

War Resister FAQs

These people are not refugees. Why should they be admitted ahead of deserving refugees?

Allowing US war resisters to stay in Canada would remove them from the refugee process altogether, speeding up the refugee process rather than slowing it down. They would then apply for permanent residency. Canada has made similar provisions before for other groups of people, such as people fleeing from Vietnam, Chile and Hungary.

Why should Canadians care about this? This is an American issue. Let the Americans deal with it.

Canada has a rich history of providing asylum to people fleeing injustice. The Iraq War resisters are people of good conscience who did not want to participate in a war of aggression against a civilian population.

Canada chose not to participate in the invasion of Iraq, a decision that the majority of Canadians supported. The overwhelming majority of Canadians – now more than 80% – oppose the war in Iraq. Even Prime Minister Stephen Harper has admitted that the war in Iraq was “absolutely an error”.

Accepting the war resisters to Canada would be reflection of mainstream Canadian values, the kind of Canada the majority of Canadians wish to see.

This is also an issue of democracy. A 2008 AngusReid poll showed that 64% of Canadians believe US Iraq War resisters should be allowed to stay in Canada. Parliament passed two motions calling on the government to stop deporting Iraq War resisters and allow them to stay in Canada. Both times the Harper government ignored the will of the people as expressed by Parliament.

These former soldiers are subject to arrest in the US for their actions. Why should Canada allow lawbreakers into the country?

Not one war resister has committed any crime under Canadian law. They deserve to apply to stay in Canada without prejudice.

Canada is an independent country with its own foreign policy and its own immigration policy. Canada's immigration policies should not be written to suit the United States. They should reflect Canadian values. Canada took a stand against military intervention in Iraq. That was the correct decision and the majority of Canadians strongly supported it. These former soldiers have this made the same choice.

Everyone knew the invasion of Iraq was based on a lie. Why didn't these soldiers know? They made a bad choice, now they should accept the consequences.

The US media, with very few exceptions, constantly reinforced the US government's statements that Iraq was hiding weapons of mass destruction and was an immediate threat to the safety of Americans. These young men and women wanted to protect their country.

Also, many of these soldiers didn't volunteer for Iraq at all. They were already in the military and were deployed to Iraq against their will. While Canadian military personnel cannot be deployed against their will, there are no mechanisms under US military law by which soldiers can follow their consciences and not be sent to jail.

Many Canadians knew the invasion of Iraq had nothing to do with stopping terrorism or spreading democracy. If the Iraq War resisters have come to this truth a little later, they have done so at a much greater price. They have given up their country, their families, and their friends – all because they refused to terrorize, torture, and kill innocent people. They are simply hoping to make a fresh start in a new country.

With political will, Iraq war resisters can be welcomed to Canada as the Vietnam resisters were.

But the Iraq War is different than Vietnam. Soldiers were conscripted for Vietnam, these people volunteered.

During the Vietnam War, Canada allowed both draft resisters *and* military deserters (at least 50,000) to enter and stay in Canada. Many of the Americans who came to Canada during the Vietnam era were deserters, such as former CBC radio host Andy Barrie. Like Barrie, they volunteered for service, and when they saw what was going on in Vietnam, they followed their consciences and went AWOL – exactly what the current Iraq war resisters are doing now.

These people volunteered for the military and signed a contract. Then they changed their minds. If someone volunteers to do something, don't they have a duty to do it?

Under international law, a soldier not only has the *right* to refuse illegal orders, but a *duty* to do so. Many of the former US soldiers seeking refuge in Canada witnessed horrific abuses against both civilians and prisoners. They realized the Iraq War was an lawful war of aggression. It was their right and duty under international law to refuse to participate.

In addition, some US soldiers served their entire tour of duty and were honourably discharged, then were *involuntarily re-enlisted*, a practice known as “stop-loss”. More than 185,000 troops have been affected by stop-loss since the war began.

If these people are deported, do they face serious punishment in the US?

Yes. Iraq War resisters face court martial, a "bad conduct discharge", and prison time. In the US, a bad conduct discharge is the equivalent of a felony offense. It will restrict their employment opportunities for the rest of their lives. It will make them ineligible for student loans or home mortgages. In some states they will be permanently ineligible to vote. With a criminal record, they will not be allowed to immigrate to another country, including Canada.

Three deported war resisters, Kimberly Rivera, Robin Long, and Clifford Cornell, have already served jail time in the US. Mr. Long has a young son in Canada and cannot return to be part of his life. Mr. Cornell was a respected member of his community on Gabriola Island in British Columbia. Ms. Rivera lived in Canada for five years, had a family with young children, and was active in her community in the Parkdale section of Toronto.

When Kim Rivera was facing removal from Canada, the Harper Government argued that her claim that she faced punishment in the US was “merely speculative”. But when she returned to the US, Ms. Rivera was arrested at the border, taken to an Army base, court martialed, and sentenced to 14 months in prison.

Military personnel who receive bad conduct discharges do not receive veterans' benefits. This means being left to cope with the aftermath of serving in a war with no access to health care. This can take a tremendous toll, both on the soldiers and their families.