuel M; Propp, Kenneth R; Graffy, Colleen P
Cc: Volker, Kurt D
Subject: FW: Transport of prisoners by CIA is not a crime - Portuguese paper

B5



From: Vidugiris, Vaida
Sent: Monday, November 28, 2005 3:35 PM
To: EUR-WE-DL
Subject: Transport of prisoners by CIA is not a crime - Portuguese paper

Source-Date: 11/28/2005

Transport of prisoners by CIA is not a crime - Portuguese paper

EUP20051128950037 Lisbon Diario de Noticias (Internet Version-WWW) in Portuguese 0000 GMT 28 Nov 05

[FBIS Translated Text]
Transport of prisoners by CIA is not a crime - Portuguese paper

Text of article by Luis Delgado: "The CIA flights" by Portuguese newspaper Diario de Noticias website on 28 November

Due to a shortage of topics, some politicians, parties and commentators are very concerned about CIA flights coming through Portugal, and in some cases about their landing at national airports, presumably for refuelling. There are pictures, videos and an endless number of details making the story interesting. It is that time of year.

Can anyone imagine, even roughly, how many planes fly every day, at all hours, chartered by various secret services (and we are not speaking about secret polices and similar) throughout the skies, backwards and forwards? Certainly no small number - and perhaps the CIA do what the British, French, German and others' secret services do. Has anyone by any chance seen those planes transporting prisoners or members of Al-Qa'idah or other terrorist organizations. And even if they do transport them, is that a crime?

The CIA, for now, is an intelligence agency of the most democratic of all countries, where the accountability of its institutions, open or secret, is checked every day with a fine toothcomb by dozens of independent groups such as Congress, commissions and a media with unrivalled power anywhere else in the world.

It is public knowledge that many terrorist group prisoners are taken to the Guantanamo base in Cuba. It is said - but this is a different matter from the CIA flights - that they are tortured and maltreated but many opposition congressmen have visited the base and none of this was confirmed.

It is perhaps a good idea to have broader investigations in this area. But what worries some Portuguese parties, however, is whether CIA chartered planes flew over or landed in Portugal. So what? Could it be that our narrow-

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3/27/2009

L 0930

mindedness still allows us to be under the illusion that there is no constant toing and froing of civil and military planes carrying dozens of things, including agents and not prisoners every day of the year? Do the Portuguese think that there are no other means and routes for this toing and froing? For crying out loud.

[Description of Source: Lisbon Diario de Noticias (Internet Version-WWW) in Portuguese – center-right national daily newspaper; privately owned, part of Lusomundo group; readership: 84,000]

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Unclassified

1018

Conklin, Maegan L

From: Aidekman, David S
Sent: Wednesday, January 25, 2006 2:49 PM
To: Hofmann, Karl W(Paris)
Cc: Bellinger, John B (L Bureau)(L-FO); Rosenblatt, Josiah (Paris)(Paris)
Subject: [Redacted]

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

Karl -- thanks for your email and good to hear from you.

I just had the first opportunity to speak with Philip today as he landed in Zurich from China. [Redacted]

Philip is on the phone now with Kurt Volker here and I hope to learn more.

If you need to speak with Philip directly, he is reachable by phone in Davos through State Ops and also tells me that he is receiving unclassified emails on his blackberry.

-Dave

From: Hofmann, Karl W
Sent: Wednesday, January 25, 2006 9:23 AM
To: Zelikow, Philip D(C)
Cc: Aidekman, David S(C); Bellinger, John B (L Bureau); Rosenblatt, Josiah (Paris)
Subject: [Redacted]

[Large Redacted Block]

UNITED STATES DEPARTMENT OF STATE
CLASSIFIED BY DEPT. OF STATE, L. HEDGBETH, DAS, A/GIS
REVIEW AUTHORITY: JOHN S BLODGETT
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)
DECLASSIFY AFTER: 25 JAN 2021
DATE/CASE ID: 24 AUG 2009 200706444

Conklin, Maegan L

From: Volker, Kurt D
Sent: Wednesday, January 25, 2006 8:30 PM
To: Bellinger, John B (L Bureau); Hofmann, Karl W; Zelikow, Philip D(C)
Cc: Aidekman, David S(C); Rosenblatt, Josiah (Paris); Johnson, David T; Skinner, Charles B
Subject: [Redacted]

