

***October 19 Judgement of British Columbia Court of Appeal Decision  
Upholding Falun Gong Claim, Striking Down Vancouver City Bylaw as  
Unconstitutional***

Vancouver – 20 Oct., 2010: Members of Vancouver’s Falun Gong Community are greatly relieved by the decision, but at the same time also profoundly moved at this great concrete demonstration of the Rule of Law in Canada. The protest site which stood for so many years in front of the Chinese Consulate-General on Granville was a world recognized tribute to free speech. It also, of course, constituted a most effective campaign to educate the world about the unprecedented atrocities which are committed daily against the people of China by the Chinese Communist Party, atrocities on a scale of evil never seen since the days of Hitler’s Third Reich.

Under the Chinese Communist Party’s barbaric tyranny, all progress toward the Rule of Law has been thwarted and its proponents have been systematically terrorized, beaten, imprisoned, tortured and killed for harvest of organs for profit.

In a very real sense, the history of this protest, and the four year struggle of the protesters to assert their Charter right to the peaceful expression of political views, has been the history of a struggle between tyranny on the one hand, and the Rule of Law, on the other.

No “court” in China has ever over-ruled the Chinese Communist Party, or any government at any level, and there is no possibility whatever that such a thing could ever happen. This decision is a remarkable demonstration for the dictators in Beijing, illustrating the real meaning of the Rule of Law in a democracy.

Whatever the motivation of the Vancouver Mayor and Council may have been in seeking to suppress and erase a protest which embarrassed the Chinese Consulate-General, one fundamental and objective fact is clear. Closing down the protest was of no benefit whatever to the citizens of Vancouver or Canada; in fact, all indications are that a majority of citizens supported the Falun Gong right to protest. But irrespective of what subjective opinions might be harboured by any Canadian citizens, it is an objective fact that the only *Party* which benefitted by the removal of the protest site was the *Chinese Communist Party*.

Given that the sole beneficiary of the protest removal was the Chinese Communist Party, and that there was no benefit to the citizens of Vancouver, it is difficult to understand how the Mayor and Council of Vancouver thought to justify their huge expenditure of public funds in a prolonged legal struggle which promised no benefit for the taxpayers.

Our lawyers have advised us that the judgement of the BCCA is a sound one and we are relieved to see that the errors of the first judge were corrected by the Court of Appeal.

The media has reported that the present City Council will confer with its legal counsel to consider whether to seek leave for an appeal to the Supreme Court of Canada. We recognize the City’s legal right to do so, but we hope that the City administration will

exercise its powers this time *for* free political expression and *against* the further profligate squandering of public funds on an eminently unworthy cause.

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***Falun Dafa Association of BC***