



Brussels, 30 November, 2011

OPEN LETTER

TO:

**U.S. President Barack Obama
Members of the U.S. Senate
Members of the U.S. House of Representatives
U.S. Secretary of Defense Leon Panetta
U.S. Secretary of the Army John McHugh
U.S. Army Chief of Staff Raymond T. Odierno
U.S. Ambassador to the European Union William Kennard**

As Members of the European Parliament, who were elected to represent our constituents throughout Europe, we are writing to express our concerns about alleged human rights violations against Bradley Manning, a young soldier who has been accused of releasing classified information pertaining to possible U.S. war crimes in Iraq and Afghanistan. We are concerned that the U.S. Army has charged Bradley Manning with “aiding the enemy,” a capital offense 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 U.S. 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 U.S. military authorities.

We call upon the United States government to allow Juan Mendez, the United Nations Special Rapporteur on Torture, to conduct a private meeting with Bradley Manning, the accused WikiLeaks whistle-blower. Mr. Mendez has made repeated requests to American officials to meet privately with Mr. Manning in response to evidence that he was subjected to abusive confinement conditions while he was detained at a facility in Quantico, Virginia. Mr. Manning was held in solitary confinement for 23 hours per day during the eight months he was incarcerated at that location. It appears that he was at times forced to sleep and stand at attention without any clothing. His legal counsel has documented additional incidents which indicate the possibility of other rights violations.

Hundreds of U.S. legal scholars have signed an open letter to the Obama administration, arguing that the conditions of confinement endured by Mr. Manning at Quantico may have amounted to torture. Following worldwide calls for an end to the abusive treatment, Manning was moved to a facility in Fort Leavenworth, Kansas, where his conditions are said to have improved. The U.S. military conducted an internal investigation into the allegations of mistreatment at Quantico. The preliminary results of this investigation found that Mr. Manning was improperly placed on "prevention of injury" status, against the recommendations of qualified medical personnel. However, these findings were ultimately overturned by a military prison official who was implicated by the report. Therefore, the U.S. military's internal investigation has been compromised by clear conflicts of interest. This so-called "prevention of injury" status was the justification for a number of extraordinary measures, such as denying Mr. Manning comfortable bedding and not allowing him to exercise.

By preventing U.N. 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 U.S. 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. Finally, we in the European Union are totally opposed to the death penalty. And we certainly do not understand why an alleged whistleblower is being threatened with the death penalty, or the possibility of life in prison. We also question whether Bradley Manning's right to due process has been upheld, as he has now spent over 17 months in pre-trial confinement.

Furthermore, 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.

Consistent with these internationally-recognized standards, as well as the rules governing his mandate, United Nations Special Rapporteur on Torture Juan Mendez must be allowed to conduct an unmonitored meeting with Bradley Manning, without any further delay.

Yours sincerely,

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