

PUBLIC

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UA 197/08 **Prisoner of Conscience**

CANADA **James Corey Glass (m), conscientious objector**

The Canadian authorities intend to deport US serviceman James Corey Glass on 10 July. He fled to Canada to avoid being sent back to Iraq because of his conscientious objection to the war there. If they deport him, he risks being court-martialled and jailed for between one and five years. Amnesty International would consider him a prisoner of conscience.

Corey Glass joined the National Guard in 2002, and was assigned to non-combatant duties. His unit was later ordered to deploy to Iraq, where he completed five months of active service in 2005.

According to a statement outlining his position, he had concerns about the legality of the war before he was deployed to Iraq. While serving there, he developed further serious objections to the war, including what he saw as the abusive treatment of civilians by US forces, and the military system's failure to address these abuses. He said he had reported his concerns to his superiors and asked to be relieved of duty. His request was denied but he was given two weeks' leave. He refused to return to his unit and went absent without leave (AWOL) in February 2006.

In August 2006 he went to Canada, where his application for protection as a refugee was rejected. His subsequent applications to remain in Canada were also denied and he was ordered to leave Canada.

Corey Glass has spoken out publicly about his objection to the Iraq war, and has become a member of a Canadian organisation, the War Resisters Support Campaign, which works to persuade the Canadian government to offer sanctuary to US military personnel who want to come to Canada because of their opposition to the invasion of Iraq.

US law recognizes the right to conscientious objection only on grounds of opposition to war in any form. Corey Glass would not qualify, because his objection is only to the Iraq War. Other US soldiers with similar objections, who have sought to register their conscientious objection and apply for non-combatant status, have been turned down.

Corey Glass would be the first US conscientious objector known to have been deported from Canada.

BACKGROUND INFORMATION

Amnesty International has recognised as prisoners of conscience a number of US soldiers refusing to deploy to Iraq because of their conscientious objection to the war. They include Camilo Mejía, who was sentenced to one year's imprisonment and Kevin Benderman, who was sentenced to 15 months' imprisonment.

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, to which Canada is a state party.

Amnesty International considers a conscientious objector to be any person who, for reasons of conscience or profound conviction, either refuses 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. 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.

Amnesty International opposes the forcible return of any person to any country where he or she would face a substantial risk of becoming a prisoner of conscience.

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

- urging the authorities to cease any removal or deportation proceedings which may have been commenced against James Corey Glass;
- pointing out that US law recognizes the right to conscientious objection only on grounds of opposition to war in any form, and Corey Glass was unable to apply for conscientious objector status because his objection was solely to the Iraq war;
- explaining that, although he went absent without leave, Corey Glass took reasonable steps to secure his release from military obligations, and asked to be relieved of duty, so Amnesty International would consider him a prisoner of conscience if he were jailed on his return to the USA.

APPEALS TO:

The Right Honorable Stephen Harper
Prime Minister of Canada
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Email: Harper.S@parl.gc.ca
pm@pm.gc.ca
Salutation: Dear Prime Minister

The Honourable Diane Finley, P.C., M.P.
Minister of Citizenship and Immigration Canada
House of Commons
Ottawa, Ontario
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Minister@cic.gc.ca
Salutation: Dear Minister

COPIES TO: diplomatic representatives of Canada accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 August 2008.