



To the President of the United States of America  
Mr. President Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Geneva, 13 September 2011

Dear Mr. President,

I am writing to you as President of the European Jewish Congress, the democratically-elected body representing European Jewry. I would like to express my utmost concern over the fate of Jonathan Pollard.

Jonathan Pollard has been sentenced for life because of the classified information he disclosed to Israel, a friend and ally of the United States. Pollard did not disclose information to any other country, nor was he charged for doing so. His intention was not to harm the United States, and indeed Israel did not make any use of the disclosed information to harm the security or the interests of the United States. Pollard is the only person in the history of the United States to receive a life sentence for spying for an ally.

The information disclosed by Pollard revealed to Israel the details of Syrian, Iraqi, Libyan and Iranian nuclear, chemical, and biological warfare capabilities, of ballistic missile development, and on planned terrorist attacks against Israeli civilian targets. Former National Security Advisor Bobby Ray has publicly admitted, after resigning in 1994, that this critical information had been deliberately withheld from Israel in retaliation for Israel's 1981 strike on Iraq's nuclear reactor.

While Pollard's conviction was justified, his sentence was disproportionate and out-of-line with sentences imposed for similar offences. Such is the opinion of prominent American officials and legal experts, such as former CIA Director James Woolsey, of former chair of the Senate Intelligence Committee Denis DeConcini (both of whom are familiar with the information disclosed by Pollard), of former Attorney General Michael Mukasey, and of Harvard Law Professors Alan Dershowitz and Philip Heymann.

Indeed, no life sentence has ever been imposed in the United States for offenses similar to Pollard's. The average punishment for Pollard's offence is a two to four year prison term. Such sentences have been imposed on Americans who spied for Egypt, for instance. The life sentence imposed on Pollard ignored the plea bargain reached between the defense and the prosecution. Pollard was not accused of treason, or of intending to harm the United States. He pleaded guilty under a plea bargain, and was thus convicted and sentenced (without a full trial) to life imprisonment, despite the US Government's promise not to seek such a penalty.

Pollard waived his right to trial by jury in exchange for a promise by the government that it would not seek life imprisonment. The US Government broke that promise. It submitted a perjured affidavit by then Secretary of Defense Weinberger demanding life imprisonment and overstating the damage that

Pollard had caused. This was a breach of the plea bargain. There is no other case in American jurisprudence in which a plea bargain has been so blatantly violated. If Pollard had served the sentence agreed upon in the plea bargain, he would no longer be in jail by now.

Jonathan Pollard has served more than 25 years of his life sentence (seven of which have been served in solitary confinement). He has consistently expressed remorse over his actions, and his health is declining. In light of the disproportionate sentence imposed on Pollard, of the fact that he has already served over 25 years in jail, and in light of the fact that both Pollard and the Israeli Government have expressed regret over his deeds, many respected leaders and public figures have asked you, Mr. President, to commute Pollard's sentence.

Among the long list of people who have implored you to commute Pollard's sentence are Shimon Peres, Benjamin Netanyahu, John Mc Cain, Henry Kissinger, George Shultz, as well as hundreds of leaders from the United States and from around the world. I have the honor of adding my name to this respectable list and to ask you, Mr. President, to use your constitutional powers in a way that would serve justice and show compassion.

Jonathan Pollard's continued imprisonment is an injustice. Only you, Mr. President, can put an end to this injustice by commuting Pollard's sentence to time served. A commutation is not a pardon, in that it does not erase the conviction. Commutation only reduces the sentence without suggesting that the defendant is not guilty.

As we approach the Jewish New Year, a time considered an opportune moment for confession, forgiveness and new beginnings, I humbly ask you, Mr. President, to show mercy for a fellow human being and to serve the cause of justice.

With my highest esteem,



Moshe Kantor

President, European Jewish Congress