



Public Statement

The Law Society of Upper Canada expresses grave concern about the conviction of lawyer Li Heping in China

Toronto, ON — The Law Society of Upper Canada expresses grave concern about the conviction of lawyer Li Heping in China.

Li Heping is a prominent human rights lawyer known for defending disenfranchised people, including free speech advocates, victims of forced evictions and individuals persecuted for practising their religion in Christian house churches. The Law Society first intervened on his behalf in July 2015.

It has come to the Law Society's attention that following a secret, closed-door trial that took place on April 25, 2017, Chinese authorities announced on April 28, 2017 that Li Heping had been found guilty of "subversion of state power", was given a suspended prison sentence of three years, and is to be deprived of his political rights for the next four years. Li Heping reportedly pleaded guilty and stated that he will not appeal the decision.

The trial and conviction come nearly two years after he was first detained in a sweeping crackdown on Chinese human rights lawyers and activists back in July 2015. For the entirety of his near two-year detention, Li Heping was precluded from seeing or otherwise communicating with his family, and was denied a lawyer of his choosing.

In its ruling, the court stated that Li Heping had, since 2008, used social media and foreign media to "smear and attack state organs and the legal system". The court further alleged that he had used foreign funds to "interfere in high-profile cases" and colluded with several people "harbouring subversive ideas", including lawyers and those "involved in illegal religious activities".

Although Chinese authorities have cited the involvement of state secrets as the reason for conducting Li Heping's trial in secret and behind closed doors, human rights organizations such as Amnesty International believe that the real reason for the furtiveness surrounding the trial was the fact that the allegations against Li Heping were "groundless and weak". Moreover, notwithstanding that the suspension of the sentence means that he would, in all likelihood, not serve any additional prison time, the court's decision almost certainly marks the beginning of a long period of surveillance and control for Li Heping and his family. According to human rights groups, several human rights activists who, like Li Heping, received suspended sentences disappeared shortly after they were released, with some forced to undergo months of political education classes before being placed under house arrest by local police.

The Law Society is deeply concerned about Li Heping's situation and urges the Government of China to comply with China's 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:

- a. immediately and unconditionally vacate the conviction rendered against Li Heping;
- b. immediately and unconditionally release Li Heping, if he has not already been released;
- c. put an end to all acts of harassment against Li Heping and all other human rights lawyers in China;
- d. guarantee in all circumstances the physical and psychological integrity of Li Heping;
- e. ensure that all lawyers in China can carry out their professional duties and activities without fear of reprisals, physical violence or other human rights violations; and
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.