

## **David A. Bardes**

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**From:** TB-petitions OHCHR [tb-petitions@ohchr.org]  
**Sent:** Tuesday, May 10, 2011 9:20 AM  
**To:** David A. Bardes  
**Subject:** Re: Torture in the US

REFERENCE: G/SO 215/51 USA(GEN)

Dear Sir,

After careful consideration of the contents of your petition (communication / complaint), we sincerely regret having to inform you that the United Nations Office of the High Commissioner for Human Rights is not in a position to assist you in the matter you raise, for the reasons expressed below:

- The Committee against Torture cannot examine petitions alleging violations of the Convention against Torture (CAT) unless the State has made the declaration under article 22 recognizing the Committee's competence to receive and consider petitions. The United States of America has not made the declaration.
  
- Please accept our apologies for not replying in a more personal manner. You may understand that, while we appreciate your reasons for writing to us, the existing procedures require that it is ascertained whether certain preliminary criteria are satisfied before proceeding with the examination of a petition.

For information about the procedures for the examination of individual petitions on human rights violations, please consult our website: [www.ohchr.org](http://www.ohchr.org), direct link:  
<http://www2.ohchr.org/english/bodies/petitions/index.htm>.

If you have difficulty accessing our website, please write to the UNHCHR, Information Office PW-RS-011, 1211 Geneva 10, and ask for Human Rights Fact Sheets Nos. 7, 12, 15 and 17.  
Yours sincerely,

Petitions Unit (Unité des requêtes)  
Office of the High Commissioner for Human Rights  
Palais des Nations  
CH-1211 Genève 10  
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Fax: + 41 22 917 90 22

"David A. Bardes" <[davidbardes@davidbardes.com](mailto:davidbardes@davidbardes.com)>

09.05.2011 19:59

To <[tb-petitions@ohchr.org](mailto:tb-petitions@ohchr.org)>

cc

Subject Torture in the US

Dear Sirs:

I am the first fully documented case of torture that proves the US tortures its own citizens to death. In 2006 I was tortured in a South Carolina jail in their built in hypothermic torture chamber. They lowered my body temperature to 88 degrees. My heart stopped beating and I stop breathing. Blood and oxygen were cut off from my brain and I suffered permanent brain damage. In 2008 I filed a civil lawsuit in US federal court. I took the case to the US Supreme Court. The case was turned down because the US cannot go on the record of awarding torture claims when it tortures foreign people as it would open the flood gates of claims. I have sought the help from the US Department of Justice, but they can't help either – the US just can't admit to torture. I have many other US citizens that have been murdered by hypothermia in the US. It happens all over the US.

You can read my petition to the US Supreme Court, which has all the evidence of the torture at [www.davidbardes.com](http://www.davidbardes.com).

Thank you for any help you may provide,  
David

**David A. Bardes**

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