



The Law Society of  
Upper Canada | Barreau  
du Haut-Canada

May 10, 2017

H.E. Xi Jinping  
President of the People's Republic of China  
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Your Excellency:

**Re: Maltreatment of lawyer Li Chunfu**

I write on behalf of the Law Society of Upper Canada\* to voice our grave concern over the maltreatment of lawyer Li Chunfu during his detention. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Li Chunfu is one of the more than 300 human rights lawyers and advocates in China who, since July 2015, have been questioned, detained or charged by Chinese authorities as a result of their human rights work.

The Law Society's information states that Li Chunfu was taken into police custody on August 1, 2015 and formally charged with "subverting state power" on January 8, 2016. However, it is unclear why he was targeted. Human Rights Watch has speculated that his 2014 demonstration outside a Heilongjiang police bureau demanding access to his client and/or the fact that he is the brother of Li Heping, another prominent rights lawyer, may have been the cause.

Li Chunfu was released on bail on January 5, 2017 and returned home to Beijing on January 12, 2017. According to reports, throughout the entirety of his 17 months (more than 500 days) in detention, his lawyers were precluded from meeting with him and denied access to his case materials.

It has come to our attention that Li Chunfu's mental health has been jeopardized as a result of his detention. It appears that the once tough, lively human rights lawyer is now fearful and paranoid. When he first arrived home, he was too afraid

to enter; once he did, he was too afraid to leave. Soon after his abrupt release, a Beijing psychiatric hospital gave him a tentative diagnosis of schizophrenia. Family friends have also reported that he has displayed aggressive behaviour towards his wife.

Li Chunfu's current condition raises concerns over the treatment and well-being of lawyers and others who have been or are being detained by Chinese authorities. The Chinese government has a long and well-documented history of torturing or otherwise abusing human rights lawyers and defenders held in custody. Beatings, prolonged sleep deprivation, indefinite isolation and threats to one's family are common techniques employed by Chinese authorities, all of which can cause long-term physical and psychological harm.

The Law Society urges Your Excellency 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, economic 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.

The Law Society urges the Government of China to:

- a. conduct a fair, impartial and independent investigation into the treatment of Li Chunfu during his detention in order to identify all those responsible, bring them to trial and apply to them civil, penal and/or administrative sanctions provided by law;
- b. put an end to all acts of harassment against Li Chunfu and all other human rights lawyers and defenders in China;
- c. guarantee that adequate reparation will be provided to Li Chunfu if he is found to be a victim of human rights abuses;
- d. guarantee in all circumstances the physical and psychological integrity of all lawyers in China;
- 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.

Yours truly,

Paul B. Schabas  
Treasurer

*\*The Law Society of Upper Canada is the governing body for more than 50,000 lawyers and 8,000 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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