



The Law Society of
Upper Canada

Barreau
du Haut-Canada

September 5, 2014

President Xi Jinping
President of the People's Republic of China
Zhongnanhai, Xichengqu
Beijing, People's Republic of China

Office of the Treasurer

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Your Excellency:

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Re: The arrest, continued detention, and ill-treatment of human rights lawyer Pu Zhiqiang

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the case of Pu Zhiqiang. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Pu Zhiqiang, is a prominent civil rights lawyer, lawyer to Ai Weiwei, and outspoken critic of the administrative detention system known as "Re-education Through Labor" in China. According to reports, Pu Zhiqiang was detained by police in early May, along with his niece, who is also a lawyer, after attending a seminar about the Tiananmen Square protests of 1989. Pu Zhiqiang's participation in the seminar was in accordance with his Article 35 Chinese constitutional rights, which guarantee freedom of speech, of the press, of assembly, of association, of procession and of demonstration.

On June 13, 2014, police formally charged Pu Zhiqiang for the crimes of "creating a disturbance" and "illegally obtaining personal information." It is reported that Pu Zhiqiang was unable to meet with his lawyer for over a month. He continues to be detained and now faces broad allegations.

The Law Society is concerned about the ongoing detention and the lack of appropriate accommodation of Pu Zhiqiang's medical condition. Pu Zhiqiang suffers from diabetes. Reports indicate that he has been given access to insulin, but that prolonged interrogations of up to ten hours, which occur nearly every day, have caused painful swelling in his legs. It has also been reported that numerous applications for his release based on medical grounds have been denied. The Law Society is concerned that during his time in detention, Pu Zhiqiang may have been, and continues to be, subjected to ill treatment by authorities.

In the past, the Law Society of Upper Canada has repeatedly condemned the persecution and ill-treatment of lawyers in China, including the treatment of human rights lawyers Ni Yulan, Gao Zhisheng, Zheng Enchong, Chen Guangcheng, Li Jianqiang, Teng Baio and Li Heping. The Law Society is deeply concerned about situations where lawyers are targeted in the legitimate exercise of their duties. International human rights instruments, including the *Universal*

Declaration of Human Rights, state that respect for human rights are essential to advancing the rule of law. Article 16 of the *United Nations Basic Principles on the Role of Lawyers* states “governments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; are able to travel and to consult with their clients freely; and shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics”. Article 18 states “lawyers shall not be identified with their clients or their clients’ causes as a result of discharging their functions”.

The Law Society urges the government of the People’s Republic of China to,

- a. release Pu Zhiqiang immediately, as he is a prisoner of conscience;
- b. provide him immediately with proper medical care and treatment;
- c. guarantee in all circumstances the physical and psychological integrity of Pu Zhiqiang;
- d. provide Pu Zhiqiang with regular access to his lawyer and family;
- e. guarantee all the procedural rights that should be accorded to Pu Zhiqiang and other human rights defenders in China;
- f. conduct a fair, impartial and independent investigation into any allegations of ill-treatment against Pu Zhiqiang in order to identify all those responsible, bring them to trial and apply to them civil, penal and/or administrative sanctions provided by law;
- g. guarantee that adequate reparation is provided to Pu Zhiqiang as a victim of abuses;
- h. put an end to all acts of harassment against Pu Zhiqiang as well as other human rights defenders in China;
- i. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours very truly,

Janet E. Minor

Treasurer

**The Law Society of Upper Canada is the governing body for more than 47,000 lawyers and 6,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.

cc:

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