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Fifty European parliament members have signed a letter to US officials to express concern about US government treatment of Pfc. Bradley Manning, accused whistleblower to WikiLeaks. Manning has been detained for well over five hundred days, and his pre-trial hearing at Fort Meade, Maryland, is scheduled for December 16.

[The letter](#) is directed to US President Barack Obama, members of the US Senate, members of the US House of Representatives, US Secretary of Defense Leon Panetta, US Secretary of Army John McHugh and US Army Chief of Staff Raymond T. Odierno. They are concerned about how long Manning has been in detention and that he is accused of “aiding the enemy,” a capital offense:

We are concerned that the US army has charged Bradley Manning with “aiding the enemy,” a capital offence that is punishable by death. We have questions about why Mr Manning has been imprisoned for 17 months without yet having had his day in court. We are troubled by reports that Mr Manning has been subjected to prolonged solitary confinement and other abusive treatment tantamount to torture. And we are disappointed that the US government has denied the request of the United Nations special rapporteur on torture to meet privately with Mr Manning in order to conduct an investigation of his treatment by US military authorities.

The signers urge the US government to allow the UN Special Rapporteur on Torture Juan Mendez to meet with Manning privately. The need for Mendez to be granted a private meeting is justified by the fact that Manning endured abusive treatment when he was detained at Quantico Marine brig. Cited are the revelations that came from a Freedom of Information request that showed the Quantico staff had [mostly ignored](#) recommendations made by the medical staff of the brig.

The letter outlines the risks posed if the US continues to prevent Mendez and other UN officials

from doing their work:

By preventing UN officials from carrying out their duties, the United States government risks undermining support for the work of the United Nations elsewhere, particularly its mandate to investigate allegations of torture and human rights abuses. In order to uphold the rights guaranteed to Bradley Manning under international human rights law and the US constitution, it is imperative that the United Nations special rapporteur be allowed to properly investigate evidence of rights abuses. PFC Manning has a right to be free from cruel and unusual punishment. People accused of crimes must not be subjected to any form of punishment before being brought to trial.

This should not be controversial, but government officials and political leaders in Congress are likely to take issue with what they might call the European parliament's efforts to impose "constraints" on the US and dictate how it should handle those currently detained. The UN may have a mandate to investigate allegations of torture and human rights abuse, but the US government has no interest in investigating such abuse or war crimes. Investigations might produce evidence that would compel those investigating to indict current or former officials involved in wrongdoing. They might force an assessment of "war on terror" policies and create a road bump for those handling people in military or even civilian prisons.

This is why Sen. John McCain and Sen. Carl Levin expect all Americans and those in government to take them at their word when they [write](#) about why the indefinite detention provision in the current 2012 defense authorization bill is needed:

The United States has struggled to craft laws and procedures to prosecute the unprecedented kind of war that came to our shores on Sept. 11, 2001. The courts, Congress and two presidential administrations have gradually, often ad hoc, developed a system that seeks to uphold our values and honors our Constitution while protecting national security. Congress — in particular, the Senate Armed Services Committee — has worked hard to establish in law this important balance rather than rely solely on court orders and executive orders that can change with administrations.

They hit on what is making the bill "controversial."

The most controversial point involves the circumstances under which a terrorist detainee should be held in military, rather than civilian, custody. The bill provides that a narrowly defined group of people — al-Qaeda terrorists who participate in planning or conducting attacks against us — be held in military custody.

However, the bill does allow the administration, through a waiver, to hold these al-Qaeda detainees in civilian custody if it determines that would best serve national security. Moreover, the administration has broad authority to decide who is covered by this provision and how and when such a decision is made.

Clearly, McCain and Levin are advocating another further expansion of executive power. Sen. Mark Udall in [a rebuttal](#) today calls them out for downplaying this provision saying, “[The secretary of defense](#), the [directors of national intelligence](#) and [the FBI](#), and the White House — along with numerous defense experts — have said this would amount to a significant expansion of the military’s detention authority.”

The provision, Udall adds, “would require the military to take on a new responsibility as police, jailors and judges — jobs for which it is not equipped and which it does not want. These changes to our laws would also authorize the military to exercise unprecedented power on U.S. soil.” Namely, US citizens could be taken into military custody. US citizens could be treated like Bradley Manning was treated at Quantico or, worse, how detainees have been treated at Guantanamo Bay.

McCain and Levin’s call for more deference to power contrasts with the concerns of these fifty European parliamentarians, who are not only concerned with Manning’s treatment but also condemn the US for “threatening” Manning with the death penalty (which the European Union opposes). Additionally, they contend, “Bradley Manning should not be forced to waive his right against self-incrimination in order to speak with anyone who seeks to investigate evidence of abuse in their official capacity.”

One would like to see those in Congress and the Obama Administration respond to the concerns expressed. But, the reason why these concerns will be ignored is similar to why people like Sen. Mark Udall sometimes seem like they are baying at the moon. The US government believes that no matter how mistreated or unjust the process for handling terrorists or those in military detention might be, the fact that the person was actually detained is more important than anything else. And the alleged necessity for detention will be used over and over again as an excuse to justify mistreatment.

That is not to say that European parliamentarians should not write letters to the US government or that the UN should not continue to condemn the US for its actions. But the system that holds Bradley Manning is the same system that currently holds detainees, who have not been convicted of anything, indefinitely at Guantanamo. The values of national security that delay and prevent justice for the detainees at Guantanamo are the same values that have delayed and prevented Bradley Manning from enjoying the right to a speedy trial as well.