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FAX COVER SHEET

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DATE: October 12, 2001

Number of Pages Including this Cover Page: 1

SUBJECT: Input

Jock,
We kept thinking about the issue of length of detention, and redrafted the paragraph I sent you yesterday. You may wish to include something like this in the paper.
Evan

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POWs may be detained until the close of hostilities. Civilians (e.g., non-combatants or protected persons under the Geneva Conventions) may be held where they pose a security risk to the operation, and must be released earlier if they no longer pose such a risk. The al Qaeda terrorists may technically fall under either category, but would be considered "unlawful combatants." Even if they would be entitled to be treated as civilians, they would inevitably pose a security risk to the operation, and thus they can be held until the close of hostilities. All categories of detained persons can be held longer if there are pending criminal charges against them.

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