

The Right Honourable Justin Trudeau
Prime Minister of Canada
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By fax: 613-941-6900

February 1, 2017

Dear Prime Minister,

We are writing this Open Letter on behalf of the 400,000 Canadians who are supporters of Amnesty International across the country, as you prepare for your anticipated upcoming meeting with US President Donald Trump, to urge that you advance a strong human rights agenda during your discussions. In particular we look to you to press President Trump with respect to serious human rights concerns in six crucial areas: refugee protection, women's human rights, national security and the ban on torture, the rights of Indigenous peoples, human rights defenders and peaceful protest, and the North American business and trading relationship.

Prime Minister, we recognize and appreciate that you will have many pressing matters central to the Canada/US relationship in mind as you prepare for this meeting and that you face considerable pressure to develop a cooperative relationship with President Trump and maintain the close ties that have long existed between our two countries.

As a fundamental consideration, however, it is vital that you make it clear in your meetings that Canada expects and requires full regard for international human rights to be at the heart of the relationship between our two countries and looks to President Trump to ensure that his domestic and foreign policy positions and initiatives conform to universally recognized human rights norms. Now is not the time to equivocate or appease; now is the time to be clear and uncompromising about the essential value of upholding all human rights. That is the leadership that Canadians and so many other worried citizens of our shared global community are looking for at this time.

Refugee Protection

There has been widespread distress and outrage, across the United States, Canada and around the world, in the wake of Executive Orders signed by President Trump last week which have had deeply troubling repercussions for the protection of the rights of refugees, most immediately and particularly Muslim refugees. Concerns include indefinite suspension of resettlement of Syrian refugees, suspension of all refugee resettlement for four months, a ban on entry into the United States for three months by nationals of Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen, plans to move ahead rapidly with construction of a wall along the Mexico/US border, and an intention to significantly increase immigration detention capacity. These developments contravene and undermine numerous international legal norms with respect to refugee protection and human rights.

We know that you will share with President Trump the fact that your government has pursued a generous and very successful Syrian refugee resettlement program and that Canada recognizes that welcoming refugees to the country is both the right humanitarian response and of tremendous benefit to Canadian society and our economy. We look to you as well to highlight the importance of the United States demonstrating strong regard for international law in its approach to refugee protection so as to ensure the safety of refugee claimants and refugees who look to the United States for safety and as a vital dimension in shoring up worldwide respect for refugee rights in the midst of an unprecedented global refugee crisis.

Specifically we call on you to press President Trump to withdraw the suspension of refugee resettlement to the United States, lift the ban on entry for nationals of the seven countries, and refrain from any further measures with respect to refugee and immigration policy that do not meet international standards, including non-discrimination on the grounds of religion or nationality. We hope that you will indicate to him that if those changes do not occur, Canada will have no choice but to suspend and ultimately withdraw from the Canada/US 'safe third country' refugee agreement.

Women's Human Rights

As a Prime Minister who has proudly embraced feminism and promoted women's rights, including the full range of sexual and reproductive rights, it is timely and very important that you ask President Trump to withdraw the so-called Global Gag Rule, which he reinstated and expanded through an Executive Order signed on January 23rd. This policy prohibits any organization receiving health assistance funding from the US government from using non-US government funding to provide abortion services, information, counseling, or referrals, and from engaging in advocacy for access to safe abortion services. The policy dangerously violates the sexual and reproductive rights, health and lives of women and girls worldwide, and violates international development agreements signed by the US.

Deep concern regarding respect for women's human rights under a Donald Trump presidency inspired the unprecedented Women's Marches in Washington, across the US and around the world, including hundreds of thousands who took part in demonstrations in communities across Canada. Reacting to President Trump's Global Gag Rule, and indicating an intention on the part of Canada to support a Dutch government-led initiative to help ease the financial impact of any resulting US funding cuts, your Minister of International Development Marie-Claude Bibeau stated that, "restricting access to abortion does not reduce abortion. It only increases the number of unsafe abortions and it endangers the lives of women." We urge you to highlight that very serious human rights concern in your discussions with President Trump.

National Security and Torture

You will of course be very familiar with the fact that both before and since the election President Trump has frequently and unequivocally expressed strong support for the use of torture. He has indicated that he believes torture is an effective tactic in protecting national security. It remains unclear as to whether he will take official steps to authorize its use by US law enforcement, security or military personnel. He has noted that members of his Cabinet do not share his views on torture.

