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USA: Conviction of war objector would violate international rights

Amnesty International today expressed serious concern that US Army First Lieutenant Ehren Watada could face up to six year's imprisonment solely for his conscientious objection to participating in the Iraq war. Ehren Watada is due to face US court-martial on 9 October for refusing to deploy to Iraq.

"It is unacceptable that Ehren Watada should face punishment for peacefully expressing his objections to the war in Iraq. His internationally recognized right to conscientious objection must be respected," said Susan Lee, Amnesty International's Americas Programme Director today.

Ehren Watada refused to deploy to Iraq in June 2006, based on his belief that the Iraq war is illegal and immoral. Amnesty International believes that his objection to the war is genuine and that, if found guilty, he would be a prisoner of conscience who should be immediately and unconditionally released.

The right to refuse to perform military service for reasons of conscience, thought or religion is protected under international human rights standards, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR), which the US has ratified.

Ehren Watada is charged with missing his unit's deployment in June 2006 and with "conduct unbecoming an officer" for making public comments criticizing President George Bush and the Iraq war. In addition to a possible six-year prison term, he also faces a dishonourable discharge from the Army. His first court-martial in February 2007 was declared a mis-trial after questions arose as to whether Ehren Watada had understood a pre-trial agreement he had signed.

Ehren Watada joined the army in 2003 for a three-year term, which was due to end in December 2006. In January 2006, he submitted a letter to his army command outlining his reasons for refusing to participate in the Iraq war and asking to resign from the army. He did not formally apply for conscientious objector status because US army regulations stipulate that applicants for this status must be opposed to war in any form; they do not provide for conscientious objector status on the basis of an objection to a specific war.

Amnesty International considers a conscientious objector to be any person who, for reasons of conscience or profound conviction, refuses to participate in war or armed conflict. 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.

In a speech given in August 2006, Ehren Watada defended his position, "One who breaks an unjust law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law."

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