[Redacted]

From: Bellinger, John B (L Bureau)
Sent: Wednesday, January 25, 2006 8:01 PM
To: Hofmann, Karl W; Zelikow, Philip D(C)
Cc: Aidekman, David S(C); Rosenblatt, Josiah (Paris); Volker, Kurt D
Subject: [Redacted]

Thanks Karl. Philip is in Davos. I think we are hoping to move the meeting up to early afternoon on Monday, January 30. Philip and I will fly over with S and Dan Fried will join us. Kurt is coordinating logistics.

-----Original Message-----

From: Hofmann, Karl W
Sent: Wednesday, January 25, 2006 9:23 AM
To: Zelikow, Philip D(C)
Cc: Aidekman, David S(C); Bellinger, John B (L Bureau); Rosenblatt, Josiah (Paris)
Subject: [Redacted]

[Redacted]

UNITED STATES DEPARTMENT OF STATE
CLASSIFIED BY DEPT. OF STATE, L. HEDGBETH, DAS, A/GIS
REVIEW AUTHORITY: JOHN S BLODGETT
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)
DECLASSIFY AFTER: 25 JAN 2021
DATE/CASE ID: 24 AUG 2009 200706444

LQ33

Conklin, Maegan L

From: Olson, Peter M
Sent: Tuesday, January 24, 2006 9:58 AM
To: Dorosin, Joshua L
Cc: Bellinger, John B (L Bureau)
Subject: FW: Bellinger mtg w/ Danish legal adviser Taksoe-Jensen

RELEASED IN PART
B5, B1, 1.4(B), 1.4(D)

Some Denmark-specific detainee issues.

-----Original Message-----

From: Maher, John O
Sent: Monday, January 23, 2006 6:00 PM
To: Olson, Peter M; Lawton, Daniel J
Cc: Middleton, Victoria S
Subject: RE: Bellinger mtg w/ Danish legal adviser Taksoe-Jensen

Peter,

[Redacted] The issue has died down somewhat, but not gone away, since the Secretary addressed it a few weeks back.

B5

[Redacted]

B1

A Danish soldier was recently convicted of abusing Iraqi prisoners during interrogations, but got a suspended sentence because the court said her higher commanders were largely to blame for not giving clearer instructions. [Redacted] it was along the lines of withholding water and blankets.

B5

Dan Lawton of Embassy Copenhagen might have more to add.

John

From: Middleton, Victoria S
Sent: Monday, January 23, 2006 5:55 PM
To: Olson, Peter M; Maher, John O
Subject: RE: Bellinger mtg w/ Danish legal adviser Taksoe-Jensen

[Redacted]

B5, B1

From: Olson, Peter M
Sent: Monday, January 23, 2006 5:19 PM
To: Maher, John O
Cc: Middleton, Victoria S
Subject: Bellinger mtg w/ Danish legal adviser Taksoe-Jensen

UNITED STATES DEPARTMENT OF STATE
CLASSIFIED BY DEPT. OF STATE, L. HEDGBETH, DAS, A/GIS
REVIEW AUTHORITY: JOHN S BLODGETT
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)
DECLASSIFY AFTER: 24 JAN 2016
DATE/CASE ID: 24 AUG 2009 200706444

John:

John Bellinger is meeting with T-J on Friday, Feb. 3, then having lunch with him. [Redacted] FYI in the past year he has met three or four times with T-J, here and in Europe.

