



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

February 23, 2017

Office of the Treasurer

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His Excellency Mr. Xi Jinping
President of the People's Republic of China
State Council General Office
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People's Republic of China

Your Excellency:

Re: Licence suspension of lawyer Li Jinxing

I write on behalf of the Law Society of Upper Canada* to voice our deep concern over the licence suspension of lawyer Li Jinxing. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Li Jinxing is a prominent human rights lawyer who is well known for his advocacy for civil liberties. He is also a founder of the Innocence Project of China, a collective of lawyers which has successfully fought to overturn several wrongful convictions in China in recent years.

It is the Law Society's understanding that in a notice dated December 2, 2016, the Justice Bureau in the provincial capital of Jinan stated that it was imposing a year-long suspension on Li Jinxing's law licence. According to the notice, the basis for the suspension was the unruly behaviour Li Jinxing displayed in court while defending Yang Maodong (aka Guo Feixiong), a free-speech activist who was sentenced to six years in prison in late 2015 on charges of disturbing the public order and "provoking trouble" after displaying banners which called on officials to disclose their assets. More specifically, the Justice Bureau claimed that Li Jinxing had made statements without the court's permission, interrupted a judge, verbally attacked court officials and interfered with the normal order of the court.

The Law Society is deeply concerned about Li Jinxing's situation and the harassment and intimidation of other lawyers and human rights defenders in China. Reports indicate that since July 2015, hundreds of lawyers and human

rights defenders in China have been questioned, detained or charged as a result of their human rights work. We strongly believe that lawyers should be able to carry out their duties without fear for their lives, liberty and security.

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, 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.

The Law Society urges the Government of China to:

- a. immediately and unconditionally reinstate Li Jinxing's law licence;
- b. put an end to all acts of harassment against Li Jinxing and all other human rights lawyers and defenders in China;

- c. guarantee in all circumstances the physical and psychological integrity of Li Jinxing; and
- d. 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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Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

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Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales