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ACTION EUR-00

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	DNI-00	DODE-00	DOTE-00	PDI-00	DS-00	DHSE-00	FAAE-00
	FBIE-00	UTED-00	VCI-00	H-00	TEDE-00	INR-00	IO-00
	JUSE-00	LAB-01	L-00	MOFM-00	MOF-00	VCIE-00	DCP-00
	NSAE-00	NSCE-00	OIC-00	NIMA-00	PA-00	PER-00	GIWI-00
	PRS-00	P-00	SCT-00	DOHS-00	SP-00	IRM-00	SSO-00
	SS-00	STR-00	TRSE-00	NCTC-00	ASDS-00	FMP-00	CBP-00
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 INFO EUROPEAN POLITICAL COLLECTIVE

UNCLAS USEU BRUSSELS 000981

SENSITIVE
 DEPT FOR EUR/ERA

E.O. 12958: N/A
 TAGS: PGOV, PHUM, PINS, PINR, PTER

SUBJECT: EP ISSUES TOUGH REPORT ON RENDITIONS

1. (SBU) SUMMARY: On February 14, the European Parliament adopted by vote (382-256-74) a report by the "Temporary Committee Investigating the Alleged Use of European Countries by the CIA for the Transportation and Illegal Detention of Prisoners". The report spreads its condemnations widely: first, the U.S. for conducting the "illegal" extraordinary renditions program; second, 13 European countries are named as having been complicit at different levels in alleged CIA kidnappings; and third, EU High Representative Javier Solana and former EU Counter-Terrorism Coordinator Gijs de Vries, who are accused of censoring documents requested by the Committee. The report does acknowledge a lack of concrete evidence for its allegations, though largely blames this on lack of cooperation from various parties. A long list of recommendations in the report include a call for Member States to conduct independent follow-up investigations.

2. (SBU) As expected, the EP's entire center-left supported the report. More surprising was the fact

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that nearly one third of the center-right EPP-ED MEPs voted in favor of the report or abstained, despite the fact that several of its "red-line" amendments were not adopted in the final vote. The division among conservatives is some indication of the degree of political and public momentum that the report had built up during a year of high-profile committee hearings. Nevertheless, the vote may be the end of the road for the report, at least within the EU institutions, where there is little appetite for acting on its recommendations. The EP committee tasked with follow-up will likely have a hard time keeping the issues on the EU radar screen. END SUMMARY

EP CONDEMNS EXTRAORDINARY RENDITIONS

3. (SBU) Over a year in the making "European Parliament Reged Use of European Coun Transportation and Ilers", drafted by Italo Fava, condemns extra "an illegal and systema the United States in thhsm." Recommendations @U Council and Member Stand forceful declaratioAdministration to put an ed`sp`gh y th of Europeittee's mandate was to Qthat the U.S. Central ied out torture or illrritory; that member stries had been involvedand that citizens : committee: a journalis from the New York Times and the director of Qhe non-profit group Statewatch. The group also met in Washington with a number of U.S. officials, NGO representatives, and academics. Further, the report "thanks the former CIA agents who agreed to cooperate with the Temporary Committee, particularly at certain confidential meetings at which they confirmed the extraordinary rendition program had already begun during the 1990s." END BACKGROUND

EU GOVERNMENTS COMPLICIT

5. (U) According to the report, European airports were used for stopovers of CIA flights likely to have carried illegal prisoners, claiming that "at least 1,245 flights operated by the CIA have flown into European airspace or stopped over at European airports." The report also accuses the CIA of "using civil aviation rules to bypass legal obligations for state aircraft." It also references

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a meeting between U.S. officials, including Legal Adviser to the Secretary of State John Bellinger, and representatives of EU Member States on May 3, 2006, in which the existence of a rendition program was confirmed. The report quotes Bellinger as saying that the program had "always been applied in respect of the sovereignty of the countries involved."

6. (U) The Temporary Committee also claimed that "it is unlikely certain European governments were unaware of the extraordinary rendition activities taking place in their territory" and "condemns the condoning and concealing of the practice by the secret services and governmental authorities of certain European countries."

COUNCIL HELD THE TRUTH

7. (SBU) The Parliament also takes aim at the EU Council Secretariat, naming High Representative Solana and former EU Counter-Terrorism Coordinator Gijs de Vries. The latter announced his resignation two days before the report's release, although he said he resigned for unrelated reasons. The report accuses these officials of refusing to transmit internal Council documents to the committee at the request of the United States and "expresses concern at omissions in the statements made by Solana, regarding the Council's discussions and knowledge of the methods used by the United States in its campaign against terrorism". MEPs were able to obtain the same Council documents from other, "confidential" sources, thus revealing that the versions received by the Council were censored. One of the documents originates from an informal transatlantic meeting of EU and NATO foreign ministers, including Secretary of State Rice, on December 7, 2005, and reveals that Member States had knowledge of the renditions program. The committee also obtained comprehensive reports of meetings between the Council's Working Party on Public International Law (COJUR) and the Transatlantic Relations Working Party (COTRA) and senior representatives of the State Department on February 8 and May 3, 2006; the Council Presidency only provided them with summaries of these meetings.

NAMING AND SHAMING

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8. (U) The report names 13 European countries (Italy, UK, Germany, Sweden, Austria, Spain, Portugal, Ireland, Greece, Denmark, Cyprus, Poland, and Romania) involved at different levels in CIA kidnappings. Prominent attention is given to specific cases in Austria, Italy, Poland, Portugal, UK, Romania, Spain, and Sweden. However, the report acknowledges a lack of concrete evidence. In an amendment passed with a narrow majority MEPs note, "it is not possible to acknowledge or deny that secret detention centers were based in Poland." On Romania, the report concludes "no definitive evidence has been provided to contradict any of the allegations concerning the running of a secret detention facility on Romanian soil."

EPP-ED DIVIDED ON THE ISSUE

9. (U) The liberal, Socialist, green, and leftist groups in the EP were mostly united in supporting the report, and the right-wing euroskeptic group UEN voted unanimously against it. However, the largest EP group, the center-right EPP-ED, was divided, largely along country lines. The EPP-ED "coordinator" in the temporary committee, Italian MEP Jas Gawronski, was a staunch opponent of the report, describing it as "a useless exercise in America-bashing" and calling for his group to vote against it in Plenary. On the other hand, Portuguese MEP Carlos Coelho, chairman of the temporary committee, supported the report and voted in favor.

10. (SBU) Gawronski tabled numerous amendments in an attempt to dilute the harsh tone of the report, but did not manage to build a majority for most of them. While 183 EPP-ED MEPs followed Gawronski and voted against the report, 37 voted in favor (including Belgian, Greek, Portuguese, some Slovak, some

French, and three Irish MEPs) and 37 abstained (including Dutch, Spanish, some French, some Finnish, two British, and some Swedish MEPs). One contact in EPP-ED noted Fava was clever in the way he divided the report country by country. EPP-ED MEPs whose party was in power during the period covered by the report, but whose country was not/not implicated in the report, were more likely to vote in favor of the report. Additionally, in some cases, such as Ireland and Greece, MEPs whose party was in opposition during the period covered by the

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report, and whose country was implicated in the report, also voted in favor.

FOLLOW-UP AND RECOMMENDATIONS

11. (SBU) In his press conference after the vote, Gawronski stressed that the report had brought no new evidence. He noted that even the Council of Europe rapporteur on the issue, Swiss Parliamentarian Dick Marty, had expressed his disappointment at the results of the inquiry. Gawronski quoted Marty as saying "The report just confirmed what I had already showed," wryly noting "the EP created a special committee of 46 Members and a permanent secretariat of 13 people; I worked alone." At his own, separate, press conference, Coelho stressed that he hoped the report would provide "food for thought" to national parliaments and judicial authorities as well as to the U.S. Congress should it pursue an investigation on these matters.
12. (SBU) The EP Civil Liberties (LIBE) Committee is tasked with following up on the report by monitoring further information and promoting implementation of the report's wide-ranging, but non-binding, recommendations. At a March 21 LIBE meeting MEPs expressed concern that the Council Secretariat had not issued any official reaction to the report and discussed how to ensure the report's recommendations were not ignored -- likely a difficult task. LIBE members will travel to Washington April 16-18 to discuss with Members of Congress a range of transatlantic issues related to Justice and Home Affairs. LIBE chairman Jean-Marie Cavada has encouraged the group to raise their concerns about extraordinary renditions with Members of Congress and with the U.S. press during that trip.
13. (U) The report recommends the Council press Member States to initiate hearings and independent investigations and inform the EU institutions of their actions. The report calls on Member States to do the following:
- ratify and implement the 2003 U.S.-EU extradition agreement;
 - seek return of their citizens and residents from Guantanamo and compensate the victims of extraordinary renditions;
 - ensure authorizations granted to state and military aircraft contain guarantees that human rights will be respected and to reinforce the

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monitoring of private non-commercial flights; and
-- reinforce collaboration between intelligence
services, while increasing parliamentary oversight
of these services; and to forbid incommunicado
detention during military operations.

14.(SBU) COMMENT: The hearings of the Temporary
Committee garnered a bonanza of media coverage for
Parliamentarians and fueled anti-U.S. public opinion
in Europe. However, based on our informal soundings
of MEPs and local pundits, the oxygen from this
issue is dwindling in Brussels, and popular
perceptions on the subject are already firmly fixed.
With the temporary committee shut down, the issue is
likely to fade off both the Parliament's and the
other EU institutions' radar screens. Many EP
contacts pointedly compared the committee to the
2001 temporary committee of inquiry into the alleged
"Echelon" UK-U.S. spying system. The final Echelon
report provided a full analysis of the possible
existence of the system but never presented any
concrete evidence and was soon forgotten. That
said, any further related activity in capitals, such
as individual Member States' investigations into
these activities, is likely to draw the media's
attention back to the new center of activity. END
COMMENT.

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ACTION IIP-00

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STATE FOR INR/R/MR, NEA/PPD, NEA/ARP, NEA/IPA, G/TIP

E.O. 12958: N/A
 TAGS: OIIP, KPAO, KWMN, PHUM, PREL, KCRM, QA

SUBJECT: Media Reaction: Qatari papers on the 2007 Trafficking in
 Persons report Qatar 06/14/2007

1. Summary: Only two of Qatar's six dailies reported on the 2007 TIP report on Qatar. English daily Gulf Times published the report in full with commentary denouncing U.S. "hypocrisy" in issuing it. Arabic daily Al Sharq did not publish the contents of the report but its deputy chief editor used a brief mention of the report to launch into a fiery editorial in which he accused the White House of practicing trafficking in persons.

2. Headlines:

Gulf Times on June 13, 2007

-- U.S. report on human trafficking cites Qatar violations.
 -- Trafficking is not a one-way street.

Al Sharq on June 14, 2007

-- The American Embassy in Doha distributes a State Department report that insults our intelligence.
 -- The worst human rights violation record is held by America.
 -- Can the U.S. Embassy prepare a report on the secret prisons of the U.S.?

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- Under the excuse of protecting national security, the American administration practices the worst crimes history has seen.
- Trafficking in persons is being practiced inside the White House; why does no one talk about that?

