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U.S. to Respond to Inquiries Over Detentions in Europe

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WASHINGTON, Nov. 29 - The Bush administration, responding to European alarm over allegations of secret detention camps and the transport of terror suspects on European soil, insisted Tuesday that American actions complied with international law but promised to respond to formal inquiries from European nations.

The administration's comments came after the new German foreign minister, Frank-Walter Steinmeier, raised concerns on Tuesday with Secretary of State Condoleezza Rice about reported American practices in the handling and interrogation of captives, according to American and German officials.

In addition, European officials said the British foreign secretary, Jack Straw, sent a letter to Ms. Rice on Tuesday on behalf of the European Union asking for clarifications. Britain currently holds the union's presidency.

"The United States realizes that these are topics that are generating interest among European publics as well as parliaments, and that these questions need to be responded to," said Sean McCormack, the State Department spokesman. He added that Ms. Rice said the administration would respond to any official request for more information.

The question of whether European nations have been complicit in the administration's actions has seized the attention of Europe's press, public and politicians since The Washington Post first reported on Nov. 2 that prisoners had been secretly held in bases in Europe or transported through them.

The newspaper withheld the names of specific nations at the request of the Bush administration, which has not confirmed or denied any details since then. Several European governments have denied playing a role or have demanded explanations.

"Like I said, and we have said many times from this podium, we're just not in a position to confirm those reports," Mr. McCormack said Tuesday. He added that confronting terrorism was "a shared responsibility of all countries" and that perpetrators of terrorist acts "don't comply with any laws."

"All U.S. actions comply with U.S. laws," Mr. McCormack said. "They comply with the United States Constitution, and they comply with our international obligations." Mr. McCormack declined to answer whether he was sure American actions complied with European laws.

European and American officials say Ms. Rice is beginning to realize that the issue has become so inflamed that she will probably have to prepare a more lengthy response before traveling to Europe next week.

"It's becoming one of the public issues she's going to have to address on her next trip," said a European official, asking not to be identified in discussing the delicate matter of pressures on the United States. "The mood in Europe is one of increasing concern over what people call the American 'gulag' and the reports of all these stopovers in Europe for prisoners."

European and administration officials, speaking on condition of anonymity both out of protocol and because they are legally barred from discussing intelligence matters, say that no matter what has occurred, the standard practice of not commenting on clandestine operations has made the United States vulnerable to harsh, even potentially debilitating criticism.

"The truth is these are only allegations within newspapers at the moment, but they are allegations that are playing strongly in Europe," another European official said. "What European leaders are doing right now is asking questions and hoping for some clarifications."

There are two investigations of American practices under way, one by the 25-member European Union and the other by the Council of Europe, a 46-member group founded after World War II that specializes in human rights inquiries. The United States sits on the council as an official observer.

A European official said Mr. Straw presided over a tense meeting of European foreign ministers on Nov. 21, where several of them voiced growing unease over the allegations of secret prisons and harsh treatment that some view as torture, a characterization the administration disputes categorically.

In response, Mr. Straw agreed to draft a letter to Ms. Rice seeking "clarifications."

Mr. McCormack said the letter had not arrived as of Tuesday afternoon. It was not known whether Europe would demand to know the locations of detention facilities, whose operations would have to be arranged with at least the tacit permission of the individual governments.

After The Washington Post reported that detention camps had been used in unidentified Eastern European countries, Human Rights Watch and other advocacy groups in Europe said that based on aircraft flight records, Poland and Romania might have been host to such sites or might have otherwise cooperated with the Americans. Both countries have denied the allegations.

Meanwhile, separate allegations spread in Europe, raising questions about the possible use of European airports or air bases for the transport of terror suspects.

On Monday, the justice and home affairs commissioner for the European Union, Franco Frattini, said in Berlin that any member found to have permitted detention camps could face "serious consequences," including a loss of voting rights in the union. But other European officials say there is no legal basis for such an action.

Administration officials said this week that they were taken aback by the intensity of the European reaction to the reports. They acknowledged that the furor had been fed by two years of disclosures about American treatment of detainees at Guantánamo Bay, Cuba, at Abu Ghraib prison in Iraq, and in Afghanistan.

The uproar has been especially strong in Spain, Germany, Italy, Romania and Poland. Although the British press

has covered the issue extensively, the government there has not been critical of the American position.

The Council of Europe's investigation has been led by Dick Marty, a Swiss lawmaker, who said last week in Romania that he did not believe there was a prison in the region comparable to the one in Guantánamo.

"But it is possible that there were detainees that stayed 10, 15 or 30 days," Mr. Marty told reporters. "We do not have the full picture."

Administration officials say that despite the bad publicity in Europe, the United States is continuing to work closely with Europe on various issues and that those efforts have not been affected by the controversy.