

February 27, 2015

Honorable Eliana Marengo
Court of Québec
Montréal
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Judge Eliana Marengo -

My name is Jeffrey Imm. I am with the volunteer human rights group Responsible for Equality And Liberty (R.E.A.L.). I am an American citizen, but our activist efforts for human rights have supported the human rights, dignity, and security for our fellow human beings in Canada before, and we are doing so again in this case.

I am writing you regarding the human rights of Rania El-Alloul, and your ejection of her from the Montreal courtroom until she removes her hijab. This was not a case of someone covering their face or hiding their identity. This was simply a matter of someone with a head-covering, which was part of their religious beliefs.

I am certain you have heard at this point from Canadian Prime Minister Harper's office on your decision to prevent this Muslim woman from testifying in a Canadian court of law.

I will address this issue to you based on the Montreal court's responsibility to respect international law, human rights, religious freedom, and standards of legal justice, based on United Nations' agreements and treaties signed by Canada. Based on such international standing, Responsible for Equality And Liberty requests your court to allow Rania El-Alloul to proceed with the court proceedings, while respecting her religious freedom and associated dress.

A. Montreal Court's Responsibility to Respect International Law, Treaties, and Human Rights Agreed to by Canada

The Montreal court certainly has its rules and regulations, as do all courts. But the courts of law of our world must begin with a shared understanding and commitment to our universal human rights.

Your nation, Canada, is a signatory to the Universal Declaration of Human Rights (UDHR) accepted by the United Nations and your country on December 10, 1948. This includes Canada's May 19, 1976 accession to the International Covenant on Civil and Political Rights (ICCPR), G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171.

Our standing on this matter is as fellow global citizens within the community of nations who are also accountable to our nations' agreements on the UDHR and the ICCPR.

If the Montreal court rules are used to reject these international treaties and standards of human rights, then the United Nations and countries of the world need to seek accountability for change in Montreal through the Canadian government. I urge you to reconsider your position on the case of Rania El-Alloul, as a responsible Canadian and citizen of the world, who respects and defends law and order.

Based on Canada's commitment to the UDHR and the ICCPR, it is the responsibility of Canadian courts of law to recognize and respect the international human rights standards and treaties that your nation has agreed to.

The UDHR and ICCPR are not for some nations, some people, some religions, and some instances. As stated in Article 28 of the UDHR, which Canada is a signatory to, you have a responsibility to recognize the rights of the UDHR in your nation. Canada's commitment to UDHR includes UDHR Article 28, which states: "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized."

Canada's international treaty commitment in the ICCPR Article 3 includes that: "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant."

B. Montreal Court's Responsibility to Respect Religious Freedom Defined in International Law, Treaties, and Human Rights Agreed to by Canada

Canada's commitment to the UDHR also respects the religious freedoms of all people, per Article 18. UDHR Article 18 states: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

Canada's commitment to the ICCPR Article 18 echoes this message: "1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching." and "2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice."

These articles of the UDHR and ICCPR apply to all nations, all cities, and to all courts, including the Montreal courtroom. Rania El-Alloul's religious freedoms should not be abrogated because she seeks law and order in a Montreal courtroom. This is a rejection of Canada's commitment to the UDHR, a rejection of law and order under the ICCPR treaty, and a rejection of the standards of legal fairness which must be the basis for such courts of law.

C. Montreal Court's Responsibility to Respect International Standard of Law and Court Proceedings Agreed to by Canada

Canada's commitment to the UDHR also respects the standards of fair equitable hearings and court proceedings for all people, per Article 10. UDHR Article 10 states: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

Canada's commitment to the ICCPR includes ICCPR Article 14, which states: "1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law." ICCPR Article 14 also states numerous other guarantees, which are required to ensure fairness and impartiality in any criminal trials.

In addition, Canada's commitment to the ICCPR includes ICCPR Article 26, which states that "All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Furthermore, Canada's commitment to the ICCPR includes ICCPR Article 27, which states that "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."

Your honor, these are not my subjective views or my opinions, which I am sure you have heard plenty of. These are the written standards and treaties, which the Government of Canada has agreed to in its role within the community of nations of the world.

The full text of the UDHR is available at:
<http://www.un.org/en/documents/udhr/index.shtml>

The full text of the ICCPR is available at:
<http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

The commitment of the Government of Canada to such international treaties and laws is described by the Government of Canada's Department of Justice at:
<http://www.justice.gc.ca/eng/abt-apd/icg-gci/ihrl-didp/tcp.html>

The signatory dates of Canada's accession to the formal ICCPR treaty on such international treaties and law is available at:
<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=IV~4&chapter=4&lang=en>

D. Conclusion

Honorable Eliana Marengo, I send this letter to you with my respect for your authority. We must have rules to have order in our society. That is precisely the point that I making here in my letter to you. We must have rules. If we ever hope to any semblance of justice in Canada or anywhere else in the world, we must have consistency in those rules that is in accordance with the international law and treaties accepted by our nations, in this case the ones signed by the Canadian government, under which Montreal and its courts gets their authority.

Rules are rules, your Honor, and the law is the law. This is not just for the rest of the world, but also for Canada, and also for Montreal. That law is defined and constrained not only by regional and parochial regulations, but also by the international commitment which our countries have made as a civilized and unified community of nations. Those international rules are rules, your honor, and those international treaties and laws are law.

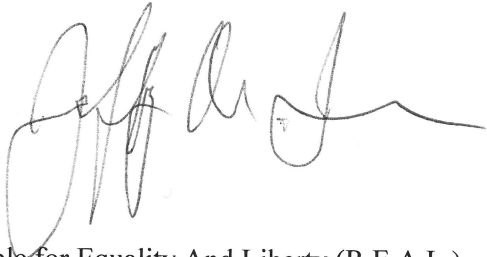
A position for consistency cannot merely argue that we are consistent with the standards we consider important; they must also be consistent with the standards which our nations and our collective community of nations agree to and accept for the people of the world.

I send you this letter with respect for your position and your authority, as well as your sense of honor in respecting the law, not just Montreal law, not just Canadian law, but all of the law our nations have agreed to. **Rules are rules. The law is the law.**

I am available to speak further with you on this. I am sure there are plenty of individuals well qualified to speak with you on this, but in support of our universal human rights, an "injustice anywhere is a threat to justice everywhere." As previously mentioned, our standing on this matter is as fellow global citizens within the community of nations who are also accountable to our nations' agreements on the UDHR and the ICCPR. We share your responsibility for upholding the law and rules that our nations have agreed to. We are all responsible for equality and liberty.

I look forward to your commitment to consistency on our shared law and our shared rules, and your court allowing Rania El-Alloul to proceed with the court proceedings.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Imm', written in a cursive style.

Jeffrey Imm
Founder, Responsible for Equality And Liberty (R.E.A.L.)
United States of America