

# URGENT ACTION

## KIMBERLY RIVERA GIVES BIRTH BUT STAYS IN PRISON

**Prisoner of conscience Kimberly Rivera has had her clemency request rejected, though she has recently given birth.**

**Kimberly Rivera** gave birth to a son, Matthew Kaden Rivera, on 25 November. Two days later, she was separated from him when she was returned to prison from hospital to serve the rest of her sentence. On 28 November her clemency request for a 45-day reduction of her 10-month sentence was denied by Fort Carson Senior Commander Brigadier General Michael A. Bills.

Kimberly Rivera has been detained by the US military authorities since 20 September 2012, when she was arrested for desertion from the army. She had left the army without authorization while on leave from deployment to Iraq in early 2007, and went to Canada after deciding that given her moral convictions she could no longer participate in the war in Iraq or any other conflict. In Canada she applied for protection as a refugee, but was deported in September 2012 after her application was rejected on appeal.

In April 2013 Kimberly Rivera was sentenced to 14 months' imprisonment, reduced to 10 months under the terms of a plea agreement. She was also given a bad conduct discharge from the army. Kimberly Rivera has four other children, aged 11, nine, four and two. Until now, the children have been allowed to visit their mother at weekends.

Kimberly Rivera's attorney has thanked Amnesty International members and others for their "outpouring of support" on her behalf in previous appeals.

### **Please write immediately in English or your own language:**

■ Urging President Obama to release Kimberly Rivera immediately and unconditionally, as she is a prisoner of conscience, jailed for her conscientious objection to participation in the armed conflict in Iraq.

### **PLEASE SEND APPEALS BEFORE 16 JANUARY 2014 TO:**

President Barack Obama  
The White house,  
1600 Pennsylvania Avenue NW  
Washington DC 20500  
USA

Email (from within USA only):  
<http://whitehouse.gov/contact/>  
**Salutation: Dear Mr President**  
**And copies to**  
Secretary of the Army  
The Honorable John McHugh

1400 Defense Pentagon  
Washington DC 20310-0101  
Fax: +1 703 697 8036  
**Salutation: Dear Secretary McHugh**

Kimberly Rivera's attorney  
James M Branum  
PO Box 721016  
Oklahoma City, OK 73172, USA  
Email: girightslawyer@gmail.com

**Also send copies to diplomatic representatives accredited to your country.**

Please check with your section office if sending appeals after the above date. This is the sixth update of UA 263/12. Further information:  
[www.amnesty.org/en/library/info/AMR51/075/2013/en](http://www.amnesty.org/en/library/info/AMR51/075/2013/en)

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### ADDITIONAL INFORMATION

Amnesty International recognizes Kimberly Rivera as a prisoner of conscience and believes the right to refuse to perform military service for reasons of conscience is part of freedom of thought, conscience and religion, as recognised in Article 18 of the Universal Declaration of Human Rights and Article 18 of the International Covenant on Civil and Political Rights.

Amnesty International considers a conscientious objector to be any person who, for reasons of conscience or profound conviction, refuses to perform service in the armed forces. This can include refusal to participate in a particular war because one disagrees with its aims or the manner in which it is being waged, even if one does not oppose taking part in all wars.

Wherever such a person is detained or imprisoned for actions taken in consequence of these beliefs, Amnesty International considers that person to be a prisoner of conscience. Amnesty International also considers conscientious objectors to be prisoners of conscience if they are imprisoned for leaving the armed forces without authorization for reasons of conscience, if they have first taken reasonable steps to secure release from military obligations, or if it was in practice impossible for them to do so.

Name: Kimberly Rivera

Gender m/f: f

Further information on UA: 263/12 Index: AMR 51/083/2013 Issue Date: 6 December 2013