3. BLOCK QUOTES:

"Trafficking is not a one-way street"

Semi-independent English "Gulf Times" (06/13/07):

"The United States government yesterday saw fit to release a report that added four Middle East countries regarded as allies in Washington to a human trafficking blacklist. They were Bahrain, Kuwait, Oman and Qatar. The timing was impeccable. On Sunday a UK national newspaper published a picture of a CIA secret rendition flight arriving in Britain. The aircraft had taken a circuitous route from a military camp in Virginia to a facility in Malta via an RAF base in Suffolk. That there is a global network of illegal jails used to detain and torture suspected terrorists regarded by the US as security threats was highlighted by a recent Council of Europe human rights organization report...Yesterday Gulf Times published the findings of a federal appeals court in Virginia, which ruled in a split verdict that Ali al-Marri, formerly of Qatar, could no longer be held as an 'enemy combatant' in a military prison in South Carolina. He had been in various military jails since 2003 without being charged. The judgment was another blow to the efforts of President George W. Bush to continue to exercise absolute powers that make a mockery of the U.S. justice system that it so forcefully defends when Bush's critics circle the wagons...In the meantime, the well attended and well reported two-day Conference on International Migration, hosted in Qatar this week, discussed the many important subjects that the U.S. trafficking report highlighted and was another example that human rights were now high on the region's agenda. All countries have to address their shortcomings and act - that should also be the message sent to a squabbling U.S. Congress trying to determine the outcome of the country's controversial immigration bill - so who is doing more to confront the issues of human rights? We will let you decide.

"The worst human rights violation record is held by America"

Jaber Al Harami, Deputy Chief Editor, semi-independent Arabic "Al-Sharq" (06/14) (informal Embassy translation):

"American arrogance has a different color every day. At every moment American talks about purity while it drowns in depravity. America talks about human rights while its record on human rights violations is the worst. America is using the whole world as a field to wage

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wars on those who would contradict its opinion and thoughts. President Bush in his war on what so called "terrorism" said: "Those who are not with us are against us." The United States uses its reports -which are composed in dens of thieves such as the State Department, the Congress, the Pentagon, and of course the White House - as a justification to accuse countries of the world. The United States talks about violations of human rights while it forgets its flying and mobile prisons, not to mention Guantanamo. The United States talks about freedom while it suppresses it and kills innocent people in the process, they bombed Al Jazeera offices in Kabul and Baghdad and they were planning to bomb Al Jazeera in Doha! America asks the countries of the world to open their markets to foreign manpower and to competition while at the same time they canceled the Dubai port deal under the justification of protecting the national security. Does has Washington have national security while other countries don't?

America talks in its reports that are distributed via its embassies about human rights and trafficking in person and sponsorship system, and at the same time it practices slavery against the people of world, and the sponsorship system which America raise in the face of the GCC states: Americans implement it, America requires a sponsor for those who want to live there.

Violations committed in the GCC states are done by individuals and companies, it is not the official practice or stance of the governments, while the American administration officially violates countries, individuals, governments, and if any one decided to stand up for it, sanctions and boycotts will be the answer.

America talks in its fake reports about Trafficking in Persons in GCC states, we don't know what kind of trafficking they are talking about, and why the United States does not look to the practice of TIP inside the White House. Why doesn't the US talk about the exploitation of women in America? Where are the rights of the Mexicans?

What is America, the guardian of democracy, doing in the Arab world? America is the enemy of the people of the world.

The State Department's report on TIP, which the U.S. embassy in Doha distributed, insults our intelligence and was full of mistakes which were very provocative. We hope the U.S. Embassy in Doha will take the initiative and print a report on U.S. human rights violations. It will consume the budget of the Embassy, because the report will be printed in thousands of pages.

The great Arab poet Al Mutannabbi said:
"If defamation comes from an incomplete person (that lacks credibility) this means that I am complete."

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ACTION NEA-00

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DEPARTMENT FOR PA, NEA/ARN, INR/IC/CD, INR/R/MR:STHIBEAULT AND
 JMCARTER, VOA NEWS CA, NEA/PPD:CBOURGEOIS, AZAIBACK, AND
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 CENTCOM FOR CCPA

E.O. 12958: N/A
 TAGS: KMDR, PREL, KPAO, OPRC, SY
 SUBJECT: Golan, Rice, Lebanon, Palestinian Territories, Iraq,
 SyriaIran (6/27)

1. Summary: Syrian papers on June 27 marked the 33rd anniversary of the liberation of Al-Qunaytirah with reports and articles glorifying the "heroism" and sacrifices of Syrian forces during the October 1973 war and stressing that the occupied Golan will definitely return to Syria. Papers cited a lecture by Deputy Foreign Minister Dr. Faysal al-Miqdad in Al-Qunaytirah on June 26 in which he said that "the liberation of the occupied Arab territories, headed by the Syrian Golan, is the top priority of President Asad's policy." Al-Miqdad added, "the Syrian people and their leader

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: ARCHIE M BOLSTER
 DATE/CASE ID: 23 JAN 2009 200706444

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Bashar al-Asad strongly believe that the Golan will return to the motherland, Syria."

Independent al-Watan quoted a well-informed diplomat as saying that US Secretary of State Condoleezza Rice will visit the Palestinian Territories, with "an amended Roadmap." The visit will be within a larger tour that Rice is going to take in the region in a couple of weeks, the source said. The tour will include Egypt, Saudi Arabia, Jordan and other countries. The source added that Rice's goal will be to put together the two quartets: the Arab one and the international one.

Independent al-Watan cited a report that the number of Iraqi refugees in Syria has risen by 200,000 since the last estimate ten weeks ago, to reach 1.4 million. The report said that the Syrian government is in need of \$60 million to provide medical and social assistance to these refugees, but has so far received only \$12 million.

All papers featured a statement by Syrian Ambassador in Tehran Hamed Hassan made during a celebration at the Syrian embassy in Tehran on the occasion of the formation of the Syrian-Iranian Friendship Association on June 26. Hassan confirmed the strength of historic Syrian-Iranian relations, adding, "the two countries are determined to enhance their relations in all fields, which would benefit them both and benefit the entire region."

End of summary.

2. Selected Headlines:

"UNIFIL forces are placed on alert in South Lebanon. The Lebanese army continues its confrontations in the north. The national opposition warns against the governing team's maneuvers to seize the presidency: A plan for a comprehensive change in Lebanon is underway" (Government-owned Al-Ba'th, 6/27)

"The Arab League denounces assault against UNIFIL forces in Lebanon" (Government-owned Tishreen, 7/27)

"AFP: Targeting UNIFIL forces in Lebanon targets Hizbollah" (Government-owned Al-Ba'th, 6/27)

"Israel rules out a political agreement with the Palestinian Authority. Lavrov in the region to settle dispute among Palestinians and to prevent a catastrophe" (Government-owned Al-Ba'th, 6/27)

"Hanieh welcomes dialogue among Palestinian parties. The tripartite meeting does not bring anything new" (Government-owned Al-Thawra,

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6/27)

"Palestinian refusal and Russian slackness about naming Blair as a peace envoy in the International Quartet" (Government-owned Al-Thawra, 6/27)

"The White House expects a difficult summer in Iraq" (Government-owned Al-Thawra, 6/27)

"Iraqi authorities arrest Sunni Minister of Culture on charge of terrorism" (Independent al-Watan, 6/27)

"Violent clashes in al-Diwanieh. Occupation forces enhance forces in southern Iraq. Bush reiterates support for al-Maliki government. Talabani in Tehran" (Government-owned Al-Ba'th, 6/27)

"Rice is due in the region" (Independent al-Watan,

6/27)

"Republican Senator Lugar: The US faces the danger of international failure. A new strategy must adopted in Iraq" (Government-owned Al-Ba'th, 6/27)

"Syrian Ambassador in Tehran: We are determined to promote bilateral relations in all fields" (Government-owned Al-Ba'th, 6/27)

3. Editorial Block Quotes:

"It Is a Policy of Killing"

Umar Jaftali, an editorialist in government-owned Tishreen, wrote (6/27): "The Bush administration wants the world to be a subservient follower of its policies, and it does not mind violating all ethical values and divine precepts to realize this objective.

"What proves this is US practices in Iraq and Afghanistan....

"Washington is pursuing a policy of killing, promotion of terrorism, and pleasure in torturing people in Abu Ghurayb, Guantanamo, and secret prisons....

"Don't neoconservatives in the Bush administration, who claim to be advocates of law and freedom, feel ashamed when they bless the

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culture of violence and killing, support Israel's crimes, and bring mercenaries like Black Water to persist in human rights violations?

"The United States has lost its credibility in the Arab region and the rest of the world...."

"Why Are All the Events in Lebanon and Palestine Happening?"

Dr. Issa al-Shammas, a columnist in government-owned Al-Ba'th, wrote (6/27): "What is happening in Lebanon and the Palestinian territories is an extension of what is happening in Iraq within the framework of the American policy to build a new Middle East based on blind chaos, division, and conflict among sons of the same country...."

"All leaders in Palestine and Lebanon must shoulder their national and historical responsibilities.... Either preserving the land, the identity, and the country or losing everything and falling into the trap of the American plan of capitulation and hegemony...."

"Mere Questions about Lebanon"

Ibrahim Darraji, an editorialist in independent al-Watan, wrote (6/27): "The security breaches in Lebanon, which are accompanied by an escalating political crisis, are part of the American plan to spread chaos in the region...."

"The pro-government team in Lebanon is providing cover for those involved in the bombings and assassinations, which serve the purposes of known forces and countries...."

"The New Assignment"

Dr. Sa'id Musallam, a commentator in government-owned Al-Thawra, wrote (6/27): "The British people, who forced Blair to resign, will not be happy with his appointment as envoy to the International Quartet, which has so far offered nothing other than doses of

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despair and frustration and response to Israeli demands, with blessings from the American master, and which promises further concessions in Blair's new era....

"Countries of the region, where Bush and Blair bet on polishing their images through the colors of death and chaos and symphonies of sectarian violence and civil infighting, did not, and will not, get from these peace activists anything other than deterioration, division, and one storm after another...."

Corbin

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APPROVED BY: L:JBELLINGER

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E.O. 12958: N/A

TAGS: KISL, KPAO, PGOV, PREL, MOPS, PTER, KAWC,
PHUMSUBJECT: PRESIDENT SIGNS EXECUTIVE ORDER
INTEPRETING COMMON ARTICLE 3 AND SETTING RULES FOR
CIA DETENTION PROGRAM

REF: 2006 STATE 164628

1. (U) Summary. On July 20, the President signed an Executive Order that (1) interprets for the purposes of U.S. law and the satisfaction of U.S. treaty obligations, the meaning and application of Common Article 3 of the Geneva Conventions, an article that requires humane treatment of detainees; and (2) provides clear rules for the application of Common Article 3 to the CIA's detention and interrogation program. The Order

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complies fully with international law and creates a sound legal framework for the treatment of detainees by the CIA in the conflict with al Qaeda. The Order is available at www.whitehouse.gov/news/releases/2007/07/20070720-4.html. If-asked points are in para. 5. Qs and As are in para. 6. End summary.

