



The Right Honourable Stephen Harper
Prime Minister of Canada
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By fax: 613-941-6900

November 10, 2009

Dear Prime Minister,

We are writing this open letter to you in advance of your upcoming travel to Singapore, to attend the APEC Summit, and then on to India. Amnesty International has longstanding concerns about human rights violations in both Singapore and India. We call on you, therefore, to use the occasion of these visits to raise serious human rights issues with officials in both countries.

We recognize that trade, investment and economic matters are likely to dominate the agenda at the APEC Summit and be a priority as well during your visit to India. We urge you, however, to ensure that human rights are also central to all of your discussions and are not relegated to the back seat.

Below, we lay out some of our principal areas of concern and key recommendations for reform with respect to the human rights situation in both Singapore and India. We urge you to raise these issues in all relevant meetings with officials in the two countries.

SINGAPORE

Singapore has two realities: its appearance as a progressive country with regular elections and economic success; and its record of human rights violations designed to maintain the political status quo of the People's Action Party (PAP) during its virtual one-party rule over the past half-century. Lee Kuan Yew, now Minister Mentor, has led Singapore in a number of government positions since independence in 1959. Amnesty International's main concerns are: the misuse of the law to punish critics, who face ruinous defamation and other suits; and the shockingly high per capita rate of executions -- possibly highest in the world -- often after unfair trials.

Restrictive laws and civil defamation suits brought for political motives against opponents of the PAP are ruinous to the victims and have a 'chilling' effect on potential critics and the population at large. While government leaders claim they have a right to defend their reputations, there are serious concerns that the real motive is to silence selected opposition figures and remove them from public life.

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The result is a climate of political intimidation and self-censorship that deters the expression of views alternative to those of the ruling party and dissuades many Singaporeans from exercising their right to take part in public affairs.

The recently enacted Public Order Act (POA), which restricts cause-related public assemblies, is seen as designed to target Dr Chee Soon Juan, Secretary-General of the small opposition Singapore Democratic Party, prior to the APEC meeting. Under the POA, even a sole demonstrator needs a permit. Dr Chee points out, however, that the authorities state that no permits will be issued for outside "political" assemblies. He has been fired from his university position, made bankrupt, imprisoned some seven times and banned from contesting a parliamentary seat or leaving the country without permission. Dr Chee is a recipient of the Defender of Democracy Award by Parliamentarians for Global Action, a leading member of a number of international human rights bodies and author of several books related to his belief in non-violent change. With respect to his continuing legal harassment, he is currently represented by a Canadian lawyer. Also significant to Canada is the case of former President C V Devan Nair, who became a government critic, went into exile and settled in Hamilton, Ontario, where he expressed his criticisms in an interview article in the Globe and Mail. The outcome was a defamation suit filed by Lee Kuan Yew against both newspaper and former President.

Amnesty International believes that Singapore has one of the highest per capita rates of execution in the world, often after trials that fail to meet international standards for fairness. Over 400 people have been executed since 1991 in a country with a population of close to 5 million (approximately the size of Toronto). Most death sentences result from convictions for drug trafficking under the Misuse of Drugs Act, which places the burden of proof on the accused and provides a mandatory death sentence, thus removing a court's discretionary powers.

Prime Minister, Amnesty International calls on you to raise these concerns in discussions with Singaporean officials. Specifically we urge you to press the Singaporean government to:

- ensure that the filing and judicial examination of civil defamation suits fully recognizes and upholds the right to freedom of expression and will not be used for political purposes;
- cease any further action that violates the right to freedom of expression of Dr Chee Soon Juan and colleagues; and
- publicly declare a moratorium on executions in the country, in keeping with resolutions adopted by the UN General Assembly in 2007 and 2008.

We further urge that you seek out opportunities to meet with Dr Chee Soon Juan and other representatives of Singaporean civil society while you are in the country.

