

E350

Crowley, John W (EAP/ANP)

From: (b)(6) CIV, OSD-POLICY (b)(2)
Sent: Tuesday, April 26, 2005 7:52 AM
To: Crowley, John W (EAP/ANP)(Main State 4206), .State; (b)(6) CIV, OSD-POLICY
Cc: (b)(6)
Subject: RE: Aussie Investigations ~~(FOUO)~~

~~SECRET (WITH ATTACHMENT)~~

John-

For Rafiq, I've attached Emb. Baghdad's cable that explains as much as we know. Bottom line, they conducted another review and the review board (which is 6 Iraqis and 3 MNF-I officers) recommended his continued detention. From the cable it seems that the Australians were much more ease once they realized the Iraqis were directly involved in this review recommendation.

Thanks

(b)(6)

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

From: Crowley, John W (EAP/ANP) [mailto:CrowleyJW2@state.sgov.gov]
Sent: Tuesday, April 26, 2005 7:42 AM
To: (b)(6) CIV, OSD-POLICY
Cc: (b)(6)
 (b)(6)
Subject: RE: Aussie Investigations ~~(FOUO)~~

(b)(6) I am currently preparing points for Secretary Rice's meeting with FM Downer on May 4, including on Hicks, which is on the agenda. I would appreciate a current status, to include estimated recommencement of the military commission proceedings and status of the civil cases by COB Wednesday, as well as a brief status on Rafiq for use on an "if asked" basis. Thank you. John

John W. Crowley
 Australia Desk Officer
 EAP/ANP, Room 4206
 Tel: (202) 647-7828
 Fax: (202) 647-0118

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

From: (b)(6) CIV, OSD-POLICY [mailto:(b)(2)]
Sent: Tuesday, April 26, 2005 7:32 AM
To: (b)(6) CIV, OSD-POLICY
Cc: Crowley, John W (EAP/ANP)(Main State 4206), .State; (b)(6)
 (b)(6)

Subject: Aussie Investigations ~~(FOUO)~~

~~FOR OFFICIAL USE ONLY~~

(b)(6)

I believe the Aussie FM is coming to town next week. The Embassy has asked us to provide another update on the Navy investigations into the abuse allegations by Hicks and Habib. We had met with the Aussies, Patrick and Andrew, last week at DOJ to discuss the Hicks case.

I intend on sending Andrew another written update by this Friday. I have asked Navy to provide summary documents by Wed COB. Patrick said that the same letter that Matt signed out last time would be fine.

I'll send you something on Thursday for a quick chop and then we can get it out to the Aussies by Friday before the visit.

Thanks,

(b)(6)

This may contain information exempt from mandatory disclosure under the Freedom of Information Act (FOIA).

DERIVED FROM: Multiple Sources
DECLASSIFY ON: Source marked OADR
DATE OF SOURCE: 26 APR 2005

P/ER O/D/E
EHO

Crowley, John W (EAP/ANP)

From: (b)(6) CIV. OSD-POLICY (b)(2)

Sent: Tuesday, August 24, 2004 6:37 PM

To: Michael Mahar; 'Crowley, John W (EAP/ANP)'; (b)(6)

Cc: (b)(6)

Subject: NCIS preliminary information to Australia

All,

I just faxed the attached preliminary results on Mr. Hicks and Mr. Habib to Patrick Suckling at the Australian Embassy. While my memo below is addressed to DUSD Lawless, the letter was eventually signed out by ASD Rodman.

I will scan in the signed letter ASAP and send it to you for your records. But, for now, the unsigned letter and results are attached.

Thanks to all who jumped through hoops to get this out.

(b)(6)

<<Hicks NCIS 24 Aug 04.doc>> <<Habib NCIS 24 Aug 04.doc>> <<DUSD memo on AS detainees 20 Aug 04 v2.doc>>

(b)(2), (b)(6)

8/25/2004

EHOB

ACTION MEMO

FOR: DUSD Lawless

THROUGH: PD Allen

FROM: (b)(6)

RE: Investigation into alleged abuse of Australian Detainees

- The Naval Criminal Investigation Service (NCIS) is conducting an independent investigation into the allegation of abuse reported by Mr. David Hicks and Mr. Mamdouh Habib, two Australian detainees.
 - NCIS hopes to have its findings completed soon and will have the results reviewed by VADM Church, the Naval Inspector General.
- DepSecDef also instructed me to contact VADM Church to see what preliminary results of that investigation can be shared with Amb. Thawley (Tab 1).
- At Tab 2 is a draft letter for you to send to Peter Baxter, the Australian Chargé d'Affaires, transmitting the preliminary results (Tab 3).
 - Our letter also amplifies upon the letter Mr. Henry signed to Amb. Thawley on 23 August relaying results of a related review of the allegations by the combatant commands.
- Recommendation: Sign the letter at Tab 2.

ASD Decision:

Approve _____ Approve with changes _____ Disapprove _____

Attachments:

- Tab 1- DepSecDef snowflake
- Tab 2- Draft letter
- Tab 3- Preliminary findings
- Tab 4- Coordination

**Naval Inspector General
(Vice Admiral A. T. Church III)**

**Principal Director, AP
(BGen John Allen)**

August 24, 2004

**Principal Deputy General Counsel
(Daniel Dell'Orto)**

August 24, 2004

**Office of Military Commissions
(Brigadier General Tom Hemingway)**

via phone, Aug 24, 2004

**Office of Detainee Affairs
(Matt Waxman)**

August 23, 2004 as edited