2. (U) In 2006, the Supreme Court held that Common Article 3 of the Geneva Conventions, which requires humane treatment of detainees during armed conflict and prohibits specific acts of mistreatment, applies to the U.S. armed conflict with al Qaeda. Following that decision, Congress enacted the Military Commissions Act (MCA), which interpreted and criminalized the most serious violations of Common Article 3; prohibited cruel, inhuman, and degrading treatment of detainees; and invited the President to promulgate interpretations of other provisions of the Geneva Conventions, including Common Article 3 (see Ref). Certain terms in Common Article 3, including its prohibition on "outrages upon personal dignity, in particular, humiliating and degrading treatment," which was not included in the MCA, have been considered vague.

3. (U) When he signed the MCA into law in 2006, the President stated that he was confident that the MCA enabled a CIA detention and interrogation program to go forward, consistent with applicable law on humane treatment of detainees. In this Order, the President provides an authoritative interpretation of the provisions of Common Article 3 related to detention and interrogation and applies that interpretation to the CIA detention and interrogation program. In particular, the Order clarifies the meaning of "outrages upon personal dignity, in particular, humiliating and degrading treatment" by expressly forbidding "willful and outrageous acts of personal abuse done for the purpose of humiliating or degrading the individual in a manner so serious that any reasonable person, considering the circumstances, would deem the acts beyond the bounds of human decency," including sexual abuse and using detainees as human shields. This standard is drawn from decisions of the International Criminal Tribunal for the Former Yugoslavia.

4. (U) In addition to the prohibition on those "willful and outrageous acts of personal abuse" described above, this Order contains a list of provisions with which the CIA program must comply to be consistent with Common Article 3. This includes requirements that the detainees not be subject to torture; cruel, inhuman, or degrading treatment; or any offense covered by the War Crimes Act. The Order forbids acts intended to denigrate the religion or religious practices of the detainee, and requires that the CIA provide detainees adequate food, water, shelter, necessary clothing, protection from extremes of

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heat and cold, and medical care. The CIA is authorized to detain only those members or supporters of al Qaeda and associated organizations that the CIA Director concludes are likely to have information that could assist in detecting, mitigating, or preventing terrorist attacks or locating the senior leadership of al Qaeda.

5. (U) Begin if-asked press points.

-The President issued an Executive Order on July 20 in order to provide an authoritative interpretation under U.S. law of Common Article 3 of the Geneva Conventions as applied to certain detentions and interrogations.

-Of most significance, the Order defines in more explicit detail some of the more vague terms of Common Article 3, drawing on and complying with internationally-accepted standards for the treatment of detainees in war. These standards draw in part from decisions of the International Criminal Tribunal for the Former Yugoslavia.

-Specifically, the Order defines "outrages upon personal dignity" to mean a prohibition on "willful and outrageous acts of personal abuse done for the purpose of humiliating or degrading the individual in a manner so serious that any reasonable person, considering the circumstances, would deem the acts beyond the bounds of human decency," including sexual abuse and using detainees as human shields.

-It builds on previous standards of detainee treatment that already exist in U.S. law, including criminal statutes forbidding torture and various other acts of violence (such as murder, mutilation, serious bodily injury, and rape), and the prohibition on cruel, inhuman, and degrading treatment in the Military Commissions Act and the Detainee Treatment Act.

-The Order specifically applies the interpretation of Common Article 3 to a CIA interrogation program for certain captured al Qaeda terrorists who have information on attack plans or the whereabouts of the group's senior leaders.

-The Order contains a list of specific requirements for the conduct of the CIA's program. For example:

-The program must comply with the prohibition on cruel, inhuman, or degrading treatment or punishment in the Detainee Treatment Act;

-The Order forbids act intended to denigrate detainee's religion or religious practices;

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-Detainees must receive adequate food, water, shelter, necessary clothing, protection from extremes of heat and cold, and medical care;

-Interrogation techniques must be deemed safe for each detainee with whom they are used; and

-The CIA Director must issue policies to ensure that the program operates safely, professionally, and in accordance with the Order and U.S. law.

End if-asked press points.

6. (U) Begin questions and answers.

-Q: Does the Order apply only to the CIA, or to all agencies?

-A: The Order interprets Common Article 3 and applies that interpretation to the CIA program. The Department of Defense already has policies in place to require that its personnel comply with Common Article 3.

-Q: Does the Order prohibit waterboarding, sleep deprivation, and hypothermia?

-A: The Order requires protection of detainees from extremes of heat or cold. It does not enumerate any specific prohibited or authorized practices. All interrogation practices must be in compliance with the terms of the Executive Order.

-Q: Has the CIA program changed at all since it began to operate several years ago?

-A: The legal landscape has changed in significant ways since 2001. The Supreme Court's decision in Hamdan v. Rumsfeld led to the application of Common Article 3 to the conflict with al Qaeda. And in the MCA, Congress made other significant changes to the law that are reflected in this Order. The CIA program must comply with this Order.

-Q: Why did the President issue this Order now?

-A: The President issued the Order to provide clear direction on the interpretation and

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application of Common Article 3 under U.S. law, to ensure that the United States upholds its own laws as well as its treaty obligations in its treatment of detainees. The MCA expressly authorized the President to take this step. It has taken some time since the MCA became law to come to a conclusion about how best to achieve this objective. The President made clear last September that a CIA program for questioning terrorists would continue to be crucial to obtaining life-saving information.

End questions and answers.

7. (U) Minimize considered.

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UNCLAS USUN NEW YORK 001010

SIPDIS

E.O. 12958: N/A
 TAGS: PHUM, UNGA
 SUBJECT: UN GENERAL ASSEMBLY: REPORT OF THE HUMAN RIGHTS
 COUNCIL

REF: STATE 128329

1. SUMMARY: On Nov. 5-6, UNGA's Third Committee addressed the Human Rights Council's Report and particularly its institution-building package. In introducing the Report, HRC president Costea (Romania) argued that the Council had made progress, faces major challenges, and should only be judged once it has begun fully functioning. General discussion centered on the institution-building package, which many countries praised while some highlighted its shortcomings; the U.S. statement highlighted our serious concerns about the Council, while Israel gave an impassioned criticism of that body and of the UN more broadly. Debate also centered on country-specific mandates and on the relationship between the Council and the Office of the High Commissioner for Human Rights. END SUMMARY

 The Institution-Building Package

2. The UNGA Third Committee focused Nov. 5-6 on the Report of the Human Rights Council, including its controversial

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institution-building package. In his introduction of the Report, Council President Doru Costea argued that the council had made some achievements, including by focusing on a wide range of human rights issues (examples cited were primarily thematic). He noted the challenges ahead, including breaking away from the mindset of the Council's predecessor body, the Commission on Human Rights, and posited that the Council should not be judged until it has begun fully functioning.

3. Many countries (Portugal, Cuba, Colombia, Republic of Korea, China, Russia, Bangladesh, Malaysia, Ukraine, Brazil, Argentina, Japan, Poland, the Netherlands, Iran, Egypt) urged the Committee to adopt the institution-building package by consensus, without reopening it. Several of those countries (Portugal, UK, Canada and the Netherlands) also criticized the Council for its selective approach and an excessive focus on Israel. Some (UK, Poland and the Netherlands) also criticized the package for having eliminated special mandates on Belarus and Cuba. The U.S. statement (discussed in greater detail in para 9) also included these criticisms. Canada, in addition to criticizing the Council's unbalanced approach, noted its objection to the manner in which the package had been pushed through the Council. In an impassioned statement, Israel sharply criticized the Council, noting that an entire agenda item (Item 7) was devoted exclusively to the "Occupied Palestinian Territories" while all other human rights situations throughout the world were to be addressed within a single agenda item (Item 4). Israel announced it would call for a vote on the package. Responding, Palestine argued that the situation in the Occupied Territories is unique and must have its own agenda item.

Allocation of the HRC Report

4. On Nov. 2 the UNGA General Committee had decided without a vote to recommend to the UNGA plenary that, "for its 62d session" (i.e., the current one), the HRC report be allocated for discussion to the Third Committee. Egypt, Sudan, DRC, Gambia, Jamaica, and the USA (per instructions in reftel) had supported this decision. Uruguay, the UK, Finland, Iceland and Cyprus, who wanted the report allocated directly to the UNGA plenary, had said the decision should state explicitly that it constituted no precedent for future UNGA sessions. On Nov. 5 the UNGA plenary adopted without a vote the General Committee's allocation decision. Liechtenstein, New Zealand, Switzerland and Mexico spoke up, saying the report should have been allocated to the plenary and the decision

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constituted no precedent for next year's 63d UNGA session. Egypt, however, spoke in support of the General Committee's decision.

5. During the Nov. 5-6 debate in the Third Committee, some countries reiterated their positions on the allocation question. Colombia, Sudan, Malaysia, Bangladesh, India and Indonesia all expressed their support for the General Committee's decision to send the report to the Third Committee. Others, including Switzerland, Portugal on behalf of the EU, Chile, New Zealand, the UK and the Netherlands argued that the report should have been sent directly to the General Assembly plenary or to both the plenary and the Third Committee. Brazil, speaking also for Argentina, stated that it did not consider this year's decision by the General Committee to have set a precedent.

Country-Specific Resolutions and Mandates

6. Many statements during the Nov. 5-6 debate echoed prior discussions in the Council over whether to preserve country-specific resolutions and mandates. Burma and Egypt argued against country-specific resolutions, calling instead for addressing these issues through the new Universal Periodic Review (UPR), which is to review all UN member states' human rights behavior under the Council's auspices.

7. South Africa also called for the termination of country mandates, arguing they do not enhance human rights on the ground. Malaysia and Iran called for the special mandates to focus on thematic, rather than country-specific issues. The DRC argued that the special mandate holders criticize without providing specific recommendations for action and it suggested in strong terms its dissatisfaction with the mandate on the DRC. China stated that it could not overemphasize the need for caution when proposing country-specific resolutions.

8. France stressed the importance of the special procedures and stated that the mandate of the Council cannot be fulfilled through a thematic approach alone. Portugal argued that the HRC must address specific situations and that the UPR is a complement to, not a substitute for, other mechanisms of the HRC, and called for expansion of the special procedures. Chile agreed, noting that special procedures and country-specific resolutions saved lives in Chile in the 1970s.

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9. Cuba called the elimination of the special procedure on Cuba "a homage to the long resistance and the tireless fight of the Cuban people for their independence and is one less pretext for the continuation of the policy of hostility, genocidal blockade and aggressions against the Cuban people." Belarus stated (incorrectly) that in the HRC a minimum number of co-sponsors are required for country-specific resolutions and called for a similar requirement in the Third Committee.

The Role of the OHCHR

10. Egypt and Syria commented on the role of the Office of the High Commissioner for Human Rights (OHCHR). Egypt stated that all attempts by the HCHR to supersede the mandate of the HRC and the Third Committee should be confronted. Syria argued that the OHCHR should be supervised by the HRC.

U.S. Statement

11. The U.S. delegate outlined concerns regarding the HRC, including its relentless focus on Israel, the elimination of the Special Mandates on Cuba and Belarus, and the Council's ability to respond to emerging human rights violations. The United States also noted that while the UPR could be a useful tool, it should not replace country-specific actions or mandates. (The full text of the U.S. statement is available at: www.usunnewyork.usmission.gov/press_releases/20071106_292.html.)