It is, therefore, a critical time for you to convey a strong message to President Trump making it clear that Canada is absolutely opposed to the use of torture in all circumstances and looks to other nations to similarly live up to the unconditional prohibition of torture that is enshrined in numerous international treaties. We urge you to note that when the US equivocates with respect to the use of torture it dramatically undermines international efforts to reduce and eliminate the use of torture worldwide.

Prime Minister, it would be particularly important for you to highlight that the use of torture by US agencies would pose a serious obstacle to the important security and intelligence relationships between our two countries and that the grave consequences of disregard for torture in that relationship, which were exposed through the public inquiry into the case of Maher Arar, cannot in any way risk being repeated.

The Rights of Indigenous Peoples

Amnesty International has closely followed the concerns of the Standing Rock Sioux Tribe and associated widespread protests with respect to the Dakota Access Pipeline and stressed the importance of local, state and national authorities fully respecting the rights of Indigenous Peoples. Our concerns have been so serious that we have deployed monitoring teams to the area on four occasions. We have repeatedly urged that any decisions with respect to advancing the construction of the pipeline and the route it will follow must be based on the free, prior and informed consent of the Standing Rock Sioux Tribe. We welcomed former President Obama's decision to halt construction and expressed deep concern when President Trump issued an Executive Order on January 24th, directing the pipeline to advance. We have highlighted that the Army Corps of Engineers acted appropriately by initiating an Environmental Impact Statement review, but are deeply concerned as we finalize this letter by reports that the government will disregard this review and approve the pipeline over serious objections by Indigenous Peoples.

Noting that both of our countries have far to go in ensuring that the rights of Indigenous peoples are consistently protected and upheld, we urge you to point out that state and Indigenous interests can be reconciled, and the benefit of listening when Indigenous Peoples say no after their free, prior and informed consent is sought. On that basis we urge you to call on President Trump to allow this review to run its course without interference.

Human Rights Defenders and the Right to Peaceful Protest and Dissent

Calls for greater freedom and stronger human rights protection in many countries around the world, including the United States, are increasingly being met with attacks against human rights defenders and civil society. As human rights defenders speak out and peacefully protest, they are being met with excessive or unnecessary – and often highly militarized – force. Prime Minister, we ask you to urge President Trump to respect the right of human rights defenders in the United States to peaceful protest and dissent, and use his influence to protect human rights defenders in other countries.

Trade, Business and Human Rights

Finally, Prime Minister, we realize that one of the priority issues you will be discussing is the trading relationship between Canada and the United States, particularly given President Trump's frequent indications that he intends to renegotiate, significantly revise or even rescind the North American Free Trade Agreement. We urge you to ensure human rights protections and corporate accountability mechanisms are central to any discussions about the future of NAFTA or other bilateral trade policy matters between Canada and the United States. That would include ensuring that any revised trade agreement is subject to a credible, independent human rights impact assessment, as recommended by UN experts, before and after implementation.

The UN Guiding Principles on Business and Human Rights provide a clear roadmap for respect for human rights by corporate actors; investors and citizens of both Canada and the United States expect their governments to stand behind the Guiding Principles. We urge you to express Canada's strong support for the Guiding Principles in your meeting and urge that President Trump commit to them as well.

Conclusion

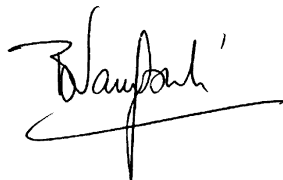
Prime Minister, Amnesty International is deeply concerned that President Trump has publicly stated on many occasions that that he intends to pursue policies, enact laws and adopt positions that, in our view, stand to both undermine respect for and directly violate international human rights standards that the United States itself has, in years past, played an important role in developing and defending. Your discussions offer a valuable opportunity to underscore that any such developments would be of great detriment to human rights protection not only in the United States, but globally as well. The relationship between Canada and the United States will be strongest when it is grounded in mutual regard for and commitment to international human rights.

We would welcome an opportunity to meet with you or your officials to discuss these concerns and recommendations in advance of your anticipated meeting with President Trump.

Sincerely,



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