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<http://www.rsf.org/united-states-ngo-gains-access-to-guantanamo-04-03-2011,39675.html>

Americas - United States

Double standard ?

NGO gains access to Guantanamo documents but double standard still prevails

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Reporters Without Borders welcomes the release of Department of Defence documents on 2 March that shed light on the Bush administration's policies on the Guantanamo Bay detention centre and its views on the "significant risks" to the general population if its detainees were freed. They were published in response to a request that the public interest group Judicial Watch filed under the Freedom of Information Act (FOIA) in May 2009.

"The decision to release these documents reflects the concern for transparency originally displayed by the Obama administration," Reporters Without Borders said. "We hope it will now take a similar decision on the release of photos depicting the abuse of prisoners by US military personnel in Afghanistan and Iraq. [The White House U-turn on FOIA implementation](#) in May 2009 was a bitter blow."

It was also reported on 2 March that the US Army has filed 22 new charges against Bradley Manning, the US army private accused of leaking the US diplomatic cables to Julian Assange and WikiLeaks (see mirror website : <http://en.rsf.org/wikileaks.html>). Manning's lawyer, David E. Coombs (@armycmdefense), tweeted that the most serious of the new charges was "Aiding the enemy - giving intelligence to the enemy," which could potentially result in the death penalty or life behind bars.

Other charges, according to *The New York Times*, include "wrongfully causing intelligence to be published on the Internet, knowing that it was accessible to the enemy, multiple counts of theft of public records, transmitting defence information and computer fraud."

"We remind the Obama administration and the federal justice system that Bradley Manning must be presumed innocent until found guilty," Reporters Without Borders said.

"And there cannot be a double standard. If charges are brought against Manning, they should also be brought against the government officials who [destroyed CIA videos](#) recordings of prisoner interrogations in Guantanamo and a secret prison in Thailand. What grounds are there for thinking these officials might be less guilty of violating the Constitution's First Amendment than Manning might be guilty of endangering national security?"

The penalties to which Manning is exposed, which are dire even if unlikely in practice to include the death sentence, have dealt another serious blow to US credibility as regards human rights and access to information. The outrage at the destruction of the CIA video recordings will increase if the culprits are not held to account.

By not granting access to the photos and documents about the US Army's abuses, the Obama administration has completely reversed its original position. The memorandum on the Freedom of Information Act that the president issued on 21 January 2009, the day after his inauguration, said that "speculative" or "abstract fears" were not sufficient reasons to justify excessive confidentiality and classification.
