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**Public Statement**

**The Law Society of Ontario expresses grave concern about the disbarment of lawyer Sui Muqing in China**

Toronto, ON — The Law Society of Ontario expresses grave concern about the disbarment of lawyer Sui Muqing in China

Sui Muqing is a Guangdong-based human rights lawyer. He has taken on many politically sensitive cases, including the defence of rights activists and fellow human rights lawyers.

The Guangdong Justice Department has revoked his legal license after he ignored official warnings not to take on so many politically sensitive cases. On January 23, 2018, Sui Muqing was visited by two official from the Guangdong Justice Department, who informed him that his license was being revoked as a punishment.

Sui Muqing said that this has been a cumulative process, and that the Chinese government is unhappy with him because he has not cut back on the number of human rights cases he has represented after his license was renewed in the wake of the July 2015 crackdown. Since July 2015, more than 300 lawyers, law firm staff and rights activists have been detained, questioned or placed under surveillance travel bans along with their families. A large number of rights lawyers have also been denied legal licenses during annual reviews, following the July 2015 crackdown.

Concerns have been expressed that the Chinese government is using the Justice Departments and Lawyers’ Associations instead of or in addition to criminal proceedings to target the legal profession. It is suggested that the revoking of legal licenses is another way of punishing certain human rights lawyers who are very active.

The document notifying Sui Muqing of his disbarment said that he had broken China’s law for lawyers, as well as the rule on the conduct of lawyers and law firms. As evidence, it cited two incidents. First, the document claimed that when defending fellow lawyer Ding Jiaxi in court in 2014, Sui Muqing stood up, walked and spoke without permission many time and did not comply with the court’s orders. The document also claimed that Sui Muqing violated the rules by bringing his cellphone into a meeting with his client, activist Chen Yunfei, in a detention centre in Sichuan in 2017. The document stated that he tried to bring out two photos and eight documents, and did not cooperate with police when they tried to stop him.

In both cases cited by the department, Sui Muqing was defending individuals who had been imprisoned for exercising their rights to peaceful assembly, association and expression. During the visit with Chen Yunfei cited by the notice, Sui Muqing was attempting to photograph injuries his client had sustained from alleged mistreatment. Sui Muqing has denied that he broke the rules or the law, and said that the 2014 case was too far in the past to reasonably be used as evidence against him now.

A set of measures on the practice of Chinese law firms and lawyers was revised in late 2016. The measures included higher levels of scrutiny of the speech and conduct of lawyers, as well as greater requirements of political loyalty for firms and practitioners. It has been said that the revisions were aimed at preventing the legal community from taking on sensitive rights cases or speaking out against political prosecution of legal work.

The revocation of Sui Muqing’s legal license has come shortly after another human rights lawyer, Yu Wensheng, was disbarred. Yu Wensheng’s license was revoked on January 15, 2018. Yu Wensheng has been outspoken about the Chinese government’s crackdown on human rights lawyers, and penned an open letter calling for political and constitutional reform in China. On January 19, 2018, days after his license was revoked, Yu Wensheng was detained. He has not been allowed to meet with his family or a lawyer since being detained. There is concern that Yu Wensheng could be subjected to torture or other ill-treatment in custody, as he was during his detention in 2014.

In light of recent events in relation to the treatment of human rights lawyers in China, there is reason for concern about Sui Muqing’s situation. Sui Muqing may be further punished for his legal work and advocacy. There is also reason for concern that Sui Muqing could be further punished beyond disbarment, such as with detention and criminal prosecution, similar to the situation of Yu Wensheng earlier this month.

The Law Society is deeply troubled by Sui Muqing’s situation and urges the Government of China to comply with its obligations under international human rights laws, including the United Nations’ *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Furthermore, Article 23 provides:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.

The Law Society urges the Government of China to:

* 1. reinstate Sui Muqing’s license to practice law immediately and unconditionally;
  2. put an end to all acts of harassment and acts of violence against lawyers in China;
  3. ensure that all people in China, including lawyers and judges, are able to exercise freely their freedom of association, peaceful assembly, opinion and expression, including when such expression is critical of government institutions and actions;
  4. ensure that all lawyers and judges in China are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
  5. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.