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USA: War objector's freedom of conscience must be respected

Pending the trial on Monday 5 February of Ehren Watada over his refusal to participate in the Iraq war, Amnesty International stated that a guilty verdict would be a violation of internationally recognized rights to conscientious objection.

"If found guilty, Amnesty International would consider Ehren Watada to be a prisoner of conscience and call for his immediate and unconditional release", said Susan Lee, Amnesty International's Americas Programme Director.

28-year-old Army Lieutenant Ehren Watada faces a possible four year prison sentence on charges of "missing movement" – due to his refusal to deploy to Iraq in June 2006 -- and of "conduct unbecoming an officer" -- because of his public comments regarding his objections to the war in Iraq.

Ehren Watada has stated that his refusal is based on his belief that the Iraq war is illegal and immoral. In a pre-court martial hearing held on 16 January, a military judge ruled that he could not base his defence on the legality of the war in Iraq.

However, the right to refuse to perform military service for reasons of conscience, thought or religion is protected under international human rights standards, including Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR) which the US has ratified.

Ehren Watada joined the army in 2003 for a three year term, which was due to end in December 2006. In January 2006, he submitted a letter to his army command outlining his reasons for refusing to participate in the Iraq war and asking to resign from the army. He did not formally apply for conscientious objector status because US army regulations stipulate that applicants for this status must be opposed to war in any form; they do not provide for conscientious objector status on the basis of an objection to a specific war.

In his letter, Ehren Watada said: "I believe so strongly in this cause that I would sit in prison or die for that belief. I would accept any punishment and take solace in a clean and clear conscience when the easier path, the safer path would have been to serve my year in Iraq" He received a reply in May 2006 stating that his request had been denied. He was ordered to deploy to Iraq with his unit in June 2006, an order he refused.

Amnesty International has declared a number of imprisoned conscientious objectors in the US to be prisoners of conscience. They included Camilo Mejia who was sentenced to one year's imprisonment for his objections to the war in Iraq and Abdullah Webster who refused to participate in the same war due to his religious beliefs. Another, Kevin Benderman was sentenced to 15 months' imprisonment after he refused to re-deploy to Iraq because of the scenes of devastation he witnessed there. All three have since been released.

Public Document

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