

# URGENT ACTION

## WOMAN DETAINED FOR CONSCIENTIOUS OBJECTION

**On 20 September, US servicewoman Kimberly Rivera was arrested and detained by US military authorities after losing her deportation case in Canada and returning to the USA. She faces a court martial for desertion and a prison sentence. As she is being detained solely because of her conscientious objection to participating in the armed conflict in Iraq, she is a prisoner of conscience.**

According to reports, US servicewoman and Iraq war resister **Kimberly Rivera** was arrested and detained on 20 September after approaching a border crossing in the state of New York. Kimberley Rivera had returned to the USA from Canada after the Federal Court of Canada denied a motion to stop her deportation, pending the outcome of an application to remain on humanitarian and compassionate grounds. According to reports, Kimberly Rivera's lawyer said that she faces a prison sentence of between two to five years.

While on leave from deployment in Iraq in early 2007, Kimberly Rivera left the army without authorization and went to Canada with her family, 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 her application was rejected. In January 2009 she was ordered to leave the country, or face deportation. Her deportation was postponed while she appealed that decision.

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 speak out publicly 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 solely for her conscientious objection to participating in the armed conflict in Iraq.

### **PLEASE SEND APPEALS BEFORE 2 NOVEMBER 2012 TO:**

#### Secretary of the Army

The Honorable John McHugh  
1400 Defense Pentagon  
Washington, DC 20301-1400  
USA

**Salutation: Dear Secretary McHugh**

#### 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:**

#### President Barack Obama

The White House,  
1600 Pennsylvania Avenue NW  
Washington DC 20500  
USA

Fax: + 1 202 456 2461

Visit: [www.whitehouse.gov/contact/](http://www.whitehouse.gov/contact/)  
(requires US postcode)

**Salutation: Dear Mr President**

**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 first update of UA 263/12. Further information:  
<http://amnesty.org/en/library/info/AMR20/007/2012/en>

**AMNESTY  
INTERNATIONAL**



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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 consequences 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 m/f: f

Further information on UA: 263/12 Index: AMR 51/081/2012 Issue Date: 21 September 2012