



~~SECRET//NOFORN~~
UNITED STATES CENTRAL COMMAND
 OFFICE OF THE COMMANDER
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ACTION MEMO

27 April 2009

**FOR: SECRETARY OF DEFENSE
 CHAIRMAN, JOINT CHIEFS OF STAFF**

FROM: General David H. Petraeus, Commander, United States Central Command

SUBJECT: Request for Policy Guidance Regarding Unlawful Enemy Combatant Review Board Procedures (U)

Mr. Secretary, Chairman,

~~(S//NF)~~ In February, [REDACTED]

[REDACTED] (b)(1), Sec. 1.4(a), Sec. 1.4(g) [REDACTED]
 [REDACTED] (TAB A). This new development in the longstanding dialogue with the ICRC on this issue accelerated CJTF 101's and this headquarters' on-going review of these procedures. Since your detainee affairs office has also been reviewing these procedures in preparation to move to the new BTIF this fall, I request policy guidance regarding the required components of a strengthened UECB process, as well as new detention threat-level categories which are de-linked from Guantanamo Bay disposition [REDACTED]

[REDACTED] (b)(1), Sec. 1.4(a), Sec. 1.4(g) [REDACTED]

BACKGROUND

- (U) Current UECRB procedures are utilized to determine propriety of long-term detention at the BTIF, including an analysis of a detainee's threat and intelligence levels. UECRB recommendations form the foundation for alternative disposition, such as release or prosecution by the Government of the Islamic Republic of Afghanistan (GIRoA).
- ~~(S//NF)~~ The UECRB process currently uses threat definitions based on the Office of the Secretary of Defense Global Screening Criteria, promulgated in early 2004 (TAB B).

[REDACTED] (b)(1), Sec. 1.4(a), Sec. 1.4(g) [REDACTED]

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DISCUSSION

- ~~(S//NF)~~ This headquarters and the units at the BTIF have enjoyed a long-standing dialogue [REDACTED] (b)(1), Sec. 1.4(a), Sec. 1.4(g)
- (U) I would like to make the UECRBs much more robust, including adding personal representatives for detainees and an opportunity to provide reasonably available witnesses. Other recommended changes to the process are attached (TAB C).
- ~~(S//NF)~~ In addition to process improvements, the Global Screening Criteria do not appropriately support long-term detention decisions in Afghanistan. [REDACTED] (b)(1), Sec. 1.4(a), Sec. 1.4(g)

RECOMMENDATION

- ~~(S//NF)~~ Provide guidance regarding the propriety of making attached changes to the UECRB process, as well as a policy replacement for the Global Screening Criteria via [REDACTED] (b)(1), Sec. 1.4(a), Sec. 1.4(g)

Attachments

TAB A: ICRC Report, 26 Feb 09

TAB B: Global Screening Criteria, 24 Feb 04

TAB C: CJTF 101 Memorandum dated 21 Apr 09, w/atch

Copy to:

DASD/DA

J37/DAD

CJCS/LC

Classified by: MG Michael D. Jones, CCJ3

Reason: 1.4 (a)

Declassify on: 24 April 2019