Cuba's Reply to the U.S. Statement

12. (U) In a right of reply to the U.S. statement, Cuba argued that the United States opposes the HRC to avoid addressing U.S. human rights problems. Cuba alleged that the United States does not wish to stand up to the international scrutiny required when applying for membership in the Council. The Cuban delegate argued that Israel is serving U.S. interests. He also criticized those countries who expressed regret that the special procedure on Cuba was terminated, stating that they are the same countries that detain individuals in secret CIA-run prisons and oppose draft resolutions on secret prisons, enforced disappearances and torture in Guantanamo. He accused the United States of

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harboring terrorists and claimed the United States seeks to re-conquer Cuba by force.

13. (U) The HRC report can be found at www.un.org/ga/third/62/docslist.shtml.

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ACTION IO-00

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UNCLAS USUN NEW YORK 001019

SIPDIS

E.O. 12958: N/A
 TAGS: UNGA, PHUM, BM, CU, KN, SY, CH
 SUBJECT: UN GENERAL ASSEMBLY: HUMAN RIGHTS

1. (U) Speaking Oct. 31 in the annual debate on promotion and protection of human rights in the UN General Assembly's Third Committee, Ambassador Khalilzad emphasized the value the United States places on human rights, described the important role these rights play in building societies, cited examples of progress in human rights (Indonesia, Sierra Leone, Guatemala, Morocco and Lebanon) and addressed situations of human rights violations (Zimbabwe, Cuba, North Korea, Burma, Belarus, Iran and Syria). He noted U.S. concern for the situation of human rights in Russia and China. (Full text of Ambassador Khalilzad's statement is available at: www.usunnewyork.usmission.gov/press_releases/20071031_278.html).

2. (U) Several delegations responded to the U.S. statement. Iran's representative regretted that the Third Committee is frequently misused to name and blame, which he said divides the group into two blocs, the claimants vs. the defendants. He noted that no country has a perfect record and pointed to Guantanamo, secret detention centers, mistreatment of migrants in the United States, Europe, and Canada, and the

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inhumane treatment of the Palestinian people, which, he alleged, is supported by Europe and the United States.

3. (U) The Cuban delegate boasted of Cuba's successes in the area of human rights and said the same countries that criticize Cuba commit numerous violations of human rights, singling out the United States for what she said was torture of prisoners by U.S. soldiers in Guantanamo and Iraq, sexual abuse of prisoners in Abu Ghraib, police violence, the death penalty for minors, election fraud, "people-hunting" on the Mexican border, and violations of civil and political rights of American citizens, including wiretapping and banning travel to Cuba.

4. (U) North Korea's delegate said the U.S. invasion and occupation of Iraq and Afghanistan were the cause of "more than a million" deaths and an increase in sectarian violence. He called for "non-selectivity" in addressing human rights, stating that issues such as the unlawful acts of Israel in the Occupied Territories and the CIA's alleged overseas secret prisons are ignored, while developing countries are the target of accusations. "The United States is the number one invader and killer of other nations" said the North Korean, and "must clean its untidy house inside and out."

5. (U) Syria's delegate said the "American sermon" was an attempt to divide the Third Committee into good vs. bad. He argued that the vote against the U.S. trade embargo of Cuba in this year's General Assembly showed the isolation of the American position when it comes to human rights. He said U.S. human rights violations include the Guantanamo prison, secret extrajudicial executions, targeted killings, use of biological weapons in Vietnam, racial discrimination, and even movies that promote violence around the world.

6. (U) China said the United States had turned a blind eye to China's progress in human rights, but had failed to examine its own human rights record, citing the September 16 Blackwater security incident in Iraq. He stated that the United States has increased its monitoring and control of the Internet and suppressed anti-war expression and gatherings. He alleged that racism and xenophobia are on the rise in the United States, as are violations of the human rights of Native Americans and ethnic groups. He called on the United States to remember its own "bad and sad" human rights record.
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ACTION IO-00

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 AMEMBASSY RANGOON PRIORITY
 USMISSION GENEVA PRIORITY

UNCLAS USUN NEW YORK 001090

SIPDIS

E.O. 12958: N/A
 TAGS: UNGA, PHUM, PREF, PTER, SU
 SUBJECT: UNGA THIRD COMMITTEE: TORTURE, IDPS,
 COUNTERTERRORISM, SUDAN, AND BURMA

1. (U) Summary: On October 29, the Third Committee of the UN General Assembly heard reports on torture, on the human rights of internally displaced persons, on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and on the situation of human rights in the Sudan, as well as a presentation about the UN Secretary-General's report on the human rights situation in Burma. End Summary

 Special Rapporteur on Torture

2. (U) Manfred Nowak, Special Rapporteur on Torture, emphasized the role of forensic medical expertise in combating torture and stated that the absence of effective investigations is the major reason for the continuing use of torture. Overcrowding is one of the obstacles to preventing

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torture and mistreatment, said Nowak, arguing overcrowding could be avoided by reducing the length of pre-trial detention and of imprisonment for minor crimes.

3. (U) Iran asked for more details on torture in relation to counter-terrorism measures and secret detention centers. Responding to the question, Nowak called on all countries with secret detention centers to provide even high-level terrorism suspects with due process. Also in response to questions, he said that ideally there should be a central registry of detainees in every country and that every form of enforced disappearance and secret detention for an extended period of time amounts to torture.

4. (U) South Africa asked about the legality of renditions which lead to the death penalty and torture and wondered whether renditions should be conducted in a way that leads to criminal prosecution. Nowak said renditions to countries with harsh interrogation methods constitute a serious violation of human rights.

Human Rights of IDPs

5. (U) Walter Kalin, Representative of the Secretary-General on the human rights of internally displaced persons, said IDPs have three possible durable solutions: return to the place of origin, local integration, or settlement in another part of the country. Kalin argued that displacement only ends when one of the three options occurs and the IDPs no longer have needs relating to their displacement. He stated that IDPs must participate in the peace process and issues relating to IDPs must be addressed in order to create a lasting solution.

6. (U) Kalin noted improvements in the situations of IDPs in Nepal, Southern Sudan, and Northern Uganda, but he said the situation in the Central African Republic is still troubling.

He noted that in Afghanistan displacement has the potential to increase dramatically due to escalating hostilities, return of refugees from Iran and Pakistan in an unsustainable manner, and lack of humanitarian access. He expressed deep concern for the situation in Iraq, noting "I fear that a humanitarian crisis is in the making in Iraq that will haunt us for a long time." He also expressed concern for the situations in Somalia, East Timor, Sri Lanka, DRC and Sudan.

7. (U) Ambassador Grover Joseph Rees, speaking for the United States, expressed support for the cluster approach in

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addressing the issue of IDPs. He noted that it is the primary responsibility of governments to protect civilians and that the international community's role should be complementary. (Full text can be found at www.usunnewyork.usmission.gov/press_releases/20071029_273.html).

 Human Rights and Counterterrorism

8. (U) Martin Sheinin, Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, focused on challenges to refugee law and international protection posed by counter-terrorism measures. He highlighted areas of concern including exclusion of refugees, repatriation of persons detained for reasons relating to terrorism, and global responsibility for international protection. He also noted a trend toward detention of asylum seekers and pre-entry interception, particularly at sea. He stated that, despite diplomatic

assurances, states must independently assess the risk of torture before sending an individual to a receiving state.

9. (U) Mr. Sheinin stated that he is encouraged by positive signals that the United States plans to close down the detention facility at Guantanamo Bay. He highlighted the recommendation in his report to close down the facility and either release detainees or put them on trial for their alleged crimes. He said all states should be prepared to receive prisoners detained for terrorism-related reasons but against whom no charges have been initiated. He also noted the recommendation that the UNCHR be involved in resettlement of Guantanamo detainees.

10. (U) Sheinin expressed regret that he was not given the opportunity to interview in private detainees from Guantanamo or other places where the United States holds individuals suspected of terrorist acts, but he noted that the U.S. government has extended an invitation to observe proceedings of military commissions. The United States intends to include domestic and foreign observers in the proceedings, said the U.S. delegate, noting that the hearings are consistent with all applicable law. Switzerland asked about the use of military courts to try civilians. Sheinin said while there is no international law that would outlaw civilian trials in military courts, the Human Rights Council had determined that the situation should be avoided as it will likely lead to violations of human rights. (Full text

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of the U.S. statement at
www.usunnewyork.usmission.gov/press_releases/20071029_285.html).

11. (U) In response to a question on best practices in combating terrorism, Sheinin noted that in terms of support, health care, and compensation for victims of terrorism, the international community has a lot to learn from the United States. He also stated that while both Israel and the United States apply the notion of unlawful combatant, in Israel there is judicial review of this classification at periodic intervals.

The Secretary General's Report on Burma

12. (U) Lynn Pascoe, UN Undersecretary-General for Political Affairs, introduced the Secretary-General's Report on Burma. He outlined the key areas of concern, including the situation of political prisoners, the participation of the people of Burma in the political process, the need for unhindered humanitarian access, better cooperation with the UN and other humanitarian agencies, cessation of hostilities in conflict areas, and the need for cooperation with the ILO to address forced labor complaints. He also described the main objectives of the recent visit by Special Adviser Gambari. These objectives included to assess the situation on the ground, to demonstrate the high level of interest in the situation, and to promote dialogue between the government and the opposition in an effort to create national reunification and end the conflict.

13. (U) The delegate of Burma said it was the first time an Undersecretary-General for Political Affairs had introduced a human rights report in the Third Committee. He said this shows politically motivated "selectivity" and called for constructive, cooperative deliberation rather than politicization. He said the curfew in Burma had been lifted and normalcy restored, 2,700 demonstrators called in briefly for questioning had been released, and the minister appointed as a liaison with Aung San Suu Kyi had met with her on October 25. He outlined what he said were areas of progress, including the establishment with the ILO of a mechanism to address forced labor, the fight against narcotic drugs, and government openness to UN agencies. He said events in Burma were the result of rabble-rousers and political activists manipulating a small protest over fuel prices, and the international community must distinguish between the real situation and the propaganda.

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Ambassador Rees spoke briefly for the U.S. to thank U/S Pascoe and to defend the appropriateness of his having presented the report.

Human Rights in Sudan

14. (U) Sima Samar, Special Rapporteur on the Situation of Human Rights in the Sudan, focused on areas outside of

Darfur. She outlined her recommendations for action by the Government of National Unity, the warring factions, the Government of Southern Sudan, the international community and the UN.

15. (U) Sudan's delegate replied that the government of Sudan has cooperated fully with the Special Rapporteur and numerous regional and international human rights instruments and alleged that her report contained inaccurate information and does not serve the cause of human rights in Sudan. He called for an end to her mandate.

16. (U) Ambassador Grover Joseph Rees delivered the U.S. statement, expressing a desire for further information on the implementation of the Joint Communiqu and the Comprehensive Peace Agreement. He also expressed concern about escalating violence and support for Security Council action against parties undermining the peace process in Darfur. (The full text of this statement is available at www.usunnewyork.usmission/press_release/20071029_283.html).

