

**AMNESTY  
INTERNATIONAL**



The Honorable Barack Obama  
The President  
The White House  
Office of the President  
1600 Pennsylvania Avenue NW  
Washington, DC 20500  
USA

2 December 2016

Dear Mr. President,

**RE: APPLICATION FOR PARDON COMMUTATION FOR CHELSEA MANNING**

For the reasons set forth below, Amnesty International is requesting that you grant the application submitted by Chelsea Manning and commute her sentence to time served for the crimes for which she has pleaded guilty and been convicted. In making this appeal Amnesty International recognizes the government's right and duty to hold to account members of the military who breach military law and security. However, all measures must be compatible with government's obligations under international human rights law and standards. We believe there are factors which, taken together, present strong human rights grounds for mitigating Chelsea Manning's sentence.

**Conditions of confinement in pre-trial detention in Iraq and at Quantico marine Corps Base, Virginia:**

Chelsea Manning served more than three years in pre-trial detention, including 11 months in conditions described by the UN Special Rapporteur on torture as cruel and inhumane: two months in a segregation cage in Iraq and nine months in a military brig at the Quantico base. While in Quantico, Chelsea Manning was confined for 23 hours a day to a small cell, with no personal possessions and with limited access to writing and reading materials. All visits at the base, including those with her family or lawyer, were non-contact, during which we are told she was

shackled at the wrists and legs.

She was also subjected to a Prevention of Injury (POI) classification which means that she was deprived of sheets and a separate pillow and had to be checked and alert every five minutes during the day: this was continued despite repeated recommendations by military psychiatrists that she be removed from POI status. She was also prevented from exercising in her cell despite the minimal amount of out-of-cell exercise she was allowed. Furthermore, she rarely received any outdoor exercise during her confinement at Quantico, contrary to the United Nations (UN) Standard Minimum Standard Minimum Rules for the Treatment of Prisoners.

Amnesty International raised the issue of her confinement conditions with both your office and that of Former Secretary of Defense Robert Gates in 2011. Governments have an obligation under international standards to treat all prisoners humanely, and to ensure that the principle of the presumption of innocence is upheld in the case of unconvicted prisoners, who should be held in the least restrictive detention conditions possible. Amnesty International recognizes that authorities need to take reasonable precautions to ensure the safety of persons in custody. However, the restrictions upon Chelsea Manning during her confinement at Quantico appear more likely to be detrimental to, rather than a safeguard for, her wellbeing.

**Some of the materials Manning leaked pointed to potential human rights violations and breaches of international humanitarian law by U.S. troops abroad, by Iraqi and Afghan forces operating alongside U.S. forces, and by military contractors:**

Manning has said that she acted on the belief that she could spark a meaningful public debate on the costs of war, and specifically on the conduct of the U.S. military in Iraq and Afghanistan. Her revelations include reports on battlefield detentions and previously unseen footage of journalists and other civilians being killed in U.S. helicopter attacks, information which should always have been subject to public scrutiny. Yet the judge had ruled before the trial that Ms. Manning would not be able to defend herself by presenting evidence that she was acting in the public

interest. While the U.S. government has the inherent right to maintain the security of classified information, national security cannot be a blanket justification to withhold information about serious human rights violations. The government's asserted national security interest in withholding disclosure must be weighed against the extent to which the information disclosed relates to wrongdoing or other information of public interest, and the disclosure should be reasonable in the circumstances and done in good faith.

While Chelsea Manning faces many years in prison for the public disclosure of documents, Amnesty International notes that numerous high-level officials have never been held accountable for the grave human rights violations committed in the context of the United States' "War on Terror". Even in cases where low-ranking soldiers were charged or convicted, they received very light sentences. High-ranking officials avoided investigation for the abuse of detainees at Abu Ghraib prison and elsewhere in Iraq in 2003-2004. Eleven low-ranking soldiers were sentenced to prison terms after being convicted in courts martial, but they have all since been released. The Brigadier General in charge of the detention facility was reprimanded for dereliction of duty and demoted to Colonel. No criminal charges have ever been made in relation to the U.S. secret detention program in which enforced disappearance and torture were authorized at the highest level of government. Details of the program remain classified. Amnesty International has repeatedly called on the U.S. government to release the full Senate Select Committee report on the Central Intelligence Agency's (CIA) detention and interrogation program; to investigate all allegations of torture; to bring perpetrators to justice, no matter their level of office or former level of office; and to provide redress to those individuals who have suffered abuses at the hands of the U.S. government, including those unlawfully detained, unlawfully rendered to torture, and those tortured and abused in U.S. custody.

Under international human rights law, the "essential aim" of a penitentiary system should be the "reformation and social rehabilitation" of prisoners, rather than retribution. Excessive punishment may also constitute arbitrary deprivation of liberty in violation of the right to liberty, and may constitute cruel, inhuman, or

degrading punishment, in violation of the International Covenant on Civil and Political Rights and the Convention against Torture, which the United States has signed and ratified. Both U.S. and international human rights jurisprudence on sentencing emphasize the importance of a judicial determination based upon individualized consideration of the defendant.

For the reasons set forth above, Chelsea Manning should be shown clemency in recognition of her motives for acting as she did, the treatment she endured in her early pre-trial detention, and the due process shortcomings during her trial. Amnesty International respectfully requests that you commute her sentence to the time she has already served in prison.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Margaret Huang". The signature is fluid and cursive, with the first name "Margaret" written in a larger, more prominent script than the last name "Huang".

Margaret Huang  
Executive Director  
Amnesty International USA