

Reference: B1810

Donald Tusk
President of the European Council

12 May 2017

Dear President Tusk,

EU MUST TAKE A STAND FOR HUMAN RIGHTS IN RELATIONS WITH THE USA

Ahead of the visit of the President of the United States (USA) Donald Trump on May 24, we urge you to maintain a strong and principled stance in response to recent developments in the USA, and use the opportunity of your forthcoming meeting to raise several urgent and also long-standing human rights concerns.

- In response to President Trump's suspension of the US Refugee Admissions Program and attempts to block US resettlement of refugees, we call on you to raise with his administration the urgent need for global responsibility-sharing and to give full political backing for immediate and concrete actions for both the USA and the European Union (EU) to **support resettlement and other legal routes for refugees and asylum seekers** to reach their territories.
- Given President Trump's worrying endorsement of **the crime of torture** as a useful tool, actively discourage the USA from resurrecting any practices associated with the detention and interrogation programmes operated by the Central Intelligence Agency (CIA) and reject any facilitation of them (e.g. use of air space, landing/refuelling authorisation, intelligence sharing). The EU must continue its call for accountability for both USA and European involvement in these former programmes, as called for in several European Parliament resolutions.
- Insist on the need to close the **detention camp at Guantánamo Bay** and maintain a clear stance not to support any counter-terrorism related operations that include European facilitation of transfers to Guantánamo Bay or to the hands of a third country for detention and interrogation. Urge release of all individuals whom the Trump administration does not intend to charge and fairly try.
- Address the **ongoing use of lethal force globally by the USA**, including through airstrikes, raids, coalition military operations, and drone strikes. Express concern at reports of rising civilian casualties in Afghanistan, Iraq and Syria and urge public reporting of policy standards for lethal force, the applicable legal framework, and information about all casualties, including names and identities of victims. Assert the limitations of international law on the use of force, and urge accountability for unlawful killings.
- On **“foreign terrorist fighters”**, acknowledge that currently this term includes definitions of terrorism or terrorism-related activity that are extremely vague and overly broad, undermining the principle of legal certainty. The EU and the USA should ensure that human rights are at the centre of all efforts to prevent, counter and combat terrorism and violent extremism.
- Use this opportunity to emphasise the **vital importance of USA engagement with international and regional human**

rights mechanisms, including the Inter American Commission on Human Rights, and continued USA support for United Nations initiatives to further humanitarian assistance and human rights worldwide.

As you know, Amnesty International has long called for the EU to maintain a unified, strategic and systematic approach to its engagement with strategic partners on human rights concerns. Today, US policies and practices on human rights are of urgent concern at home and abroad. You and your colleagues are now challenged to **demonstrate EU leadership by explicitly placing human rights at the centre of your exchanges with the US government**. The legitimacy and credibility of the EU as a human rights actor on the global stage has long been, and will continue to be, tested in its relations with key partners such as the USA.

This visit offers you and your colleagues the crucial opportunity to take on this challenge now and in the coming time—to stand for human rights in EU-USA relations and to positively frame future EU action on human rights worldwide.

Yours sincerely,



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Director
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