17. (U) In response to criticism by the EU, Canada and the United States, the Sudanese delegate noted the "illegal trafficking of children" involving a French NGO taking Sudanese children to Chad. Libya said the high-level conference in Tripoli demonstrated the Sudanese government's desire to end the conflict and the human rights violations. Syria called on the international community to exert pressure on rebel groups to participate in negotiations in Tripoli, rather than criticize the Sudanese government. The Egyptian delegate said failure to implement a Security Council resolution on Sudan was not Sudan's fault, but rather the fault of those who pushed the draft resolution through without securing agreement from the government of Sudan.
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ACTION NEA-00

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C O N F I D E N T I A L AMMAN 000448

SIPDIS

E.O. 12958: DECL: 01/31/2017
 TAGS: PHUM, PREL, PGOV, UN, JO
 SUBJECT: ALLEGATIONS THAT GOJ TORTURES, AND RUNS SECRET
 PRISONS WITH U.S.

REF: A. AMMAN 222
 B. AMMAN 4982
 C. AMMAN 9071

Classified By: Ambassador David Hale for reasons 1.4 (b) and (d)

1. (C) Summary: UN Rapporteur Manfred Nowak again publicly
 accused the GOJ of torturing. [redacted]

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[redacted] Meanwhile, a man on trial for plotting to
 kill Americans accused Jordan,s intelligence service of
 torturing him. End summary.

2. (C) UN Special Rapporteur on Torture Manfred Nowak accused
 the GOJ of torturing and announced January 30 in Geneva that
 he would present a report on his June trip to Jordan to the
 UN Human Rights Council (UNHRC) when it convenes March 12.
 Nowak's statement essentially repeated charges he made
 publicly in June 2006 (ref B). [redacted]

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[Redacted]

B1

Note: In an

Amman press conference in June, Nowak said the GOJ was "not systematically practicing or condoning torture." End Note.

4. (U) At a January 31 press conference MFA spokeswoman Sabah Rafie said the GOJ would examine the report and respond. She emphasized that Nowak's statements were about isolated cases and that his trip had been at the invitation of the GOJ, in itself a sign of transparency.

[Redacted]

B1

Alleged Terrorist Accuses GID

6. (C) According to media reports January 31, Mohammed al-Hotari, on trial in Amman's State Security Court for "conspiracy to carry out terrorist activities" and "illegal possession of an automatic weapon" in an alleged plot to kill Americans in Jordan, claimed his confessions were extracted under duress. His co-defendant Mohammed Shehadeh also said his testimony was false, but did not claim he was tortured. Both men asked the court for the opportunity to present a fresh written statement.

[Redacted]

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Visit Amman's Classified Web Site at
<http://www.state.sgov.gov/p/nea/amman/>

HALE

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ACTION NEA-00

INFO	LOG-00	MFA-00	EEB-00	AID-00	AMAD-00	ACQ-00	CIAE-00
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	EUR-00	OIGO-00	FAAE-00	FBIE-00	VCI-00	H-00	TEDE-00
	INR-00	LAB-01	MOFM-00	MOF-00	M-00	VCIE-00	DCP-00
	NSAE-00	ISN-00	OMB-00	NIMA-00	PM-00	GIWI-00	ISNE-00
	DOHS-00	FMPC-00	SP-00	IRM-00	SSO-00	SS-00	NCTC-00
	CBP-00	SCRS-00	PMB-00	DSCC-00	PRM-00	DRL-00	G-00
	SCA-00	SAS-00	FA-00	SWCI-00	/001W		

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R 071331Z MAR 07
 FM AMEMBASSY AMMAN
 TO SECSTATE WASHDC 7503
 INFO ARAB ISRAELI COLLECTIVE
 AMEMBASSY ISLAMABAD
 CDR USCENCOM MACDILL AFB FL

RELEASED IN PART
 B1, 1.4(D)

S E C R E T AMMAN 001031

SIPDIS

E.O. 12958: DECL: 03/06/2017
 TAGS: PGOV, MARR, MASS, PINR, SNAR, KPAL, JO
 SUBJECT: JORDAN'S SECURITY SERVICES

- REF: A. A. 98 AMMAN 5579
- B. B. 98 AMMAN 5619
- C. C. 98 AMMAN 5677
- D. D. 03 AMMAN 893
- E. E. 03 AMMAN 967
- F. F. 03 AMMAN 980
- G. G. 03 AMMAN 1063
- H. H. 06 AMMAN 2943
- I. I. 06 AMMAN 4030
- J. J. 06 AMMAN 8549
- K. K. IIR 6 853 0180 06
- L. L. TD-314/82729-06
- M. M. 06 AMMAN 4143
- N. N. AMMAN 720

Classified By: CDA Daniel Rubinstein for reasons 1.4 (b) and (d).



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5. (SBU) While the Prime Minister is notionally dual-hatted as the Minister of Defense, he delegates all authority over defense matters to the Chairman of the JAF Joint Chiefs. The PM in fact has no Ministry of Defense to provide any civilian oversight -- a situation that is not questioned domestically.

The Chairman does defer to the PM for purposes of protocol, for example when planning a meeting between ministers of defense.

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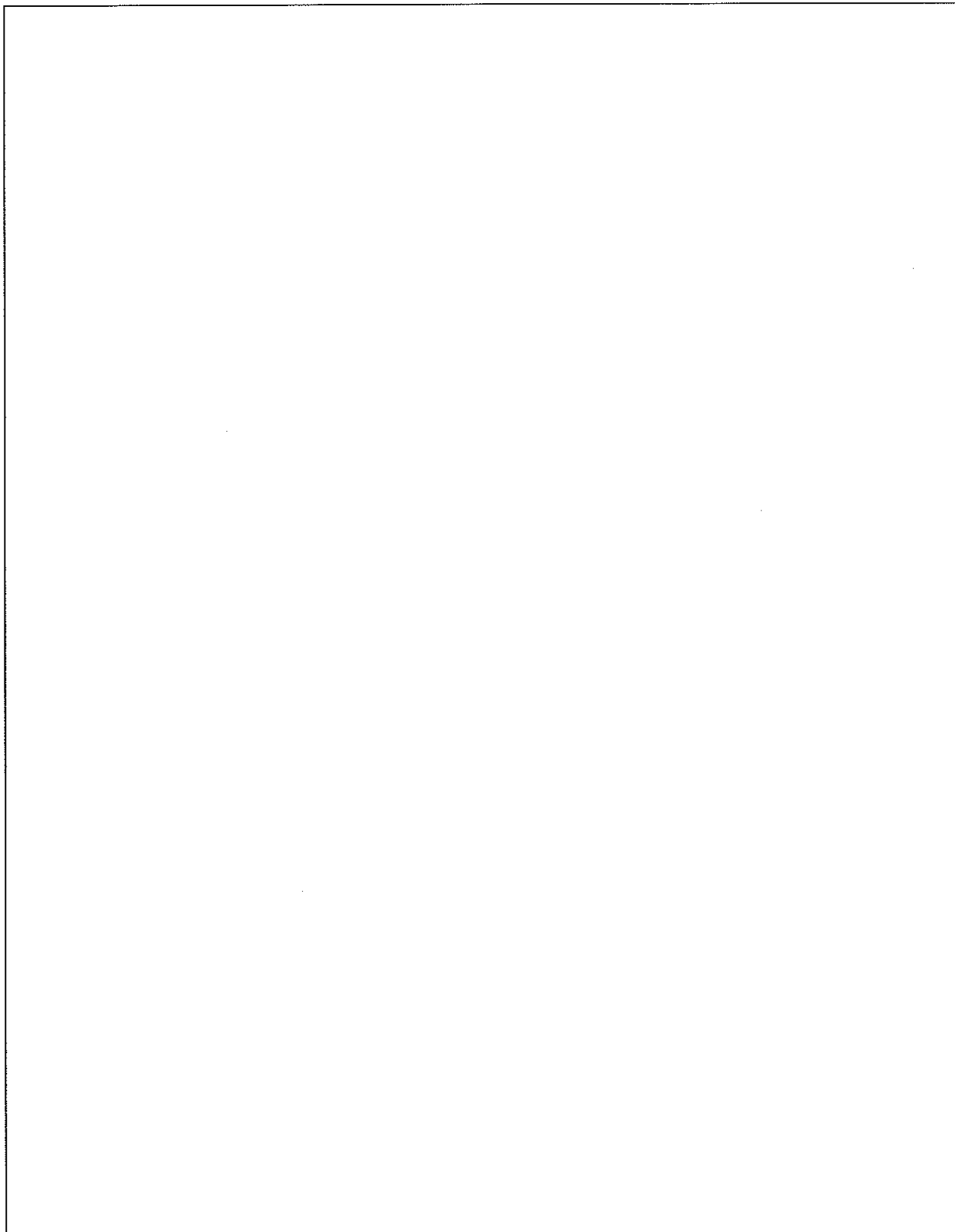
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ER 0126



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ER 0128

ACTION IO-00

INFO LOG-00 AF-00 INL-00 WHA-00 DS-00 EAP-00 EUR-00
 UTED-00 TEDE-00 CAC-00 NEA-00 OIC-00 OIG-00 SCT-00
 DSCC-00 SCA-00 SAS-00 /000W

-----C376D5 241047Z /23 RELEASED IN PART
 B1, 1.4(B), 1.4(D)

P 240832Z MAY 07
 FM USMISSION UNVIE VIENNA
 TO SECSTATE WASHDC PRIORITY 6473
 INFO AMEMBASSY VIENNA
 USMISSION USUN NEW YORK
 USMISSION GENEVA
 USMISSION USOSCE
 VIENNA CRIME COLLECTIVE
 UN SECURITY COUNCIL COLLECTIVE

UNCLAS UNVIE VIENNA 000329

SENSITIVE

INL FOR PATTERSON, VERVILLE, PFORZHEIMER, CLINE
 IO FOR SILVERBERG, NEVILLE, SANDAGE
 USUN FOR WILLSON

E.O. 12958: N/A

TAGS: PTER, KCRM, AORC, UN

SUBJECT: AUSTRIAN-UNODC SYMPOSIUM ON ADVANCING IMPLEMENTATION OF THE
 UN CT STRATEGY

(U) SENSITIVE BUT UNCLASSIFIED. PROTECT ACCORDINGLY.

1. (SBU) SUMMARY: On May 17-18, the UN Office on Drugs and Crime (UNODC), the Government of Austria, and the Executive Office of the UN Secretary General co-sponsored a symposium on "Advancing the Implementation of the United Nations Global Counter-Terrorism Strategy" in Vienna. 103 Member States, regional and sub-regional organizations, and UN agencies that are members of the UN Counter-Terrorism Implementation Task Force (CTITF) participated in the symposium. Member States were unanimous in their condemnation of terrorism and in support for strengthening efforts to facilitate implementation of the UN CT strategy. However, they also urged the secretariat to improve coordination with them and transparency of the CTITF. Austrian Minister of Justice Maria Berger set a tone critical of U.S. CT policies, deploring the practice of extrajudicial measures that ostensibly violate human rights, including secret detention facilities, torture to extract confessions, and renditions to countries known to torture suspects. Sweden, Cuba and Iran continued some of these same themes, at times explicitly criticizing the U.S. for Guantanamo and Iraq. Cuba and

UNITED STATES DEPARTMENT OF STATE
 CLASSIFIED BY DEPT. OF STATE, L. HEDGBETH, DAS, A/ISS
 REVIEW AUTHORITY: ARCHIE M BOLSTER
 CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)
 DECLASSIFY AFTER: 24 MAY 2017
 DATE/CASE ID: 23 JAN 2009 200706444

UNCLASSIFIED

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Venezuela criticized the U.S. for its ostensible failure to implement international conventions in relation to the Posada case, which the U.S. rejected in a response.

