

URGENT ACTION



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24 August 2009

UA 221/09 Prisoner of conscience/Conscientious objector

USA Travis Bishop (m)

Travis Bishop, a sergeant in the United States army, is serving a one-year prison sentence for refusing to serve with the army in Afghanistan because of his religious beliefs. Amnesty International considers him to be a prisoner of conscience, imprisoned for his conscientious objection to participating in war.

Travis Bishop's sentence was imposed by a court-martial on 14 August, even though the US army was still considering his application for conscientious objector status. In a statement made at the court-martial, Travis Bishop explained that he discovered he could apply for this status only days before his scheduled deployment to Afghanistan. He went absent without leave on the day of his deployment to give himself "time to prepare for my [conscientious objector] application process". He was away from his unit for about a week, during which he drafted his application and sought legal advice. He returned voluntarily, and on his return to the unit he submitted his application.

Travis Bishop has served in the US army since 2004. He was deployed to Iraq from August 2006 to October 2007. According to his lawyer, he had doubts about taking part in military action since then, but it was only in February 2009, when his unit was ordered to deploy to Afghanistan, that he considered refusing to go. In the period before he was due to be deployed, Travis Bishop's religious convictions became stronger, and led him to conclude that he could no longer participate in any war.

At the court martial, Travis Bishop was sentenced to one year's imprisonment for going absent without leave, suspension of two-thirds of his salary and a bad conduct discharge. He is imprisoned in Bell County Jail in Texas. His lawyer has pledged to appeal against the conviction.

BACKGROUND INFORMATION

Amnesty International has recognized as prisoners of conscience a number of US soldiers refusing to deploy to Iraq or Afghanistan because of their conscientious objection. They included Camilo Mejía (see <http://www.amnesty.org/en/library/info/AMR51/092/2004/en>), who was sentenced to one year's imprisonment for his objection to the armed conflict in Iraq in 2004, and Abdullah Webster (see <http://www.amnesty.org/en/library/info/AMR51/137/2004/en>), who refused to participate in the same war due to his religious beliefs and was sentenced the same year to 14 months' imprisonment. Another, Kevin Benderman (see <http://www.amnesty.org/en/library/info/AMR51/123/2005/en>), was sentenced in 2005 to 15 months' imprisonment after he refused to re-deploy to Iraq because of abuses he allegedly witnessed there. Agustin Aguayo (see <http://www.amnesty.org/en/library/info/AMR51/041/2007/en>) was sentenced to eight months' imprisonment for his refusal to participate in the armed conflict in Iraq. All four have since been released.

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 believes the right to refuse to perform military service for reasons of conscience is part of freedom of thought, conscience and religion, as recognized in Article 18 of the Universal Declaration of Human Rights and Article 18 of the International Covenant on Civil and Political Rights, which the USA has ratified.

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 particular 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.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- Stating that Amnesty International considers Travis Bishop to be a prisoner of conscience, imprisoned solely for his conscientious objection to participate in war;
- Explaining that, although Travis Bishop went absent without leave, he did so to complete an application for conscientious objector status and seek legal advice, thereafter returning to his unit to submit the application;
- Urging that Travis Bishop be released immediately and unconditionally.

APPEALS TO:

Commanding Officer of Travis Bishop's Unit

Lieutenant General Rick Lynch
Commanding General
III Corps HQ
1001 761st Tank Battalion Ave.
Bldg. 1001, Room W105
Fort Hood, TX 76544-5005

Salutation: Dear Commanding General

Military Commander

Colonel James H. Jenkins III
Headquarters, 69th Air Defense Artillery Brigade
Building 10053, Battalion Avenue
Fort Hood, TX 76544-5068

Salutation: Dear Commander

COPIES TO:

Travis Bishop's lawyer

James M. Branum
Attorney at Law
3334 W. Main St., PMB #412
Norman, OK 73072

PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 5 October 2009.