

FREE AGUSTÍN AGUAYO



Iraq War Veteran and Conscientious Objector



Imprisoned awaiting March 6 court martial for refusing to return to Iraq

After fighting nearly three years for discharge, now faces seven years in prison!



Spc. Agustín Aguayo in Tikrit, Iraq 2004



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that refuse to fight!*



Agustín Aguayo surrenders at Fort Irwin,
CA 9/26/06 Photo: Jeff Paterson

Agustín Aguayo joined the Army in early 2003 and deployed to Iraq in February 2004 with the Germany-based 1st Infantry Division. In the months prior to that deployment, he came to see himself as a **conscientious objector (CO)**. For him, that meant that he could no longer in good conscience be a part of the armed forces.

Agustín followed Army regulations by applying for a CO discharge and deploying to Iraq anyway in February 2004. He served with his unit in Tikrit, Iraq as his request was processed. Aside from his regular duties as a medic, he stood guard and went on patrols **without loading his weapon**.

His application for discharge as a CO was denied by the Army while he was still in Iraq, but he hoped for justice on appeal. Two years later, his habeas corpus appeal in the federal courts was denied in August 2006.

A week later, **Agustín was ordered to again deploy to Iraq**. He again reiterated to his chain of command that as a CO it was against his beliefs to participate in war in any form. This time he would not deploy.

After **nearly three years of following the procedures** to be recognized as a conscientious objector, Spc. Agustín Aguayo went **AWOL** on September 1, 2006 in order to miss his unit's deployment to Iraq. The next day he turned himself in expecting to face a court-martial for missing movement, and a possible two year prison sentence.

The Army, however, made it clear that he would be going to Iraq, even if they had to place him in chains and drag him on the plane. Out of options, Agustín fled his base in Germany.

On September 26, 2006 he appeared at a **press conference** in Los Angeles, California surrounded by hundreds of supporters and family members. Although the Army had not listened to his beliefs against killing and war, those gathered at the old Mission Los Angeles certainly did.

"Why am I turning myself in? Because it is the right thing to do. It is the responsible thing to do. I'm not a deserter or a coward. I just felt that I needed to be unavailable for this movement because **I have come to believe that it is so wrong**," Agustín explained to friends and the media. Fernando Suarez del Solar, whose Marine son Jesus was killed in Iraq in 2003, stood at his side.

Later that day a caravan of supporters drove Agustín to Fort Irwin, near Barstow, California where he **again surrendered to the Army**.

On October 3, 2006 the Army returned Agustín to Germany. Now this **35-year-old U.S. citizen born in Guadalajara, Mexico** sits in pre-trial confinement in Mannheim Prison, Germany. The Army has added "desertion" to his charges—now with a maximum total of seven years imprisonment. The military court martial is set for March 6.

Helga Aguayo, Agustín's wife of 15-years, said of her husband's last deployment: "It changed him, and not in a good way. I've seen my husband die, little by little. **The greatest lesson he could teach our two daughters is to stand up for what you believe in**, and if you don't, you hurt the people around you. I hope our experience will strengthen others to **speak out against the war**."



Agustín Aguayo addresses LA press conference 9/26/06. Photo: Jeff Paterson

The Aguayo's now owe thousands of dollars in legal expenses, please

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www.aguayodefense.org