

URGENT ACTION

DEMAND COMMUTATION FOR CHELSEA MANNING

Chelsea Manning was sentenced to 35 years in prison after disclosing classified information – some of which pointed to potential human rights violations – after a trial marred by due process shortcomings. President Obama must commute her sentence before he leaves office.

Chelsea Manning was a military analyst with the U.S. Army in Iraq. Between 2009 and 2010 she publically disclosed classified government materials, acting upon the belief that she could spark a meaningful debate on the costs of war. In 2013 Chelsea Manning was sentenced to 35 years in prison, despite the fact that some of the information that she disclosed pointed to potential human rights violations and breaches of international law.

There are serious concerns about the conditions of Chelsea Manning's pre-trial detention and due process shortcomings during her trial. The UN Special Rapporteur on Torture described eleven months out of Chelsea Manning's three-year pre-trial detention as cruel and inhumane. During her trial in July 2013 she was not allowed to present evidence that she had been acting in the public interest. Amnesty International believes that she was overcharged using antiquated legislation, and prosecuted in a manner that appeared to be aimed at sending a harsh warning to other potential whistleblowers. In 2014 Chelsea Manning's request for clemency was denied.

Chelsea Manning attempted suicide in July 2016, for which she was sentenced to 14 days in solitary confinement. In October she attempted suicide again. She may be subjected to additional solitary confinement for this second suicide attempt that took place while serving her solitary sentence for the first attempt.

Chelsea Manning's lawyers submitted an application for pardon commutation in mid-November. It is critical that President Obama grant Chelsea Manning's application in recognition of her acting in the public interest, for the treatment she endured in her early pre-trial detention, for due process shortcomings during her trial, and to mitigate the chilling effect on future potential whistleblowers.

Please write immediately in English or your own language:

- Urging President Obama to commute Chelsea Manning's sentence to time served;
- Recognizing the government's right to hold to account members of the military who breach military law and security, but presenting the strong human rights grounds for mitigating Chelsea Manning's sentence, including conditions of pre-trial detention, due process shortcomings, and motivation by public interest;
- Urging that until her release Chelsea Manning is given access to appropriate medical treatment in accordance with her wishes.

PLEASE SEND APPEALS BEFORE 1 JANUARY 2017 TO:

President of the United States of America
Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500, USA
Phone: +1 202 456 1111
Fax: +1 202 456 2461
Email: via web: <https://www.whitehouse.gov/contact>

In addition to contacting President Obama, please sign and share this online petition before 14 December 2016:

<https://petitions.whitehouse.gov/petition/commute-chelsea-mannings-sentence-time-served-1>

Saluation: Dear Mr. President

Also send copies to diplomatic representatives accredited to your country: HIS EXCELLENCY THE HONOURABLE MATTHEW BARZUN
American Embassy, 24 Grosvenor Square, London W1A 6AE, tel: 020 7499 9000. Saluation: Your Excellency

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Chelsea Manning was a 25-year-old military analyst stationed with the U.S. army in Iraq when she was arrested in May 2010 and charged with multiple counts of obtaining and distributing more than 700,000 classified documents, including intelligence reports, diplomatic cables and combat videos between November 2009 and May 2010. She 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 Marine Corps base in Virginia, USA. 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.

Chelsea 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 Chelsea 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.

The most serious charge against her was of "aiding the enemy", with which the U.S. government attempted to prove that Chelsea Manning knowingly helped al-Qaida and caused secret intelligence to be published on the internet. This charge carried a possible death sentence, although prosecutors indicated that they would not seek the death penalty. However, under this charge, Chelsea Manning still faced a possible life sentence with no chance of parole, until the judge presiding over her military trial found her not guilty of that charge.

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.

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 the government's obligations under international human rights law and standards. The organization believes there are factors which, taken together, present strong human rights grounds for mitigating Chelsea Manning's sentence.

Chelsea Manning should be shown clemency in recognition of her motives for acting as she did, for the treatment she endured in her early pre-trial detention, and for due process shortcomings during her trial. Her sentence should be commuted, she should be immediately released, and the U.S. government should investigate the perpetrators of the abuses she exposed rather than punishing Chelsea Manning for revealing them.