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CONSENT CALENDAR

February 12, 2008

To: Honorable Mayor and Members of the City Council

From: Councilmembers Kriss Worthington and Max Anderson

Subject: Letter To Canadian Officials Requesting Sanctuary For U.S. War Resisters

RECOMMENDATION:

Send a letter to Canadian Prime Minister Stephen Harper, Minister of Citizenship and Immigration Diana Finley and Liberal Party leader Stephane Dion requesting that the government of Canada establish provisions to provide sanctuary for U.S. military service members who are living in Canada to resist fighting in the Iraq War.

BACKGROUND:

Throughout the Vietnam War era, Canada provided a place of refuge for United States citizens seeking to resist the war. Because of Canada's rich tradition of being a refuge from militarism, approximately 200 U.S. military service people have moved to Canada to resist fighting in the Iraq War.

However, it has become more difficult to immigrate to Canada and these war resisters are seeking refugee status in accord with United Nations guidelines. Unfortunately, their requests for refugee status have been rejected by the Canadian Refugee Board. Several resisters have appealed the Refugee Board decisions to the Supreme Court of Canada. While a court decision is pending these resisters are vulnerable to deportation back to the United States where they may face years of incarceration or even worst penalties.

There is strong support among the Canadian people for the war resisters and the Canadian House of Commons is currently considering legislation to provide sanctuary to war resisters. A number of anti war organizations have been urging the Canadian government to adopt the proposed legislation and take additional steps to provide refuge to war resisters.

Berkeley has a proud tradition of promoting peaceful means of intervention in international issues and has strongly opposed the war in Iraq. Recently, the City Council adopted a resolution making Berkeley a City of Sanctuary for Conscientious Objectors. The City should continue in its efforts of providing refuge to conscientious objectors and urge the Canadian government to establish provisions to provide sanctuary to U.S. war resisters.

FINANCIAL IMPLICATIONS:

NONE

CONTACT PERSON:

Councilmember Kriss Worthington, 981-7170.

Councilmember Max Anderson, 981-7130.

Attachments:

1. Proposed letter

February 13, 2008

The Right Honorable Stephen Harper
Prime Minister of Canada
80 Wellington Street
Ottawa, Ontario K1A 0A2
Canada

Dear Prime Minister Harper,

The Berkeley City Council strongly urges you to approve measures to provide sanctuary for United States military service members who are living in Canada to resist fighting in the Iraq War.

During the Vietnam War era, more than 50,000 Americans moved to Canada in order to avoid fighting in what they considered to be an immoral war. Today Canada again faces the moral choice of whether to give refuge to resisters of an unjust war.

There are approximately 200 war resisters right now in Canada. However, unlike the situation forty years ago, it is much more difficult to immigrate to Canada. So many of these war resisters are seeking refugee status in accord with the United Nations guidelines which read "Soldiers who refuse to fight in wars that are widely condemned by the international community as contrary to standards of human conduct should be considered as refugees."

Unfortunately, the Canadian Refugee Board has refused to hear arguments that the war in Iraq is illegal and has not supported war resisters requests for sanctuary. The first two U.S. objectors who applied, Jeremy Hinzman and Brandon Hughey have appealed the Refugee Board's decision to the Supreme Court of Canada.

Another war resister, Robin Long nearly became the first war resister to be deported but luckily Canadian officials have put his deportation on hold. Nevertheless, despite the fact that their cases are pending before the Supreme Court, it is still possible for these resisters to be deported.

Regardless of the decisions of the Refugee Board or the courts, the Canadian government should not be a party to the persecution to war resisters. These resisters are risking their lives to stand up to an unjust war. If forced back to the United States these soldiers face years of incarceration or even worst penalties.

Nearly two out of three Canadians are in favor of the US war resisters being allowed to stay in a recent poll and many have opened their homes and hearts to the resisters. Please continue in Canada's rich and just tradition of being a refuge from militarism.

The City of Berkeley has a long history of advocating for peaceful means of resolving international conflicts. The City is on record as strongly opposing the Iraq War and in response to the growing number of war resisters, last year the City Council adopted a resolution making Berkeley a City of Sanctuary for Conscientious Objectors.

We understand that legislation is currently being considered in the House of Commons to provide sanctuary for Iraqi War resisters. We ask that your government take immediate action to prevent any deportations of war resisters and adopt measures to provide sanctuary to these soldiers of conscience.

Thank you for your consideration.

