

PUBLIC

**AI Index: AMR 51/053/2007
28 March 2007**

UA 77/07 Prisoner of conscience

USA Mark Lee Wilkerson (m), aged 23

On 22 February a US court martial sentenced Mark Wilkerson to seven months' imprisonment and discharged him from the army for bad conduct and for going absent without leave (AWOL) from a second tour of duty in Iraq. Amnesty International considers Mark Wilkerson to be a prisoner of conscience, detained solely for his conscientious objection to participating in the war in Iraq. He should be released immediately and unconditionally.

Mark Wilkerson, an Army Specialist (a rank equivalent to a corporal) was first deployed to Iraq in March 2003. Whilst there he refused to return fire on a man who was shooting at him, because, he says, "there were so many people around him; I did not want to kill innocents". Upon his return to the USA a year later, he immediately applied for conscientious objector status. While his application was being processed, he learned that his unit would be returning to Iraq in January 2005. In November 2004, Mark Wilkerson's application for conscientious objector status was refused on the grounds that he did not present clear and convincing evidence in his application that he was opposed to all wars. He applied for a reconsideration of his case, but was told this would not be considered until his return from a second tour of duty in Iraq, more than a year later. It was at this point that he decided he had no option but to go AWOL. He finally turned himself in to the military authorities in August 2006.

In his application for conscientious objector status, Mark Wilkerson wrote, ".what does it say of our nation when we kill innocent Iraqis in cold blood and torture prisoners? This caused me to look deeper into the US military, the government, and our society as a whole .my beliefs have guided me for as long as I can remember. But they have only been put to the test since I truly stepped out and experienced the world as I have .That is why I can no longer serve as a soldier in this military."

Amnesty International considers Mark Wilkerson to be a legitimate conscientious objector and believes that he took reasonable steps to secure release from the army through applying for conscientious objector status.

BACKGROUND INFORMATION

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 or any other direct or indirect participation in wars or armed conflicts. This can include refusal to participate in a war because one disagrees with its aims or the manner in which it was being waged, even if one does not oppose taking part in all wars. US army regulations stipulate that applicants for conscientious objector 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.

Furthermore, Amnesty International considers a person to be a prisoner of conscience when they are detained or imprisoned solely because they have been denied or refused their right to register an objection or to perform a genuinely civilian alternative service. They would also be prisoners of conscience if they are imprisoned for leaving the armed forces without authorization for reasons of conscience, if they have taken reasonable steps to secure release from military obligations.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- explaining that Amnesty International considers Mark Wilkerson to be a prisoner of conscience, imprisoned solely for his conscientious objection to participating in war;
- pointing out that he took reasonable steps to secure release from the army through applying for conscientious objector status;
- calling for his immediate and unconditional release.

APPEALS TO:

The Honorable Peter Geren
Acting Secretary of the Army
102 Army Pentagon
Room 3E588
Washington DC 20310-0102
USA
Fax: +1 703 697 0720
Salutation: Dear Secretary

COPIES TO:

The Honorable Robert M Gates
Secretary of Defence
1000 Defense Pentagon

Washington DC 20301
USA
Fax: +1 703 697 8339
Email via: <http://www.defenselink.mil/faq/comment.html>

George W Bush
The President
The White House
Office of the President
1600 Pennsylvania Avenue NW
Washington DC 20500
USA
Fax: +1 202 456 2461
Email: president@whitehouse.gov

and to diplomatic representatives of USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 May 2007.*****