

**PUBLIC**

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**21 July 2004**

**Further information on UA 190/04 (AMR 51/092/2004, 3 June 2004) – Prisoner of Conscience**

**USA**

**Staff Sergeant Camilo Mejía Castillo (m)**

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A hearing on prisoner of conscience Camilo Mejía's application for conscientious objector status was held on 23 June, at Fort Sill military prison, Oklahoma, where he is imprisoned for his conscientious objection to participating in war. A decision on this is expected in the next few weeks. An appeal against his court martial conviction on charges of desertion is also pending. Further appeals on this case are crucial now to ensure that the military authorities act now to secure Camilo Mejía's immediate and unconditional release.

Camilo Mejía's lawyer invited an Amnesty International representative to observe the 23 June hearing, but the hearing officer turned down this request on the day of the proceedings. However, Camilo Mejía's lawyer was able to call Amnesty International's representative to testify as a witness and explain that Amnesty International had adopted Camilo Mejía as a prisoner of conscience. Exhibits introduced at the hearing also included Amnesty International's open letter to President Bush on the case. The hearing officer's decision will take the form of a recommendation to Major General William G. Webster, Jr. the commander at Fort Stewart, Georgia, where his original court martial hearing took place.

Camilo Mejía's lawyer will be submitting an appeal against his conviction on charges of desertion to Major General Webster once the army produces transcripts of the original proceedings.

Camilo Mejía has joint Costa Rican/Nicaraguan citizenship but has lived in the USA since 1994. He decided to join the armed forces one year later, aged 19, serving as an infantryman from 1995 to 1998. He then continued his contract as a reservist in the Florida National Guard. He was deployed to Iraq in April 2003.

#### **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 participate in any other way, directly or indirectly, in wars or armed conflicts. This can include volunteer soldiers who have developed a conscientious objection after joining the armed forces. Wherever such a person is 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, Amnesty International considers that person to be a prisoner of conscience.

If conscientious objectors leave the armed forces without authorization, for reasons of conscience, and are imprisoned for doing so, Amnesty International considers them prisoners of conscience, provided they have taken reasonable steps to secure release from military obligations on grounds of conscience.

It is evident from the statement Camilo Mejía has made in his application for conscientious objector status that he is a genuine conscientious objector whose objection to war evolved in response to witnessing human rights violations in Iraq. He sought discharge as a non-US citizen with more than eight years' service with the US army on the basis of such objection, and subsequently applied for conscientious objector status. Accordingly, Amnesty International believes that he should not have been tried and imprisoned for "desertion" and should be released immediately and unconditionally.

Since April 2004, photographs of US agents mentally and physically torturing and abusing Iraqi detainees in Iraq have been published around the world. One US soldier has appeared before a military court in Baghdad and received the maximum sentence of one year's imprisonment, after admitting his involvement in torturing Iraqi detainees. Several others are awaiting trial.

Amnesty International has documented cases of torture and ill-treatment of detainees in Iraq and raised its concerns with the former governing body in Iraq, the Coalition Provisional Authority, as well as the US and UK governments. Detainees were forced to lie face down on the ground, handcuffed, hooded or blindfolded during arrest. During interrogation they were reportedly repeatedly beaten and restrained for prolonged periods in painful positions, while some were also subjected to sleep deprivation, prolonged forced standing, and exposed to loud music and bright lights to disorient them. Some died in custody allegedly as a result of torture.

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

- urging that Camilo Mejía be released immediately and unconditionally, pointing out that Amnesty International considers him to be a prisoner of conscience, imprisoned solely for his conscientious objection to war and to the human rights abuses he claims to have witnessed in Iraq;
- explaining that, although Amnesty International recognizes that Camilo Mejía went absent without leave, it considers that he took reasonable steps to secure his release from military obligations through legal means, including applying for conscientious objector status, and should therefore not have been tried and imprisoned for "desertion".

**APPEALS TO:**

Major General William G Webster Jr.  
60 Macneely Road  
Fort Stewart  
Georgia 31314  
USA  
**Fax:** +1 912 767 3903  
**Email:** william.webster2@us.army.mil  
**Salutation:** Dear Major General

The Honorable Les Brownlee  
Acting Secretary of the Army  
102 Army Pentagon  
Room 3E588  
Washington DC 20310-0102  
USA  
**Fax:** (+1) 703 697 0720  
**Email:** les.brownlee@us.army.mil  
**Salutation:** Dear Secretary

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 1 September 2004.