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UA 263/12, **UPDATE 3**, AI Index: AMR 51/013/2013 of 12 March 2013

The original index numbers are AMR 20/007/2012 (Canada) and AMR 51/081/2012 of 21 September 2012 (USA).

USA: 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 again without delay.

* Urge 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.

Use this contact information:

Commander, Fort Carson:

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Salutation: Dear Major General Anderson

Secretary of Defense:

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Salutation: Dear Secretary of Defense

Please send a copy to

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Thank you.