

RATH & COMPANY

Barristers & Solicitors

ESTABLISHED 1995

OPEN LETTER

February 17, 2022

Her Excellency the Right Honourable Mary Simon
C.C., C.M.M., C.O.M., O.Q., C.D., F.R.C.G.S.
Rideau Hall
1 Sussex Drive
Ottawa, ON K1A 0A1

Your Excellency:

On Tuesday, the 15th day of February, 2022, with your acquiescence, Prime Minister Justin Trudeau proclaimed the death of Canadian democracy under Part II of the Canada Gazette SOR/2022-20, being a Proclamation Declaring a Public Order Emergency.

The Proclamation made under the *Emergencies Act*, offended the terms of the *Emergencies Act* insofar as the *Emergencies Act* requires any declaration issued under the *Emergencies Act* to be compliant with the *Canadian Charter of Rights and Freedoms*. It is clear on its face that the Proclamation openly offends ss. 2, 7, 8 and 15 of the *Charter of Rights and Freedoms*.

The Order issued by Prime Minister Trudeau did not on its face comply with the terms of the *Emergencies Act* itself, which requires for the purpose of a “national emergency” that the emergency: 3(a) seriously endangers the lives, health and safety of Canadians and is of such proportions or nature as to exceed the capacity or authority of a province to deal with it; or (b) seriously threatens the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada **and** that cannot be effectively dealt with under any other law of Canada.

It is noteworthy that the only injunction granted with regard to the peaceful protest in Ottawa was limited to horn honking and did not require the peaceful protests in the Parliamentary Precinct to disperse. It is clear on this basis that the Parliament Hill protest did not meet the threshold required by the *Emergencies Act* or that injunctive relief or civil process could have been further used to balance the rights of the protestors to peaceful protest against the privilege of citizens of Ottawa to live in their taxpayer supported economic bubble.

As much as the citizens of Ottawa may despair, “protests” or peaceful demonstrations are not time-limited. Declaring them “occupations” does not make them illegal. The Mandela Protest outside of South Africa House in London lasted for years. It only dispersed (in the form of a giant street party) when Nelson Mandela was released from prison.

282050 Highway 22 West
Foothills, Alberta T0L 1W2
Phone: (403) 931-4047
Fax: (403) 931-4048
Toll-Free Number: 1-866-231-7284
www.rathandcompany.com

It is clear from the outset that Prime Minister Trudeau's failure of leadership and a provocation of the "Trucker Convoy 2022" protest were deliberate and intended to give him the ability to declare a Public Order Emergency, which he has been repeatedly attempting and failing to achieve since the onset of the COVID-19 pandemic in March 2020.

All Prime Minister Trudeau had to do at the outset of the Trucker Convoy protest was to hop in one of the private jets that he loves to fly to Tofino to go surfing, stop at the eastern side of the Rockies and meet the Trucker Convoy from British Columbia at one of the only three highways through the Rockies into Alberta and have a reasonable discussion with people over his plan to release Canada from the offensive travel mandates and vaccine mandates that ceased being effective the minute Omicron became the prevailing COVID-19 variant in Canada.

Instead of getting in his private jet and meeting with the truckers in the same way that he did when Soros supported Tides Foundation activists blockaded critical pipeline construction infrastructure, Prime Minister Trudeau instead deliberately inflamed tensions by issuing daily taunts and insults at concerned Canadian citizens.

They were characterized as "misogynists", "racists", "right wing", "fringe", "anti-science", "anti-vaxxer Nazis" and "swastika and confederate flag-waving terrorists" who he not only would not want to sit next to on an airplane, but would one day soon decide whether he was going to continue to "tolerate" as Prime Minister of Canada. Interestingly, the photographic record demonstrates that the only people bearing signs with swastikas and confederate flag wavers were supporters of Prime Minister Trudeau, including one supporter of Prime Minister Trudeau carrying a sign, with a swastika on it, at the Ambassador Bridge declaring "Gas the unvaccinated".

It is clear that the suspension of democracy in Canada and the gross infringement of Canadian citizens' rights under s. 2 of the *Charter of Rights and Freedoms* to peaceful assembly, security of the person under ss. 7 and unreasonable seizure under s. 8, and equality under s. 15 of the *Charter*, was pre-planned by Prime Minister Trudeau and was intended to bring an end to lawful protests that were personally embarrassing to him.

There was never a point with regard to any alleged "blockade" of any road, street, highway or border crossing that could not have been resolved under existing Canadian law with judicial supervision. As such, there was no justification for invocation of the *Emergencies Act* nor has any Justice with competent jurisdiction ever declared the Parliament Hill protest to be "illegal" as has been repeatedly and slanderously repeated in the House of Commons by the Prime Minister and his minions.

