

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

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USA: James Corey Glass has right not to serve in Iraq

Amnesty International believes James Corey Glass to have a genuine conscientious objection to serving as a combatant in the US forces in Iraq, and would consider him to be a prisoner of conscience if imprisoned on his return to the USA. He is facing deportation from Canada on 12 June.

James Glass joined the army in 2002, enlisting in the National Guard where he was assigned to non-combatant duties in the USA. His unit was later ordered to deploy to Iraq, where he served five months of active service in 2005.

According to his statement, he had concerns about the legality of the war before his deployment to Iraq. While serving there, he developed further serious objections to the war, including what he saw as the abusive treatment of civilians by the US military and failure within the system to address such abuses. He stated that, whilst in Iraq, he reported his concerns to his superiors and asked to be relieved of duty. His request was denied but he was granted a two-week leave. He refused to return to his unit and went absent without leave (AWOL) in February 2006.

Since being in Canada, James Glass has become a member of the "War Resisters Campaign" and has spoken out publicly about his objection to the Iraq war.

US law recognizes the right to conscientious objection only on grounds of opposition to war in any form. James Glass was therefore unable to seek a claim for discharge from the army on grounds of his objection to the Iraq War. Other similar cases where US soldiers have sought to register their conscientious objection and apply for non-combatant status have been turned down.

If returned to the USA he faces a possible court-martial, where he could be imprisoned for between one and five years.

Background Information

Some US military personnel who have refused to deploy to Iraq or Afghanistan due to their conscientious objection to US policy and practice in the "war on terror" have been imprisoned solely for their beliefs. Amnesty International has considered some to be prisoners of conscience who should be released immediately and unconditionally.

Some of these conscientious objectors have been court-martialled and sentenced despite pending applications for conscientious objector status, others were imprisoned after their applications were turned down on the basis that they were objecting to particular wars rather than to war in general.

Amnesty International has declared a number of conscientious objectors in the USA to be prisoners of conscience. They included Camilo Mejia, who was sentenced to one year's

imprisonment for his objections to the war in Iraq, and Abdullah Webster, who refused to participate in the same war due to his religious beliefs. Another, Kevin Benderman, was sentenced to 15 months' imprisonment after he refused to re-deploy to Iraq because of the scenes of devastation he witnessed there. Agustín Aguayo was sentenced to eight months' imprisonment for his refusal to participate in the war in Iraq. All four have since been released.

Amnesty International is of the view that the right to refuse to perform military service for reasons of conscience is inherent in the notion of freedom of thought, conscience and religion as recognised in Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR).

Amnesty International considers a conscientious objector to be any person who, for reasons of conscience or profound conviction, refuses either to perform any form of service in the armed forces or applies for non-combatant status. 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.

Wherever such a person is detained or imprisoned solely for these beliefs, Amnesty International considers that person to be a prisoner of conscience. AI also considers conscientious objectors to be prisoners of conscience if they are imprisoned as a consequence of leaving the armed forces without authorization for reasons of conscience, if because of those reasons; they have taken reasonable steps to secure release from military obligations.

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