



STATE OF ARIZONA

August 27, 2010

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

The Honorable Hillary Rodham Clinton
Secretary of State
United States Department of State
2201 C Street NW
Washington, DC 20520

Re: Protest of State Department Report to United Nations Human Rights Council

Dear Madame Secretary:

The purpose of this letter is express my concern and indignation to you about the "Universal Periodic Review" report ("Report") submitted on August 20, 2010, by the United States Department of State to the United Nations High Commissioner for Human Rights. The State Department describes the Report as a "partial snapshot of the current human rights situation in the United States, including some of the areas where problems persist in our society." In particular, I am protesting the inclusion of Paragraph 95¹ of the Report that highlights Arizona's recently enacted immigration laws and asking that you amend the Report to remove it.

Simply put, it is downright offensive that the U.S. State Department included the State of Arizona and S.B. 1070 in a report to the United Nations Council on Human Rights², whose members include such renowned human rights "champions" as Cuba and Libya. Apparently, the federal government is trying to make an international human rights case out of S.B. 1070 on the heels of already filing a federal court case against the State of Arizona. The idea of our own American government submitting the duly enacted laws of a State of the United States to "review" by the United Nations is internationalism run amok and unconstitutional. Human rights as guaranteed by the United States and Arizona Constitutions are expressly protected in S.B. 1070 and defended vigorously by

¹ "95. A recent Arizona law, S.B. 1070, has generated significant attention and debate at home and around the world. The issue is being addressed in a court action that argues that the federal government has the authority to set and enforce immigration law. That action is ongoing; parts of the law are currently enjoined."

² UN Watch, a United Nations-accredited international non-governmental organization dedicated to promoting human rights, has described the Council's activities as follows: "The Council's first few years have gone from bad to worse, showing even more selectivity and politicization than that which marred the Commission. The Council on Human Rights has condemned Israel in 80% of its country censures, in 20 of 25 resolutions. The other 5 texts criticized North Korea once, and Myanmar four times. The Council has ignored the UN's other 189 countries, including the world's worst abusers. While Darfur was addressed several times, these resolutions were non-condemnatory, often praising Sudan for 'cooperation.'" http://www.unwatch.org/site/c.bdKKISNqEmG/b.1518297/k.7483/Human_Rights_Council.htm

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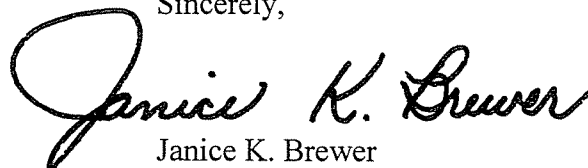
my Administration. In fact, the Department of Justice has correctly not included these so-called "human rights" issues in the current litigation against the State of Arizona.

Furthermore, it is hypocritical for the State Department to include S.B. 1070 in the Report, while taking credit for the "sophistication and breadth of [the United States'] anti-trafficking efforts" in Paragraph 99 of the Report. The federal government's failure to secure the entire border has resulted in life-and-death consequences. The flow of illegal immigrant trafficking to a large degree across the harsh Arizona desert is a result of the federal policy to secure the border in San Diego and El Paso and leave the Tucson (Arizona) Sector less secured. For example, this federal policy has resulted in the deaths of untold numbers of illegal immigrants—170 bodies found in the desert so far this year according to the Pima County (Arizona) Medical Examiner. And this does not include the kidnappings and other acts of violence many times associated with illegal immigrant trafficking. Moreover, the Obama Administration has stated that its official policy is to not enforce major portions of our federal immigration laws, which encourages only more illegal immigration. If the federal government secured the entire border and enforced our immigration laws, these human rights problems would not be occurring for citizens, legal residents and illegal immigrants.

I understand that the next step is for the Report to be reviewed by some members of the United Nations Human Rights Council later this year. I again respectfully request that you amend the Report to remove Paragraph 95 relating to the State of Arizona and S.B. 1070. If you choose not to do so, the State of Arizona will monitor the proceedings and assert any rights it has in this process. Be assured that the State of Arizona will fight any attempt by the U.S. Department of State and the United Nations to interfere with the duly enacted laws of the State of Arizona in accordance with the U.S. Constitution.

In closing, I encourage the State Department to compare the immigration laws and records of any United Nations Human Rights Council member commenting on S.B. 1070 in this process to those of the United States and then publish that comparison. I am confident that the generous immigration tradition of the United States and Arizona will win in any such comparison.

Sincerely,

A handwritten signature in black ink that reads "Janice K. Brewer". The signature is written in a cursive, flowing style.

Janice K. Brewer
Governor

cc: Members of the Arizona Congressional Delegation
The Honorable Robert "Bob" Burns, President of the Arizona Senate
The Honorable Kirk Adams, Speaker of the Arizona House of Representatives