In fact, the blockage of the Ambassador Bridge and the Coutts Border Crossing had been judicially and effectively resolved PRIOR TO Prime Minister Trudeau invoking the *Emergencies Act*, proving that existing legal mechanisms were more than sufficient to deal with the protests.

A review of the Proclamation Declaring a Public Order Emergency makes it clear that these Orders are about Prime Minister Trudeau's political embarrassment at not being able to control a grassroots movement of working class Canadians fed up with the World Economic Forum governing Canada. Claus Schwab, of the World Economic Forum, has publicly boasted of his control of Canada

through the “penetration” of Canadian governance by deep cover assets, including Jagmeet Singh, Chrystia Freeland, and Prime Minister Justin Trudeau.

The Proclamation Declaring a Public Emergency contains provisions prohibiting people under the age of 18 from travelling within 500 metres of a prohibited demonstration under the *Act*, and prohibits minor children from participating in any public assemblies that “may reasonably be expected to lead to a breach of the peace”.

Obviously, the thought of tear gassing children in bouncy castles or the optics of having jack-booted riot police beating children with truncheons are optics that Prime Minister Trudeau has been advised would not play well the next time he gets into his private jet to fly to Davos for further instructions from the World Economic Forum and Prime Minister Trudeau’s self-declared foreign intelligence asset handler, Claus Schwab.

We are now subjected to the disgusting rhetoric of Public Safety Minister Bill Blair, openly threatening the children of protesters with their removal from their parents. Minister Blair does so in violation of the rule of law on the basis of both his and Prime Minister Trudeau’s Declaration that the peaceful Parliament Hill “Bouncy-Castle Protest” is “illegal”. Last time I checked, neither one of these individuals was a member of the judiciary. Both of them have repeatedly failed in advance of declaring a Public Order Emergency to seek a ruling from a Judge or Justice on whether the peaceful protest outside of Parliament is in fact “illegal”. Neither prime Minister Trudeau or Minister Blair sought to limit the protest on Parliament Hill through injunction or judicial declaration of illegality.

The Declaration of a Public Emergency also prohibits foreign nationals from entering into Canada with the intent of participating in or facilitating a violent protest.

Remarkably, the prohibition against entry into Canada with the intent of participating in or facilitating a violent protest clearly exempts any person registered as an “Indian” under the “*Indian Act*”, a “refugee”, a “temporary resident”, a person who enters Canada for the purpose of making a claim for protection, a “protected person” or a person that the Minister of Citizenship and Immigration or the Minister of Public Safety and Emergency Preparedness states is a “person or any person in a class of persons whose presence in Canada is in the national interest”.

In other the words, the Proclamation contains language either drafted by or intended to placate foreign-funded activists like Tides Foundation organizers who come to Canada from time to time to finance, organize, and participate in blockades of critical oil and gas related infrastructure, such as pipelines and railways. This provision is a clear violation of the s. 15 equality provision of the *Charter of Rights and Freedoms*.

Unfortunately, this is not a darkly comedic farce written by an author of fiction but the current state of the law in Canada as proclaimed by Governor-General Mary May Simon on behalf of the Governor-in-Council presided over by Prime Minister Justin Trudeau on behalf of Queen Elizabeth II.

Prime Minister Trudeau’s Proclamation extends to an attack on grassroots funding mechanisms, such as GoFundMe and GiveSendGo, as well as a wholesale use of the Canadian banking system

to seize bank accounts of any Canadian citizen suspected of being engaged in “an activity prohibited in sections 2 to 5 of the *Emergency Measures Regulations*”.

This attack on the rights of Canadian citizens to participate in and support peaceful protest within the Parliamentary Precinct and elsewhere constitutes an outright declaration by Prime Minister Trudeau that the House of Commons belongs to him and not to the people of Canada as has been understood since the time of Magna Carta.

It is clear that Prime Minister Justin Trudeau has foregone the right to use any titles such as “Prime Minister” or “Right Honourable” and from this point should only be referred to as Dictator of Canada.

Under these remarkable circumstances, it is your obligation as Governor-General of Canada to consult with Her Majesty the Queen, dissolve Parliament, and immediately allow for a National election as a referendum on the legality of the Proclamation of the *Emergencies Act*.

Yours very truly,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Jeffrey R. W. Rath, B.A. (Hons.), LLB (Hons.)
Barrister & Solicitor

cc: MP John Barlow, Foothills, AB