



5 May 2021

Hon. Senator Marise Payne  
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Dear Minister Payne

**RE: VISIT TO UNITED KINGDOM, SWITZERLAND AND THE UNITED STATES**

Your upcoming visits to the United Kingdom for the G7 Foreign Affairs and Development Ministers' Meeting in London, Geneva and Washington are great opportunities for you to address ongoing human rights concerns, and work with Australia's partners to overcome and recover from the COVID-19 pandemic.

I am writing to you to suggest that you raise the following concerns during your upcoming bilateral and multilateral meetings:

**India**

As per our letter dated 28 April 2021, Amnesty International is deeply concerned about the human rights situation in India due to the ongoing spread of the COVID-19 pandemic. Overcoming the crisis in India is critical for the health and security for our region. During G7 and other meeting opportunities, I recommend that you:

- Commit to further assistance to India of aid and equipment as part of a package of at least \$500 million for global vaccination efforts, and an additional \$1 billion to strengthen health systems in the Asia-Pacific,
- Urge India to uphold human rights during its response to the pandemic, including by ending the crackdown on the right to freedom of expression through which India's Ministry of Electronics and Information Technology has ordered Twitter, Facebook and others organisations to take down roughly 100 critical social media posts, and
- Pledge to increase repatriation flights for Australians stranded in India to return home so that they do not burden the already struggling health system.

**TRIPS Waiver Proposal**

Universal and fair access to COVID-19 vaccines is the only way out of the pandemic. There is a global shortage of vaccines. This is exacerbated by "vaccine nationalism" where rich countries secure bilateral deals for advance purchases of billions of doses of future vaccines for their populations.

This leaves limited potential supplies for others, undermines efforts to ensure sufficient availability and inclusive distribution around the world. The shortage is also worsened by intellectual property protections that limit manufacturing and supply.

As a result, only a tiny fraction of people in lower-income countries will receive a vaccine in 2021 – for example, almost 70 countries, including some in the Asia-Pacific, are on track to vaccinate no more than one in 10 of their populations this year. There is an urgent need to turn the earlier commitments of states to a multilateral approach for providing universal, fair access to COVID-19 diagnostics, treatments and vaccines in the earliest possible time frame from mere words to reality.

Amnesty International Australia has written to Trade Minister Dan Tehan on a number of occasions urging him to support the proposal from India and South Africa for a Waiver from Certain Provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The proposal is currently at a standstill; I urge you to support this proposal and move forward with your counterparts to improve the availability of COVID-19 vaccines, for the people of India and all those threatened by the pandemic.

## **United States**

While we welcome the Biden administration's leadership on some of the pressing global human rights challenges, from addressing climate change to improving support and resettlement for refugees, we remain concerned about the United States' ongoing charges against Julian Assange, the human rights violations perpetrated against those detained at Guantánamo Bay as well as the USA's death penalty record. We urge you to raise the Australian government's concerns over these issues at your upcoming meetings with Secretary of State Anthony Blinken.

The US government must drop the espionage and all other charges against Julian Assange. The US extradition request was based on charges directly related to the publication of leaked classified documents as part of Assange's work with Wikileaks. Publishing such information is a cornerstone of media freedom and the public's right to information about government wrongdoing. Publishing information in the public interest is protected under international human rights law and should not be criminalised.

This year marks 20 years of the US' historic human rights violations at the Guantánamo Bay detention facility where 40 people are still held. The US government's use of indefinite detention without charge as a response to 9/11 has been unlawful from the outset. Speaking at the Munich Security Conference in 2009, then Vice President Joe Biden told the audience that "We will uphold the rights of those who we bring to justice. And we will close the detention facility at Guantánamo Bay". He emphasised that the "treaties and international organisations we build must be credible and they must be effective". A dozen years later, as he becomes the President, he has an opportunity to live up to those words.

Amnesty International worked closely with your government to develop Australia's Strategy for Abolition of the Death Penalty, and strongly support your commitment towards universal abolition. The USA was the only country in the Americas to carry out executions in 2020. The Trump administration last year carried out the first federal execution in 17 years, and five states put seven people to death between them. Given that President Biden has committed to eliminating the death penalty, it is important to impress upon him Australia's keen support to deliver on this commitment.

## Japan

We wrote to Prime Minister Scott Morrison late last year ahead of his meeting with Japan's new Prime Minister Suga Yoshihide, urging him to raise some of the pressing human rights issues in the country including the death penalty. We encourage you to raise this issue with your Japanese counterpart at the G7 meeting.

Japan needs to take steps towards the abolition of the death penalty - in practise and in law. Whilst no executions took place in Japan in 2020, the death penalty should never be handed down nor enacted. At the end of 2019, there were 121 people known to be under sentence of death in Japan - several with mental (psychosocial) and intellectual disabilities. Due to the secrecy regarding the death penalty in Japan, Amnesty International is concerned that there are more people at risk of being executed whom are not being reported.

Australia's Strategy for Abolition of the Death Penalty clearly states that the government's 'overarching goal is the abolition of the death penalty'. The achievement of this goal will take concerted pressure from respected partners to progress this crucial reform.

Your meetings with the Foreign Ministers of the G7 are an important opportunity to ensure that human rights is at the core of Australia's relationship with its key partners, and send this important message to the international community.. For further information, or to discuss and organise a meeting, please contact Joel MacKay at [joel.mackay@amnesty.org.au](mailto:joel.mackay@amnesty.org.au) or 0424 242 112.

Yours sincerely,



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