

URGENT ACTION

KIMBERLY RIVERA TO BE SENTENCED ON 29 APRIL

A plea agreement has been reached between US servicewoman Kimberly Rivera's lawyers and the military authorities. A hearing to determine the length of her sentence will take place on 29 April at Fort Carson, Colorado.

Private First Class (PFC) **Kimberly Rivera** has been detained by the US military authorities since 20 September 2012, when she was arrested for desertion from the army. Kimberly Rivera had left the army without authorization while on leave from deployment to Iraq in early 2007, and went to Canada after deciding that morally she could no longer 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.

At the hearing on 29 April, a military judge will hear arguments regarding the length of confinement that Kimberly Rivera will face. The judge then will have the opportunity to decide whether she will receive either the amount of imprisonment specified in the sealed plea agreement or a lesser sentence.

After this, Fort Carson Commander Major General Joseph Anderson will decide whether to approve the sentence, or suspend all or part of it. Letters from the public could help to persuade him to show leniency.

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 in this way 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 the authorities to release PFC Kimberly Rivera immediately and unconditionally, as she is a prisoner of conscience, jailed for her conscientious objection to participation in the armed conflict in Iraq.

PLEASE SEND APPEALS BEFORE 23 APRIL 2013 TO:

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

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 third update of UA 263/12. Further information: <http://amnesty.org/en/library/info/AMR51/098/2012/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.

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.

Name: Kimberly Rivera
Gender m/f: f

Further information on UA: 263/12 Index: AMR 51/013/2013 Issue Date: 12 March 2013