



U.S. Department of Justice

Office of Legal Counsel

Office of the Assistant Attorney General

Washington, D.C. 20530

June 23, 2004

Mr. Scott W. Muller
General Counsel
Central Intelligence Agency
Washington, D.C. 20505

Re: Status of [REDACTED]

Dear Scott:

You have asked whether [REDACTED] is a "protected person" and whether his [REDACTED] would violate the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, Aug. 12, 1949, 6 U.S.T. 3516, 754 U.N.T.S. 287. You have informed us that [REDACTED] and have provided additional information establishing that [REDACTED] illegally entered [REDACTED] after the occupation had begun and that [REDACTED] is an operative of the military wing of the Hizballah terrorist organization.

This letter confirms our previous oral advice that [REDACTED] would not violate the Geneva Convention. Based on the information you have provided, we have determined that [REDACTED] is not a "protected person" and that his [REDACTED] would accordingly not violate the Convention. We have further determined that even if [REDACTED] were a "protected person," his [REDACTED] would not constitute a prohibited "deportation" or "transfer" within the meaning of Article 49 or Article 147 of the Convention.

Sincerely,

Jack L. Goldsmith III
Assistant Attorney General

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