B5

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Thanks, Peter

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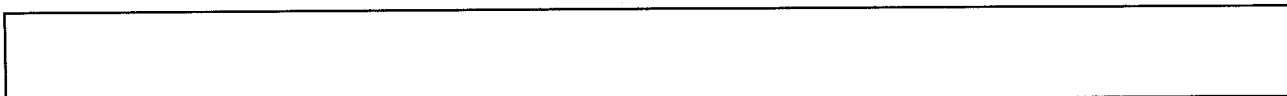
L 0935

Conklin, Maegan L

LQ83

From: Dolan, JoAnn
Sent: Tuesday, March 08, 2005 8:34 PM
To: Filippatos, James
Cc: Dorosin, Joshua L; Deeks, Ashley S; Thessin, James H
Subject: FW: USNWR 6/26/04 Iraq's invisible man

RELEASED IN PART
 B5



B5

6/28/04

Nation & World
 Iraq's invisible man
 A 'ghost' inmate's strange life behind bars
 By Edward T. Pound

At a briefing last week, Defense Secretary Donald Rumsfeld was asked if there was a plan to hide a Middle Eastern terrorist, held secretly in a military jail in Iraq, from international Red Cross inspectors. Standing on the podium, he responded: "Not on my part." But a classified order, issued at his behest by the top military commander in Iraq, tells a different story: "Notification of the presence and or status of the detainee to the International Committee of the Red Cross, or any international or national aid organization, is prohibited pending further guidance."

The Pentagon and the CIA are the major players in the affair of the suspected terrorist known as "Triple X." Rumsfeld said he ordered that the man be held in secret, based on a request from CIA Director George Tenet. Triple X has been held in a guarded room at the High Value Detainee facility near Baghdad since November. In that time, his name was never entered in the official roster of detainees, meaning the Red Cross wouldn't have known he was there. The Geneva Conventions require the United States and other countries to give the Red Cross access to detainees, although restrictions are permissible for military reasons. Officials say the military is in the process of recording Triple X in the books. Rumsfeld says the prisoner "has been treated humanely."

The practice of hiding prisoners--so-called ghost detainees--was sharply criticized by Maj. Gen. Antonio Taguba in a recent report detailing Army abuses of prisoners at the Abu Ghraib prison near Baghdad. He described it as "deceptive, contrary to Army doctrine, and in violation of international law."

"No altar boy." Triple X's status as a ghost was first disclosed by U.S. News. Pentagon and intelligence officials identified him as a high-ranking member of Ansar al-Islam, an Iraqi terrorist group with links to Abu Musab Zarqawi, who is believed to be responsible for beheading American Nicholas Berg and for attacks on coalition forces.

The CIA has declined to say why Tenet wanted Triple X kept off the books. An American

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4/6/2009

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L 0936

intelligence official says the man--identified by other sources as Hiwa Abdul Rahman Rashul--was arrested by the Kurdish military last summer. For months, the CIA interrogated Rashul at an undisclosed location, officials say, and he provided information on Ansar al-Islam's structure and training. "This guy was no altar boy," the intelligence official says. The man, he adds, was involved in planning terrorist attacks in Iraq and elsewhere.

Rashul was returned to Iraq on October 29. On November 18, Lt. Gen. Ricardo Sanchez, the top U.S. commander in Iraq, issued a classified order directing guards with the 800th Military Police Brigade to hide Rashul. The order was coded "Flash Red," meaning, says one military source, that it was "hot." It says that Sanchez's command "accepts custody and detains Hiwa Abdul Rahman Rashul, a high-ranking Ansar al-Islam member." The order required extraordinary secrecy. Rashul's name could not be disclosed to the Red Cross or to a foreign government. It prohibited the Army from entering Rashul's name in any electronic prisoner database.

Other requirements of the order include:

Rashul will "remain segregated and isolated from the remainder of the detainee population. Under no circumstances will his presence be made known to the detainee population . . . "

"Only military personnel and debriefers will have access to the detainee. . . . Knowledge of the presence of this detainee will be strictly limited on a need-to-know basis."

"Any reports from interrogations or debriefings will contain only the minimum amount of source information No source reference will be made to identify [Rashul's] status, membership in Ansar al-Islam, or other terrorist group."

Despite all this secrecy, Rashul has been interrogated only once--and then only briefly, a Pentagon official says. Even though her brigade was responsible for holding the man, Brig. Gen. Janis Karpinski says, she's puzzled by the way he was handled. "It was bizarre," she says. "He had been there a long time, and nobody was coming to see him, interrogate him." At one point, she asked Sanchez's legal staff for guidance "on what to do with him." But when her deployment ended and she returned to the States in February, Karpinski says, "he was still sitting there."