INDIA

As in Singapore, we urge that you recognize that while there has been considerable economic progress and development in India in recent years, the country continues to face many very serious human rights challenges. Some of those concerns arise against a backdrop of ongoing insecurity, violence and

terrorist attacks. For instance, in addition to the 170 individuals killed in the November, 2008 Mumbai attacks, more than 400 people were killed in bomb attacks in 2008, in the cities of Jaipur, Ahmedabad, Bangalore, Malegaon, Delhi and Imphal and in the states of Tripura and Assam.

Additionally, police are generally either inactive or respond with excessive force in the face of widespread sectarian violence against religious and linguistic minorities and ethnic clashes that continues to claim countless lives in the country. For instance, the situation in the state of Jammu and Kashmir remains tense. In 2008, for example, security forces shot and killed at least 40 people in the state who were said to have defied curfew restrictions. As well, low-level conflict continues between Maoists and the government and militia widely believed to be supported by the government. Both sides commit abuses, including targeting civilians. In response to all of these various situations the government arbitrarily detained and tortured suspects. And whether it is with respect to any of these recent serious human rights abuses, or grave abuses in the past including in Jammu and Kashmir, Gujarat, Assam and Punjab, there has been a failure to ensure accountability and bring individuals responsible for abuses to justice.

Concerns are by no means limited to these situations of strife and conflict. The government's response to widespread violence against women continues to be entirely inadequate. Adivasis (indigenous communities) and small farmers continue to protest their exclusion from government decision-making on new development projects which could threaten their livelihoods and result in forced evictions. And while India continues to experience economic growth, a quarter of the population, approximately 300 million people, 70 per cent of whom live in rural areas, remain in poverty. Indian authorities have not managed to ensure the rights of already marginalized communities, such as landless farmers and adivasi communities, who oppose exploitation of their land and other resources for industrial projects.

Amnesty International would like to draw your attention to the fact that you will be travelling to India just before the twenty-fifth anniversary of the catastrophic leak, on 2 December 1984, of thousands of tons of deadly chemicals from Union Carbide's pesticide plant in Bhopal, central India. Around half a million people were exposed. Between 7,000 and 10,000 people died in the immediate aftermath and a further 15,000 over the next 20 years. 25 years later the factory site has not been cleaned up. More than 100,000 people continue to suffer from health problems. Many of those affected are still waiting for adequate compensation and the full facts of the leak and its impact have never been properly investigated. No-one has ever been held to account for what happened at Bhopal and efforts by survivors' organizations to use the Indian and US court systems to see justice done and gain adequate redress have so far been unsuccessful.

In addition to ongoing, serious domestic human rights concerns, India is of course an important regional power with the potential to exert considerable influence and promote positive human rights changes in neighbouring countries. In particular, India should take a leading role in calling for an end to the displacement crisis in the wake of the internal armed conflict in Sri Lanka, and in demanding an end to the longstanding and systematic human rights violations in Myanmar.

Prime Minister, Amnesty International calls on you to raise these concerns in discussions with Indian officials. Specifically we urge you to press the Indian government to:

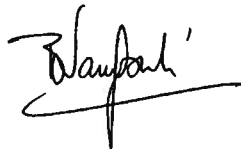
- ensure that its security forces comply fully with international human rights standards in all operations, including in the face of terrorist threats and attacks and in response to situations of sectarian, ethnic and religious conflict;
- launch initiatives to ensure accountability for serious human rights violations in the country, including in Jammu and Kashmir, Gujarat, Punjab and Assam;
- finally ensure justice for the people of Bhopal, including by providing adequate medical, social and economic rehabilitation to survivors and their children, cleaning up the factory site, ensuring that those responsible for the leak face justice, and releasing all information about the toxicity of the gas leaked and its impact on the environment;
- take a lead role in promoting human rights improvements in the region, including by calling for an end to the grave violations of the rights of the many thousands of individuals who remain interned in Sri Lanka's displacement camps and by demanding an end to longstanding and systematic human rights violations in Myanmar.

We look forward to hearing of the efforts you make to raise these human rights concerns and recommendations during your visits to Singapore and India.

Sincerely,



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