

URGENT ACTION

POSSIBLE TRIAL FOR US CONSCIENTIOUS OBJECTOR

Key decisions could be imminently made concerning whether US servicewoman and conscientious objector Kimberly Rivera will face a court martial. If convicted, Kimberly Rivera could face a prison sentence of up to 5 years.

Kimberly Rivera has been detained by the US military authorities since 20 September 2012 following her arrest for desertion from the army. Kimberly Rivera left the army without authorization while on leave from deployment to Iraq in early 2007 and went to Canada after deciding she could no longer morally 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.

A decision to try Kimberly Rivera before a court martial is likely to be made within the next few weeks by the Commanding General at Fort Carson, Colorado, where Kimberly Rivera is detained. If convicted, she could face a sentence of up to 5 years imprisonment.

Kimberly Rivera spoke out publicly about her objection to the conflict in Iraq while she was in Canada. During the attempt to stop her deportation, her lawyer submitted evidence to show that service personnel in similar situations who publicly speak out about their objections to the US action in Iraq have been treated more harshly than those who do not on their return to the USA.

Please write immediately in English or your own language:

- Urging that Kimberly Rivera is released immediately and unconditionally, pointing out that she is a prisoner of conscience, imprisoned for her conscientious objection to participating in the armed conflict in Iraq.

PLEASE SEND APPEALS BEFORE 23 JANUARY 2013 TO:

Commanding General 4th ID and Fort
Carson

Major General Joseph Anderson
Public Affairs Office
1626 Ellis Street
Ste. 200, Bldg. 118
Fort Carson, CO 80913, USA
Fax: +1 719-526-1021

**Salutation: Dear Major General
Anderson**

Secretary of Defense

The Honorable Leon Panetta
Office of the Secretary of Defense
1000 Defense Pentagon
Washington DC 20301-1400
USA
Fax: +1-703-571-8951
Salutation: Dear Secretary of Defense

And copies to:

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

Salutation: Dear Mr Branum

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 second update of UA 263/12. Further information:
[www.amnesty.org /en/library/info/AMR51/081/2012/en](http://www.amnesty.org/en/library/info/AMR51/081/2012/en)

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ADDITIONAL INFORMATION

Amnesty International 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, to which the USA is a state party.

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 solely 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.

Amnesty International opposes the forcible return of any person to any country where he or she would face a substantial risk of becoming a prisoner of conscience.

Name: Kimberly Rivera

Gender: f

Further information on UA: 263/12 Index: AMR 51/098/2012 Issue Date: 12 December 2012