

Dear US Soldiers and Families!

It is your duty as a soldier under US and international law to say NO to:

1 - ...the US government deployment of nuclear weapons at German- and US military bases in Germany (and elsewhere in the world)

2 - ...Uranium Weapons in Germany, which are deployed for their use at the US military base Spangdahlem in Germany (and elsewhere in the world)

3 - ...orders, which are illegal under international law, for example: pre-emptive first strike, first strike nuclear strategy, and indiscriminate killing of civilians!

Mark Twain once asked: “Why is physical courage so common and moral courage so rare?”

***It is time for Civil Courage!***

*1. nuclear weapons: opinion of the International Court of Justice from 8<sup>th</sup> of June 1996 that the “use and threat with nuclear weapons are illegal;” US government not following its obligations for nuclear disarmament under the Non-Proliferation Treaty (NPT); Geneva Convention, Protocol I, Art. 51, Sec. 4, Sec. 5a*

*2. uranium weapons: Geneva convention, Protocol I, Art. 35, Sec. 2; Protocol I, Art. 35, Sec. 3*

*3. international law: Geneva Convention, Protocol I, Preamble; Protocol I, Art. 85, Sec. 3; 1925 Geneva Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare; Protocol I, Art. 35, Sec. 3; Protocol I, Art. 51, Sec. 4; Protocol I, Art. 56, Sec. 1*

We as Germans learned from the Nuernberg trials after World War II that each person individually can be prosecuted for war crimes committed during duty and that each individual is responsible for his/her actions and cannot hide behind the excuse, “just following orders.”

Also German military personnel refused to commit war crimes during the war against Iraq in 2003. On the 21. June 2005 the German Court “2. Wehrdienstsenat des Bundesgerichtshof” acquitted Major Florian Pfaff of the charge of unlawful refusal to obey orders. The software specialist Major Pfaff refused to be party to the further development of a military computer program during the Iraq war. He justified his behaviour with having been in conflict of conscience in having to obey orders used to support illegal war activities in Iraq.

**Conclusion: Soldiers (also regular soldiers) are allowed as “citizens in uniform” to disobey orders for conscience reasons. Doubts on the legitimacy of orders in terms of the constitution and international law demand decisions of conscience.**

In parallel to this court decision another judgement took place on the 29. March 2005 and the 28. September 2005 acquitting citizens, who had handed out flyers in 2004 to soldiers at the Büchel German military base, where US nuclear weapons are deployed under the so-called NATO nuclear sharing. The flyer demanded that soldiers should refuse to obey orders requiring their nuclear participation, since this is illegal under German and international law.

**Conclusion: Citizens have a right to demand that soldiers follow their conscience and refuse to obey illegal orders.**

The German Peace Movement will support each soldier in his/her act of conscience....

Where can soldiers find support?

**Military Counseling Network (MCN)**

Hauptstr. 1, D-69245 Bammental, ph 06223-47506, fax 06223-47791, mail: [mcn@dmfk.de](mailto:mcn@dmfk.de)

**V.i.S.d.P.:**

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