THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
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1 June 2009

The Honorable Chairman Levin
Chairman, Committee on Armed
Services
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman,

It was brought to my attention that the committee expressed concerns related to my language "...to the extent appropriate and consistent with military necessity..." in response to an advanced policy question on treatment of detainees.

Let me be clear--It is my duty to ensure that all detainees are held in conformity with all applicable laws governing the conditions of confinement, including Common Article 3 of the Geneva Conventions. We must at all times adhere to our obligation to treat detainees humanely. Military necessity, along with humanity, are principles underlying the law of war. Military necessity does not permit us to derogate from these imperatives. However, the principle of military necessity recognizes that under certain battlefield conditions it is infeasible to render certain benefits to detained individuals. For example, at the point of capture while still engaged in an uncertain situation it may be impossible for a temporary period to make provisions for the exercise of religious beliefs by detained persons. Once a detainee is processed into a controlled detention facility; such provisions are made readily available to detained persons.

Finally, I will ensure our Soldiers continue to provide custody with dignity and respect for every detainee with a dedication to modeling and maintaining world class standards.

Very respectfully,

STANLEY A. MCCHRYSTAL
Lieutenant General, USA
Director, Joint Staff

Copy to: Senator John McCain