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END SUMMARY.

U.S. HIT ON HUMAN RIGHTS, IRAQ, POSADA

2. (SBU) During a May 17-18 symposium on advancing implementation of the UN CT strategy, co-sponsored by the Austrian Government, UNODC, and the Executive Office of the Secretary General, Member States unanimously condemned terrorism and agreed on the need to strengthen efforts, both their own and through UN entities, to facilitate implementation of the strategy. Organization of the Islamic Conference (OIC) delegations repeated their usual arguments about purported distinctions between terrorism and national liberation, and attacked Israel for "state terrorism." A number of countries keyed in on the importance of observing human rights in implementing CT measures, launching into implicit and explicit criticism of the U.S. Austrian Justice Minister Maria Berger cited the March report by the human rights organization Helsinki Federation, condemning extrajudicial measures carried out in Europe, North America, Central Asia and elsewhere, including secret detention of suspects, torture to extract confessions, and renditions to countries known to torture suspects.

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3. (SBU) Swedish Counter-Terrorism Ambassador Cecilia Ruthstrem-Ruin picked up on this theme, calling for the urgent closure of the U.S. facilities at Guantanamo Bay. Iran and Cuba joined in this criticism, accusing the U.S. of further inflaming and worsening the situation with terrorism through the conflict in Iraq. Cuba and Venezuela condemned the U.S. for failing to live up to its obligations under the universal counter-terrorism instruments by not extraditing terrorism suspect Luis Posada-Carriles, and called the US a "safe haven" for terrorism. In response to the latter statements, UNVIE Ambassador Gregory ScQlte clarified the US position on the Posada case (based on points provided by L, S/CT, and IO), insisting that the U.S. was living up to its obligations, and acting in accordance with the rule of law.

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TASK FORCE AND CTED

5. (SBU) Throughout the meeting, delegations appealed to the secretariat, represented by Assistant Secretary General Robert Orr, who currently heads up the CTITF, for greater transparency about its current and future activities as well as better coordination in the pursuit of initiatives. A number of delegations asked about mechanisms to facilitate such coordination and allow Member States to guide the work of the CTITF, but Orr assiduously avoided addressing this in his remarks. During a May 18 dinner hosted by Amb Schulte, Orr noted that the symposium served as such a mechanism for transparency and coordination.

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Orr noted that while the President of General Assembly will lead the 2008 review of the implementation of the Strategy, the CTITF would consider ways to feed into that process over the next year, including by drafting a report on CTITF activities. During the symposium, Stelzer suggested the need for a follow-on meeting, also in Vienna, to further review CTITF progress in implementation, to be held in the autumn of 2007.

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COMMENT

7. (SBU) Despite some statements containing anti-U.S. rhetoric, which the Austrian Chair carefully managed to avoid in his proposed summary of the proceedings for the record, the symposium proved to be a useful venue to learn more about the status of the UN Counter-Terrorism Task Force.

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SCHULTE

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ACTION AF-00

INFO LOG-00 AID-00 CIAE-00 INL-00 DNI-00 DODE-00 DS-00
 DHSE-00 FBIE-00 VCI-00 H-00 TEDE-00 INR-00 LAB-01
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 SS-00 TRSE-00 NCTC-00 ASDS-00 CBP-00 R-00 IIP-00
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 FA-00 SWCI-00 /001W

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 MAGHREB COLLECTIVE

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S E C R E T NOUAKCHOTT 000566

NOFORN
 SIPDIS

E.O. 12958: DECL: 06/21/2017
 TAGS: MR, PGOV, PHUM, PREL, PTER
 SUBJECT: FOREIGN MINISTRY REFUTES ALLEGATIONS OF SECRET CIA
 PRISONS IN MAURITANIA

CLASSIFIED BY: CDA STEVEN KOUTSIS FOR REASONS 1.4 (B), (C) AND (D)

1. (U) THIS AN ACTION REQUEST. PLEASE SEE PARAGRAPH 6.
2. (U) A SPOKESMAN FROM THE MINISTRY OF FOREIGN AFFAIRS AND COOPERATION HAS CATEGORICALLY DENIED WHAT HE CALLED "BASELESS" ALLEGATIONS, PUBLISHED IN THE NEW YORKER, THAT THE GOVERNMENT OF COLONEL ELY VALL HAD ALLOWED THE CREATION OF SECRET CIA DETENTION CENTERS IN MAURITANIA. THE SPOKESMAN EMPHASIZED THAT MAURITANIA IS A DEMOCRATIC STATE THAT CONSIDERS INTERNATIONAL CONVENTIONS SUPREME AND IRREVERSIBLE. THE GOVERNMENT RESPONSE CAME FOLLOWING CALLS FROM OPPOSITION PARTIES FOR THE GOVERNMENTS IMMEDIATE INQUIRY INTO THE MATTER.

3. (U) IN AN ARTICLE PUBLISHED BY THE NEW YORKER TITLED "HOW ANTONIO TAGUBA, WHO INVESTIGATED THE ABU GHRAIB SCANDAL, BECAME ONE OF ITS VICTIMS" AND AVAILABLE ON-LINE, REPORTER SEYMOUR HERSH, CITING A FORMER SENIOR INTELLIGENCE OFFICIAL AND A GOVERNMENT CONSULTANT AS SOURCES, ALLEGED THAT AFTER EXISTENCE OF SECRET CIA PRISONS IN EUROPE WAS EXPOSED BY THE WASHINGTON POST IN LATE 2005, THE BUSH ADMINISTRATION

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: ARCHIE M BOLSTER
 DATE/CASE ID: 23 JAN 2009 200706444

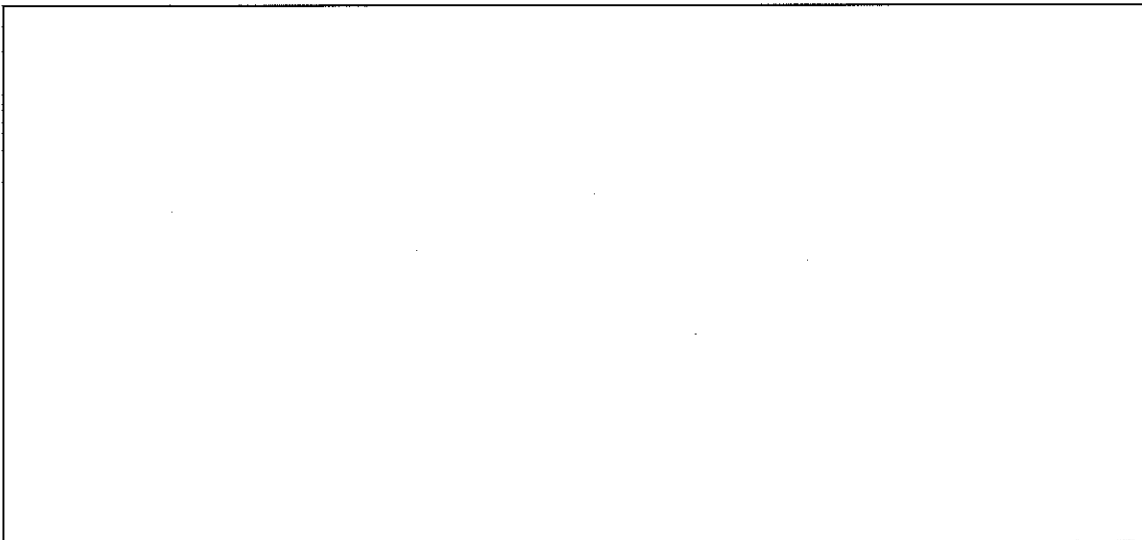
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"RESPONDED WITH A NEW DETAINEE CENTER IN MAURITANIA." THE SOURCES ALSO SAID, ACCORDING TO THE ARTICLE: "AFTER A NEW GOVERNMENT FRIENDLY TO THE U.S. TOOK POWER, IN A BLOODLESS COUP D'ETAT IN AUGUST, 2005,... IT WAS MUCH EASIER FOR THE INTELLIGENCE COMMUNITY TO MASK SECRET FLIGHTS THERE."

4. (U) SEVERAL LOCAL NEWS SOURCES HAVE REPORTED THE NEW YORKER STORY AND THE FOREIGN MINISTRY'S RESPONSE. MOREOVER, CERTAIN PAPERS HAVE REINTRODUCED THE PREVIOUS RUMOR THAT THE UNITED STATES GOVERNMENT HAD A HAND IN THE 2005 BLOODLESS COUP, AND ONE NEWSPAPER SPECULATED THAT THE SUPPOSED DETENTION CENTER WAS AT THE MAURITANIAN MILITARY CAMP IN OUALATA. OTHER PRESS HAS PICKED UP HERSH'S SUBSEQUENT INTERVIEW WITH DEMOCRACY NOW! CORRESPONDENT AMY GOODMAN, WHERE HE SPECULATED THAT 37 TO 39 "OF THE TOUGHER HIGH VALUE TARGETS" WHO ARE SUPPOSEDLY UNACCOUNTED FOR WERE IN FACT RENDERED TO MAURITANIA. HE CALLED THE SUPPOSED DETENTION CENTER THE "PRISON OF CHOICE." HE IS QUOTED TO SAY, "THAT THERE IS A PRISON THERE, NO QUESTION. ALL THE DETAILS, I REALLY DON'T KNOW."



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ACTION L-00

INFO	LOG-00	EEB-00	AID-00	AMAD-00	INL-00	DODE-00	PERC-00
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	TEDE-00	INR-00	IO-00	ARMY-00	MOFM-00	MOF-00	M-00
	VCIE-00	NSAE-00	NIMA-00	SCT-00	FMPC-00	SP-00	SSO-00
	SS-00	STPD-00	NCTC-00	ASDS-00	CBP-00	DSCC-00	PRM-00
	DRL-00	G-00	CARC-00	SAS-00	FA-00	SWCI-00	/000W

-----0A3453 141111Z /38

P 141101Z SEP 07
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 FRG COLLECTIVE PRIORITY
 CIA WASHDC PRIORITY
 DEPT OF HOMELAND SECURITY WASHDC PRIORITY
 DEPT OF JUSTICE WASHDC PRIORITY
 DIA WASHINGTON DC PRIORITY
 NSC WASHDC PRIORITY

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

C O N F I D E N T I A L BERLIN 001740

STATE FOR L AND EUR/AGS
SIPDIS

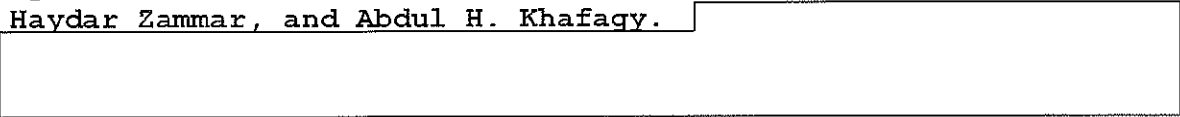
E.O. 12958: DECL: 09/13/2017
 TAGS: PREL, PTER, PGOV, GM
 SUBJECT: BUNDESTAG INTELLIGENCE INVESTIGATIVE COMMITTEE
 RECONVENES WITH FULL AGENDA AHEAD

REF: BERLIN 164

Classified By: DCM John Koenig for reasons 1.4(b) and (d).

