



Department of Social Development and World Peace

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September 15, 2006

Dear Senator:

As Chairman of the Committee on International Policy of the United States Conference of Catholic Bishops, I write regarding proposed legislation to create military commissions and to amend the War Crimes Act. I urge you to make sure that the United States continues to insist upon the highest ethical standards and fully complies with U.S. commitments to observe international law in its treatment of detainees whether here in the United States or abroad.

Last year our Conference of Bishops encouraged Congress to adopt provisions in the FY 2006 Defense Appropriations Act prescribing uniform standards for the interrogation of persons under the detention of the Department of Defense and prohibiting cruel, inhuman and degrading treatment or punishment of persons under the custody or control of the United States government. We welcomed President Bush's endorsement of those provisions. When Congress adopted them, the United States began to answer the profound moral question of how we should treat detainees. This issue has a major impact on human dignity and on the way the United States is viewed abroad.

We hope that through these recent actions the United States will regain the moral high ground on this issue. We also hope that these favorable actions will not be jeopardized by any proposed or adopted legislation that would appear to once again decriminalize torture and abusive conduct. Any legislation adopted by the Congress must be unambiguous on these issues, just as the newly adopted U.S. Army Field Manual is unambiguous in rejecting torture and cruel treatment as dangerous, unreliable and illegal.

As you know, the United States has long supported Common Article 3 of the Geneva Conventions, which prohibits "cruel treatment and torture" as well as "outrages upon personal dignity, in particular humiliating and degrading treatment..." Our own troops and citizens benefit from the protections of this standard. As events continue to unfold in Afghanistan, Iraq and elsewhere, we recognize that combating terrorism remains a top priority for Congress and the Administration. We also recognize, however, that any report of prisoner mistreatment by members of the armed forces of the United States or its allies could seriously undermine U.S. efforts to defeat terrorism.

More importantly, prisoner mistreatment compromises human dignity. A respect for the dignity of every person, ally or enemy, must serve as the foundation of security, justice and peace. There can be no compromise on the moral imperative to protect the basic human rights of any individual incarcerated for any reason.

We share the concern of lawmakers and citizens for the safety of U.S. soldiers and civilians serving abroad in these times of great uncertainty and danger. In the face of this perilous climate, our nation must not embrace a morality based on an attitude that "desperate times call for desperate measures" or "the end justifies the means." The inherent justice of our

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cause and the perceived necessities involved in confronting terrorism must not lead to a weakening or disregard of U.S. international law.

In a time of terrorism and fear, our individual and collective obligations to respect dignity and human rights, even of our worst enemies, gains added importance. Reaffirming the standards contained in Common Article 3 of the Geneva Conventions would reflect the conviction that our nation must treat its prisoners as we would expect our enemies to treat our own military personnel or citizens. We urge you to reject any proposed legislation that would call into question America's commitment to Common Article 3. Preserving the strong U.S. commitment to humane and ethical treatment of detainees would continue your efforts to restore the moral credibility of the United States at a crucial time.

Thank you for your consideration of our views on the just treatment of prisoners and detainees.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Thomas Wenski". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Bishop Thomas G. Wenski
Bishop of Orlando
Chairman, Committee on International Policy