

May 13, 2009

VIA FAX AND FEDERAL EXPRESS

The Honorable Hillary Rodham Clinton
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20502

RE: Radio talk show host Michael Savage banned from entering the United Kingdom

Dear Madam Secretary:

On behalf of Michael Savage, an American conservative talk show host, the Thomas More Law Center respectfully demands that you call upon the government of the United Kingdom to rescind the arbitrary and capricious decision to ban Mr. Savage, a U.S. citizen, from entering the United Kingdom. The Thomas More Law Center is a national public interest law firm, based in Ann Arbor, Michigan.

The UK Home Secretary on or about May 5, 2009 published a list of 16 individuals banned from entering the United Kingdom. Astonishingly, Mr. Savage was included on that list, which contained names of Muslim clerics, convicted criminals, and Russian skinheads. The Home Office described Mr. Savage as a:

“Controversial daily radio host. Considered to be engaging in unacceptable behaviour by seeking to provoke others to serious criminal acts and fostering hatred which might lead to inter-community violence.”

The United Kingdom is punishing Mr. Savage for what *he says* in the United States and not what he has said or intends to say in the United Kingdom. Mr. Savage’s radio show is not broadcast in the United Kingdom. I doubt that many British citizens ever heard of Mr. Savage until after the May 5 ban. It is extremely suspicious, that the Home Secretary’s office would select an American radio talk show host to place on their so called “least wanted list,” when that individual has never taken steps to enter their country.

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In fact, the ban on Mr. Savage has caused outrage and a political firestorm in the United Kingdom. Some British citizens are claiming the action against Mr. Savage was used to give political cover to the list that concerns mainly Muslims.

Mr. Savage hosts the third most popular radio talk show in the United States with eight million listeners a week on approximately 400 radio stations coast to coast. He has been on the air for fifteen years and has never advocated violence. Nor have any of his comments ever instigated violence.

Of course, here in the United States, Mr. Savage enjoys the constitutional protection of the First Amendment right to Free Speech. And his exercise of that right in the United States should not be used as a basis for deterring his right to travel to the United Kingdom.

Accordingly, I respectfully request that you take all necessary action to protect Mr. Savage's rights under Article 19 of the International Covenant on Civil and Political Rights to which both the United States and the United Kingdom are signatories. Article 19, section 2 provides in part:

“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print...”

Furthermore, the United Kingdom is in direct violation of Article 10 of the European Convention on Human Rights, which protects the right to freedom of expression. Article 10(1) provides in part:

“Everyone has the right of freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.”

The European Court of Human Rights (Case of Surek v. Turkey, No. 1) has held that the “freedom of expression constitutes one to the essential foundations of a democratic society.” The Court went on to say that this freedom of expression is not only applicable to information and ideas that are favorably received, but “also to those that offend, shock or disturb.”

In conclusion, the Thomas More Law Center, on behalf of Michael Savage, respectfully demands that you and the U.S. Department of State take all necessary steps to call on the government of the United Kingdom, and more particularly, the office of the Home Secretary Jacqui Smith, to rescind the aforementioned ban preventing the entry of Michael Savage into the United Kingdom.

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Also, on behalf of Mr. Savage, please determine how and what specific criteria the Home Office applied to place Mr. Savage on the aforementioned list. Please keep the undersigned informed of the steps you plan to take and are taking.

Very truly yours,

THOMAS MORE LAW CENTER

A handwritten signature in black ink, appearing to read "Richard Thompson", with a long horizontal flourish extending to the right.

Richard Thompson
President and Chief Counsel

cc: Peter Olson, Assistant Legal Advisor for European Affairs
Michael Savage