SUMMARY

1. (C) On September 13 the Bundestag's Committee of Inquiry will meet again following the summer recess and continue the process of questioning individuals concerning the activities of German intelligence and security agencies relating to the Iraq war, the alleged abduction and transport of terrorism suspects via German territory on secret flights, and related issues. The next sessions will conclude interviews from witnesses concerning the circumstances surrounding the abduction and transfer to Guantanamo of Murat Kurnaz followed by the cases of terrorism suspects Khaled El-Masri, Muhammad Haydar Zammar, and Abdul H. Khafagy.



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[redacted] The committee will subsequently take up the issues of the cooperation of German intelligence officials based in Baghdad in early 2003 with US agencies, and, lastly, the allegations that German intelligence agencies monitored and investigated journalists as well as exerted influence on media reporting.

[redacted] For this reason, as well as fact that there is still much of the committee's mandate to complete, it is expected that the committee will continue through the end of the legislative period (i.e., until the next federal elections in fall 2009).

End Summary

Origins and Mandate of the Committee of Inquiry

3. (U) The Bundestag Committee of Inquiry was established in April 2006 following the 20 February 2006 release of a government report presented to the Bundestag's Parliamentary Control Panel titled: "On events relating to the Iraq War and combating international terrorism." (Note: The German-language report is available online at www.bundestag.de/aktuell/archiv/2006/pkgr_iraq/bericht_breg_offen.pdf/) The committee was established in order to clarify unresolved questions related to the report as well as to make assessments and conclusions concerning the activities described. In particular, the committee is to clarify what political directions were given for the actions of the Federal Intelligence Service (BfV), Federal Office for the Protection of the Constitution (BfV), Federal Armed Forces Counterintelligence Office (MAD), Federal Prosecutor General (GBA) and Federal Criminal Police Office (BKA) in connection with the events described in the report and how political leadership and oversight were provided and ensured.

4. (U) The events to be examined by the committee include the overall issue of "CIA flights and the (secret) prisons for terror suspects operated by American agencies," and the

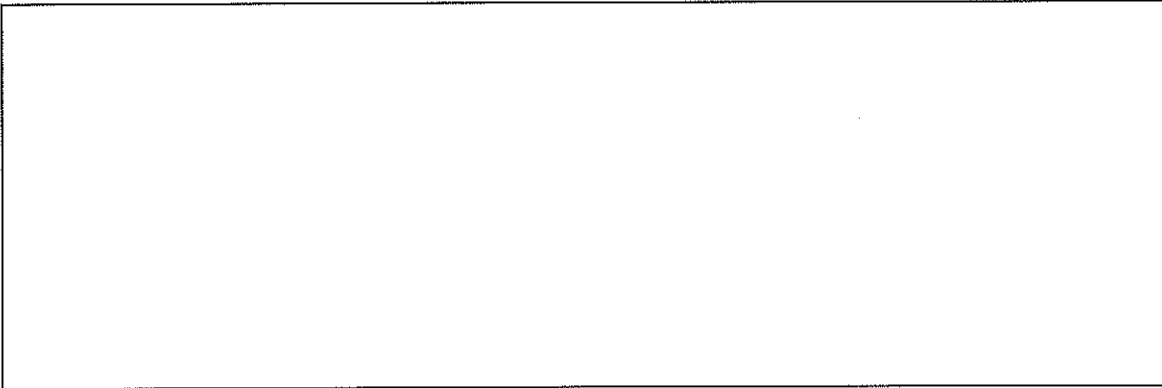
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arrests and alleged abductions of German citizens or residents including Murat Kurnaz, Abdul H. Khafagy, Khaled El-Masri and Muhammad Haydar Zammar. The actions of two BND officers posted to Baghdad in early 2003 are under examination and specifically whether information they obtained concerning the Iraqi military's plan for the defense of Baghdad was relayed to US authorities. Finally, the committee will take up the issue of who within the Federal Chancellery, and at senior levels of the intelligence service, knew that the BND was monitoring and investigating journalists as well as exerting influence on media reporting.

(Note: The mandate for the committee is available online in English at [www.bundestag.de/ausschuesse /ua/1 ua/auftrag/ auftrag erweiter eng.pdf](http://www.bundestag.de/ausschuesse/ua/1_ua/auftrag/auftrag_erweiter_eng.pdf))

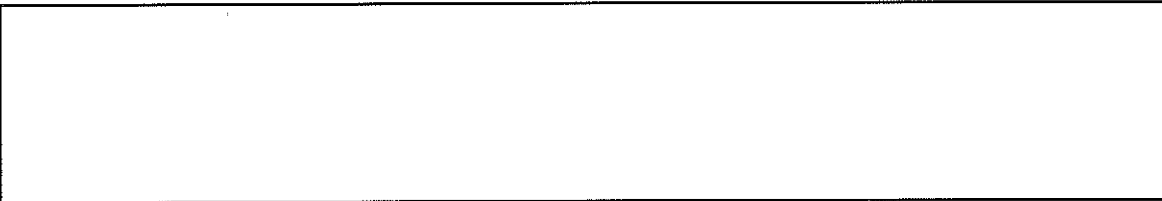
Progress to Date

5. (U) The committee has held over 50 sessions since it began its work a year and a half ago. Witnesses called before the committee have included former Interior Minister Schily, former FM Fischer, current FM Steinmeier and the current and former heads of the various intelligence and security services. Senior Chancellery officials, Defense Ministry representatives and even the former DCM at the German embassy in Washington DC have been called to testify. Many of the sessions are open to the public and summary reports are available on the Bundestag's website.



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Special Investigator Joachim Jacob



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TIMKEN JR

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ACTION EUR-00

INFO	LOG-00	EEB-00	AID-00	A-00	ACQ-00	CCO-00	CG-00
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	SS-00	TRSE-00	T-00	USSS-00	IIP-00	PMB-00	DSCC-00
	DRL-00	G-00	SAS-00	FA-00	SWCI-00	/000W	

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 CIA WASHINGTON DC IMMEDIATE
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 NAVSUPPFAC DIEGO GARCIA IMMEDIATE

RELEASED IN PART
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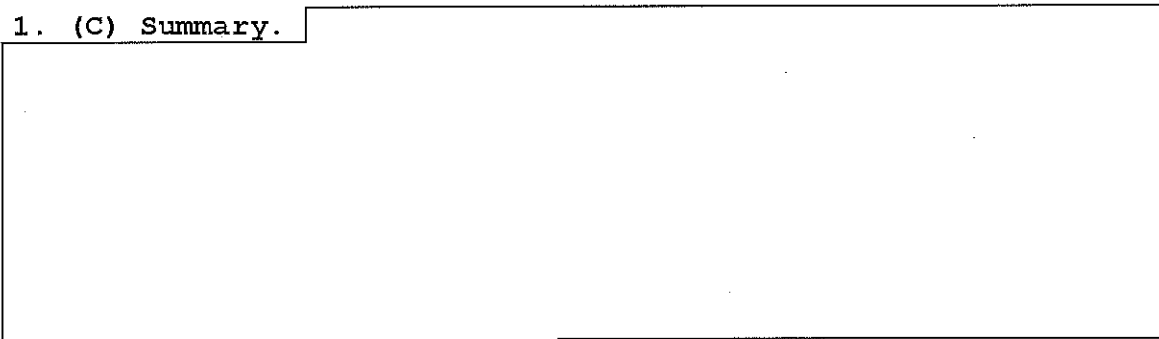
C O N F I D E N T I A L LONDON 000539

STATE FOR L, PM/ISO, EUR/WE, S/WCI

E.O. 12958: DECL: 02/21/2018
 TAGS: PREL, MOPS, MARR, PGOV, PTER, UK
 SUBJECT: MILIBAND GOES TO THE PARLIAMENT TO CLEAR THE AIR
 ON DIEGO GARCIA RENDITIONS

Classified By: Deputy Chief of Mission Richard LeBaron for reasons 1.4 (B) and (D).

1. (C) Summary.



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Foreign Secretary Miliband delivered a statement on the floor of the Commons at approximately 1:15 GMT February 21 before a sparsely attended session and afterward endured 45 minutes of tough questions from MPs of all parties, including his own Labour Party. Most of the questions focused on what concrete steps the U.S. and UK Governments will take to ensure similar misstatements

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do not happen again. The Tory Shadow Foreign Minister William Hague, although he delivered a restrained response to Miliband and praised U.S. efforts to fight international terror, also told the Commons that the "delay in releasing this information" was "bound to undermine public trust in the arrangements we have with the U.S." Former Liberal Democratic Leader Menzies Campbell said the incident called into question "U.S. assurances about the use of other UK airports," including Preswick in Scotland. Several hours after Miliband's statement, FCO Minister Mark Malloch-Brown delivered the same statement in the House of Lords, a delay that reflects the lesser importance of the Lords in the UK political landscape. In response to questions, Malloch-Brown

[redacted] telling the Lords that the HMG's approach on the rendition flight issue would now be one of "trust, but verify." [redacted]

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[redacted] End summary.

Miliband Corrects the Record

2. (SBU) Foreign Secretary Miliband took to the floor of the Commons to inform his colleagues that HMG had recently been notified by the USG that, contrary to previous assurances, on two separate occasions U.S. rendition flights had transited through the military airfield at Diego Garcia (see text of Miliband statement at para. 10). Miliband had advised opposition leaders in advance of the content of his statement in an effort, according to his staff, to "build some cross-party trust and limit the surprise." Despite that effort -- and although he was complimented by several Members for quickly informing the Commons -- Miliband faced 45 minutes of tough questioning from MPs, including fellow Labour Party Members. Miliband attempted to focus his answers on the following themes:

- U.S. assurances were given in good faith;
- The USG itself undertook the investigation which revealed the oversight because of its good faith effort to be cooperative;
- HMG in turn reported the correction to the House as soon as possible after the USG informed London of the discovered information;
- HMG will compile a list of all the U.S. flights through

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the UK where HMG has been alerted to concerns regarding rendition and will seek specific assurances from the USG that none of these flights were used for renditions;

- The U.S.-UK relationship is one based on trust and cooperation; our CT cooperation has save British lives;
- The two people who passed through Diego Garcia were not waterboarded or subject to torture, nor were they sent to secret detention centers; and
- The UK continues to uphold a high standard on human rights in its discussions with the United States.

