



February 4, 2016

Sent via email and post

The Honourable Jody Wilson-Raybould
Minister of Justice and Attorney General of Canada
284 Wellington Street
Ottawa, ON K1A 0H8

David Crossin, QC
President

Dear Minister:

RE: Treatment of lawyers in China

It was recently reported in the *Globe & Mail* that China had formally arrested 38 lawyers, previously held after months of secret detention, on charges of subverting state power. It appears that many of the lawyers charged are those who represented high-profile clients with interests contrary to the Chinese state, such as ethnic Uighur dissidents. The action of the Chinese government and security forces in executing such arrests seems aimed at the intimidation of lawyers representing clients whose interests are opposed to the state, or whose actions are deemed to contravene state policies.

Article 16 of the United Nation's *Basic Principles on the Role of Lawyers* states:

- “16. Government shall ensure that lawyers:
- (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference...; 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 18 of the same document states:


“18. Lawyers shall not be identified with their clients or their client’s causes as a result of discharging their functions.”

With respect, it is our view that the arrests of the lawyers referred to in the *Globe & Mail* article contravene China’s obligations under the *Basic Principles on the Role of Lawyers*, and thereby threaten the rule of law.

We note that concerned organizations, such as Human Rights Watch, have written to the Chinese government to express their deep concern about “the scores of lawyers detained or intimidated in China during an unprecedented crackdown on criminal defence in human rights lawyers.”

We applaud Ambassador Saint-Jacques’ statement of concern regarding the treatment and conviction in China of lawyer Pu Ziqiang. However, we urge your government to communicate to the government of China your condemnation of the alarming violations by China of the *Basic Principles on the Role of Lawyers*.

Yours truly,



E. David Crossin, QC
President

EDC/al