

URGENT ACTION

IRAQ WAR OBJECTOR WILL SERVE JAIL TERM IN USA

Pregnant USA prisoner of conscience, Kimberly Rivera, will serve 10 months in prison following sentencing at her court martial. She deserted the US army while deployed in Iraq because she felt morally unable to take part in the conflict.

After pleading guilty to desertion at her court martial on 29 April 2013, **Private First Class Kimberly Rivera** was sentenced to 14 months imprisonment, reduced to 10 months under the terms of a plea agreement. She was also given a bad conduct discharge from the army. She is pregnant with her fifth child.

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 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.

Kimberly Rivera spoke out publicly about her objection to the conflict in Iraq while 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.

Kimberly Rivera will likely serve her sentence at Naval Consolidated Brig, Miramar near San Diego, California. She is currently being held in the El Paso County Criminal Justice Center in Colorado Springs, Colorado. An appeal for clemency will be filed by her lawyer, James M. Branum. A final decision will be made on clemency by Fort Carson Commander, Major General Paul J. LaCamera.

Please write immediately in English or your own language:

- Urge the authorities to release Private First Class 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.
- Urge the authorities to, at the very least, grant PFC Kimberly Rivera an early release from confinement on humanitarian grounds due to her pregnancy.

PLEASE SEND APPEALS BEFORE 14 JUNE 2013 TO:

Commanding General 4th ID and Fort Carson

Major General Paul J. LaCamera
Public Affairs Office
1626 Ellis Street
Ste. 200, Bldg 118
Fort Carson, CO 80913, USA
Fax: +1 719 526 1021
Salutation: Dear Major General LaCamera

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 (please keep trying)
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
www.freekimberlyrivera.org
Salutation: Dear Mr Branum

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 fourth update of UA 263/12. Further information:

<http://www.amnesty.org/en/library/info/AMR51/013/2013/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 51/024/2013 Issue Date: 3 May 2013