In response to one MP who said the information cast doubt on the value of U.S. assurances, Miliband pointedly replied that he would not conduct his foreign policy on the assumption that the United States, "our closest ally," could not be trusted.

Tough Questions from All Sides

3. (SBU) Tory Shadow Foreign Secretary William Hague gave a statement following Miliband's that focused on the need for assurances that HMG would pursue further investigations to reveal any similar cases and, as did many other MPs, asked what concrete actions the U.S. and British Governments would take to prevent further such incidences. Hague specifically asked that Miliband "impress on the U.S. Secretary of State the importance of ensuring that all agencies of the U.S. Government, not just the State Department, understand the importance of the rules he has reiterated relating to UK law and practice being respected." Hague acknowledged the importance of U.S./UK counterterrorism cooperation, but he noted that the "delay in releasing this information and the evident absence of a request in these cases are bound to undermine public trust in the arrangements we have with the U.S." Hague also took the opportunity to raise the "wider issue of how renditions are used" and allegations that prisoners subject to rendition are subject to torture, telling his colleagues that torture "undermines the moral standing of the U.S. and its allies." He called for the USG and others to adopt a definition of torture that corresponds closely to international norms. Other Tory MPs' questions broadly focused on ensuring that similar oversights (regarding permission beforehand and record keeping afterward) are not repeated.

And Some Rhetorical Jabs

4. (SBU) The Liberal Democrats -- long critical of U.S.

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policy on rendition and detainee policy -- repeated calls for HMG to uphold its own principles against torture and to confront the USG over U.S. policies on human rights, renditions, and Guantanamo Bay. Former LibDem leader Menzies Campbell said, "the truth is this is a gross embarrassment, in spite of its good faith, for our British government, involving as it does a breach of our moral obligations and possibly our legal responsibilities as well." One MP asked how the UK could rely on any Washington assurances given this lapse; another took it a few steps further and inquired as to what was so special about a relationship in which "only one party is truthful."

5. (C) Labour MP Mike Gapes, Chairman of the Foreign Affairs Select Committee and the leader of a Committee visit to Guantanamo in 2006 that resulted in a [redacted] report on conditions there, called for a special investigation into the role of the UK in renditions. In remarks [redacted] he said the United States had "clearly misled or lied to our government, (which) resulted in our government misleading... members of this House." Gapes asked if HMG would now agree to his Committee's previously request for a special investigation on renditions and any HMG involvement in them. Miliband responded that HMG had no role, as it was not consulted on these flights beforehand -- an investigation would be "trying to prove a negative." Another MP underlined that this case indicates the UK has no control over U.S. activities on Diego Garcia, a UK overseas territory.

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PM Brown's Comments

6. (U) Later PM Gordon Brown -- who was not present during Miliband's statement -- told the media, "It is unfortunate that this was not known and it was unfortunate it happened without us knowing that had happened but it's important to put in procedures (to ensure) this will not happen again... We share the disappointment that everybody has about what's actually happened."

Malloch-Brown in the Lords

7. (C) Several hours after Miliband spoke in the Commons, FCO Minister for Africa, Asia and the UN, Lord Mark Malloch-Brown, delivered Miliband's statement on the floor of the House of Lords (the fact Miliband informed the Commons several hours before Malloch-Brown took the floor in the Lords reflects the lesser importance of the Lords in the UK political landscape). The questioning following the

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questions Miliband had earlier faced in the Commons, but Malloch-Brown's response

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Many of the Lords' questions equated rendition with "torture" of prisoners; Tory Peer Pauline Neville Jones echoed William Hague in the Commons when she pressed Malloch-Brown on the need for the HMG to press the USG on renouncing torture. Other Peers pressed for assurances about what steps would be taken to prevent a similar occurrence in the future.

8. (C) In his responses, Malloch-Brown,

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stressed that HMG's approach would be "trust, but verify." Malloch-Brown told the Lords that the delay in releasing information had been made in good faith, but added that it would be necessary to restore a relationship of trust on this issue over coming months.

Comment

[Redacted comment area]

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Text of Miliband Statement

10. (U) Begin Miliband statement as delivered:

With permission Mr. Speaker, I would like to make a statement on US rendition operations.

On 12 December 2005, in response to a Parliamentary Question from the Right Honorable Member for Northeast Fife, the then Foreign Secretary, my Rt. Hon. Friend the Member for Blackburn, updated the House on the subject of Terrorist Suspects (Renditions) stating the following:

"Careful research by officials has been unable to identify any occasion since 11 September 2001, or earlier in the Bush administration, when we received a request for permission by the United States (US) for a rendition through UK territory or airspace, nor are we otherwise aware of such a case".

This was then supplemented by two further statements in January 2006, and a subsequent letter of 6 February 2006 to the Rt Hon Member for Richmond.

In March 2007, then Prime Minister Tony Blair gave an assurance to the Intelligence and Security Committee that he was satisfied that the US had no time since 9/11 rendered an individual through the UK or through our Overseas Territories. In its Report on Rendition on the ISC (on the 28 of June 2007) said 'we are satisfied that there is no evidence that US rendition flights have used UK airspace (except the two cases in 1998 referred to earlier in this report) and that there is no evidence of them having landed at UK military airfields'. The Government welcomed these conclusions in its response to the Report published in July 2007. Parliamentary answers, interviews and letters followed this evidence.

I am very sorry indeed Mr. Deputy Speaker to need to correct these and other statements on the subject, on the basis of new information passed to officials on 15 February by the US Government.

Contrary to earlier explicit assurances that Diego Garcia had not been used for rendition flights, recent US investigations have now revealed two occasions, both in 2002, when this had in fact occurred. An error in the earlier US records search meant that these cases did not come to light. In both cases a US plane with a single detainee on board refueled at the US air base in Diego Garcia. The detainees did not leave the

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plane, and the US Government has assured us that no US detainees have ever been held on Diego Garcia. US investigations show no record of any other rendition through Diego Garcia or any other Overseas Territory or through the UK itself since then.

Yesterday US and UK legal teams discussed the issue, and I spoke myself with Secretary Rice. We both agree that the mistakes made in these two cases are not acceptable, and she shares my deep regret that this information has only just come to light. She emphasized to me that the US Government came to us with this information quickly after they discovered it.

Mr. Deputy Speaker, the House and the Government will share deep disappointment at this news, and about its late emergence. That disappointment is shared by our US Allies. They recognize the absolute imperative for the British Government to provide accurate information to Parliament. I reaffirm the Government's commitment to that imperative today.

We fully accept that the United States gave us its earlier assurances in good faith. We accepted those assurances, and indeed referred to them publicly, also in good faith.

For the avoidance of doubt, Mr. Deputy Speaker, I have asked my officials to compile a list of all the flights where we have been alerted to concerns regarding rendition through the UK or our Overseas Territories. Once this is ready we will be sending this list to the US and seeking their specific assurance that none of these flights were used for rendition purposes.

Mr. Deputy Speaker, our counter-terrorism relationship with the United States is vital to UK security. I am absolutely clear that there must and will continue to be the strongest possible intelligence and counter-terrorism relationship with the US, consistent with UK law and our international obligations. As part of our close co-operation, there has long been a regular exchange with the US authorities, in which we have set out:

- (i) that we expect them to seek permission to render detainees via UK territory and airspace, including Overseas Territories;
- (ii) that we will grant that permission only if we are satisfied that the rendition would accord with UK law and our international obligations; and
- (iii) how we understand our obligations under the UN Convention Against Torture.

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Mr. Deputy Speaker, Secretary Rice has underlined to me the firm US understanding that there will be no rendition through the UK, UK airspace or Overseas Territories without express British Government permission.

The House will want to know, Mr. Deputy Speaker, what has become of the two individuals in question. There is a limit to what I can say, but I can tell the House the following. The US Government has told us that neither of the men was a British national or a British resident. One is currently in Guantanamo Bay. The other has been released. We have asked for assurances about the subsequent treatment of both men. The House will know the British Government's long-standing position is that the detention facility at Guantanamo should be closed.

Mr. Deputy Speaker, my officials and their US counterparts continue to work through all the details and implications of this information. We will keep procedures under review to ensure they meet the standards we have set. I will of course keep the House updated.

End Text of Statement.

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DEPT FOR EUR/NB, EUR/PPD, L/HHR, L/PM

E.O. 12958: DECL: 10/29/2017
TAGS: PTER, PREL, PHUM, NATO, KPAO, IC
SUBJECT: Icelandic MFA "confirms" CIA detainee flights through
Iceland, wants searches of future flights

Ref: Reykjavik 203

Classified By: Amb. Carol van Voorst for reasons 1.4 (b) and (d).

1. (C) SUMMARY: Iceland's Minister for Foreign Affairs told the press on October 27 that an internal ministry review had confirmed that aircraft linked to CIA rendition operations had transited Iceland on a number of occasions since 2001, including as recently as July 2007. The Minister noted that it was impossible to determine whether such flights had carried detainees when landing in Iceland or entering the country's airspace, and said that in the future she wants closer inspection or searches of aircraft "known" to be linked to CIA operations should they land in Iceland. The opposition leader argues that the MFA should apologize for Iceland's "responsibility" in the matter, while muddling the question of blanket NATO overflight clearances for military aircraft and the rendition flight issue.

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SUMMARY.

2. (U) Icelandic Foreign Minister Ingibjorg Solrun Gisladdottir reported in a radio interview on October 27 that aircraft suspected of operating CIA rendition flights had transited Iceland "a number of times" from September 2001 on, including one case as recent as July of this year. She cautioned, however, that it is not possible to determine whether or not there were prisoners on board any of the flights in question. The FM's comments are the result of an internal ministry review she ordered in the wake of Swiss Parliamentarian Dick Marty's most recent report on alleged rendition flights earlier this summer (reftel). Gisladdottir added that she would like the Government of Iceland to look into options for closer scrutiny of future flights by CIA-linked aircraft, including onboard searches by border police and customs officers. In comments reported by leading daily Morgunbladid on October 29, the FM added that it would be "very grave if prisoners have been moved through Icelandic airspace for the purpose of torture, as this would be inconsistent with international law and Iceland's obligations."

3. (U) In response to the FM's statements, Left-Green party leader Steingrimur Sigfusson was quick to demand that Gisladdottir apologize for the Icelandic government's "responsibility" in the matter. In so doing, Sigfusson referred to an October 2001 meeting of the North Atlantic Council in which NATO allies agreed to invoke Article 5 of the North Atlantic Treaty. Sigfusson, pointing to this decision as having "authorized" rendition flights, garbled the distinction between the military operations specified by the NAC and the civilian aircraft described in the Marty report as well as the Icelandic MFA's findings. This is an all-too-common mistake in commentary here on the matter, though state radio, in a follow-up piece on October 28, gave the first clear explanation of military and civilian overflight and landing permissions in the press in recent memory.

4. (SBU) Public reaction has otherwise been muted, with no other politicians commenting on the topic and no other media outlets reporting on the issue. However, Prime Minister Haarde has been out of the country for most of the last week, leaving open the possibility of further questions upon his return. Additionally, FM Gisladdottir will present the annual Foreign Ministry report to the Althingi (parliament) on November 8, posing another opportunity for discussion on the matter.



van Voorst

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