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USA: Commute Bradley Manning's sentence and investigate the abuses he exposed

President Obama should commute US Army Private Bradley Manning's sentence to time already served to allow his immediate release, Amnesty International said today.

Military judge Col Denise Lind today sentenced the Wikileaks source to 35 years in military prison – out of a possible 90 – for leaking reams of classified information. He has already 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.

“Bradley Manning exposed information on the conduct of the US military in Iraq and Afghanistan and sparked a public debate on the costs and implications of war. His revelations included reports on battlefield detentions and previously unseen footage of journalists and other civilians being killed in US helicopter attacks, information which should always have been subject to public scrutiny,” said Widney Brown, Senior Director of International Law and Policy at Amnesty International.

“Instead of ‘sending a message’ by giving him decades in prison the US government should turn its attention to investigating violations of human rights and humanitarian law in the context of the ill-conceived ‘war on terror’.”

Some of the materials Manning leaked, published by Wikileaks, pointed to potential human rights violations and breaches of international humanitarian law by US troops abroad, by Iraqi and Afghan forces operating alongside US forces, and by private military contractors. Yet the judge had ruled before the trial that Private Manning would not be able to defend himself by presenting evidence that he was acting in the public interest.

“Manning had already pleaded guilty to leaking information, so for the US to have continued prosecuting him under the Espionage Act, even charging him with ‘aiding the enemy,’ can only be seen as trying to divert the public's attention from the government's wrongdoing.” said Brown.

“More than anything else, the case shows the urgent need to reform the USA's antiquated Espionage Act and strengthen protections for those who reveal information that the public has a need and a right to know.”

Manning's defence counsel is expected to file a petition for clemency shortly with the U.S. Department of Justice office that reviews requests for pardons and other acts of clemency before passing them on to the President for a final decision. Such requests are normally made after all appeals are exhausted, but the President may grant clemency at any time.

“Bradley Manning should be shown clemency in recognition of his motives for acting as he did, the treatment he endured in his early pre-trial detention, and the due process shortcomings during his trial.

The President doesn't need to wait for this sentence to be appealed to commute it; he can and should do so now," said Brown.