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Chinese Consulate Protest Display Must Go, Says Vancouver Mayor

Bylaw infraction cited; Supporters say that move is against spirit of the law

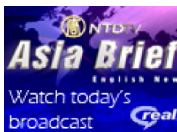
By Cindy Drukker and Joan Delaney
Epoch Times Toronto and Victoria Staff

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VANCOUVER: Protestors meditate at the Chinese consulate in Vancouver, Canada on April 25. On June 8, Vancouver Mayor Sam Sullivan said the protest display must be removed because of a bylaw infraction. (The Epoch Times)

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What's more important: the latent application of a municipal 'street and traffic' by-law or raising awareness of widespread torture and murder in China? That's the question Falun Gong practitioners are asking Vancouver Mayor Sam Sullivan, who is demanding that the group dismantle their protest site outside the Chinese consulate in Vancouver.

Since August 2001, Vancouver Falun Gong practitioners have maintained a permanent around-the-clock vigil outside the consulate to protest the Chinese regime's ongoing persecution of the meditation practice. They have been there continuously for over 1750 days, a number which supporters say qualifies for the *Guinness World Book of Records*.

To tell the world about what they say is a genocide against their group in China, the Falun Gong practitioners have erected a wall of posters and photographs of persecuted members along the fence and a small wooden booth next to the sidewalk.

For almost five years, the protest has continued without application of the bylaw. But in May, Vancouver City Engineer Tom Timm informed the group that the display outside the Consulate violates a city bylaw. The mayor has ordered that all structures must come down by June 16.

At a press conference held by the city on Thursday, when asked why something that had been in place for so long has suddenly become unacceptable, Sullivan said, that after five years, it was "time." He added that if Canada claims to be "a nation that lives by the rule of law" then bylaws have to be enforced.

Calling this a "highly unsatisfactory answer," Micheal Vonn, Policy Director with the B.C. Civil Liberties Association says that the issue boils down to a question of freedom of expression as guaranteed by the Charter of Rights and Freedoms. Vonn says if this freedom is restricted it must be for some compelling reason, one that is permissible in a free and democratic society.

"If you are going to purport to limit citizens' rights, you must do it for legitimate purpose," says Vonn. She says the mayor is using "completely circular logic" in demanding a permit yet refusing to grant one.

Falun Gong practitioners say the site bears witness to the thousands of practitioners who have been tortured and murdered since the persecution started seven years ago. Beijing outlawed the practice in 1999. When Vancouver practitioners initially set up the appeal site in 2001, they vowed to maintain the vigil until the persecution came to an end.

"I have expressed to the Falun Gong that I respect their issues with human rights, but I have told them that I expect them to adhere to the bylaws the way any other citizens would," said the mayor.

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Sullivan says the group is free to continue protesting at the site as long as the signs and booth came down. But to Sophia Bronwen, Vancouver Falun Gong practitioner, this is unhelpful. "When Chinese people come here and see us with our semi-permanent structures... that has a very powerful effect, and now they want to take that away," says Bronwen.

Lucy Zhou, spokesperson for the Falun Dafa Association of Canada (FDAC), says that the mayor is not following the intent of the law. "The purpose of a bylaw is to maintain good order, if it's applied in this case it's the wrong purpose. It's only purpose is to make things harder for the practitioners to exercise their freedom of expression."

Falun Gong's attorney, Clive Ansley, says that they will "use every legal method at our disposal to prevent them interfering with what is essentially the free speech of Chinese Canadians and non-Chinese Canadians."

Ansley says that since the display was first erected outside the Consulate, the City of Vancouver has come up with various excuses to have the site removed, reasons Ansley calls "transparent nonsense." The city first said that the site violated the Vienna Convention on Consular Relations, then later insisted it was a safety hazard. More recently, Ansley says, it cited the absence of any written permission for the continuing protest.

The city initially gave verbal approval for the site, and if they want written permission, they should simply issue a permit, says Ansley. He believes the real reason the city wants the display removed is because of pressure from the Chinese Consulate.

"They're all excuses and they've tried different ones," says Ansley. "The point is that we all know that it's the Chinese Consular General calling the shots, and the City of Vancouver is knuckling under to the Chinese consulate and to the pressure tactics that Chinese embassies and Consulates use all over the western world to try and intimidate host country governments at all levels."

Former Mayor Larry Campbell told the Vancouver Sun that even though he was approached by the consulate on the issue while he was in office, he saw no reason to act, although he doesn't necessarily agree with the protest.

"I agree it is an infraction of the bylaw, but is this the best use of our police resources? There's bylaws being broken in this city every day."

Simon Fraser University chemist Sue Zhang says she's been in ongoing talks with the city about the issue, and was "surprised and shocked" by Sullivan's sudden decision. Often a participant in the appeals in front of the consulate, Zhang says the group was first asked to remove the display by City of Vancouver Engineer Tom Hammell, in 2003. But when he was told the facts about the persecution, Zhang says, he allowed the site to remain on condition that it was reduced by 32 feet.

In 2005, City of Vancouver Deputy Manager Brent MacGregor asked that the site be removed or reduced extensively in size. When asked, Zhang says MacGregor didn't deny that the Chinese consulate was pressuring the city to have the display removed. Zhang also says MacGregor told her that an official in the federal Department of Foreign Affairs had asked the city to do something about the site.

"We feel this is not a bylaw issue," says Zhang. "It is politically motivated and we are shocked with the order and the process the city used." Zhang says the first she heard that the site was to be shut down was from a newspaper report.

Zhang says when news broke earlier this year about secret concentration camps operating in China specifically for the purpose of harvesting the organs from Falun Gong practitioners, she requested to meet with the Mayor and council to inform them of this development. But when the meeting finally took place, Timm insisted on talking only about the removal of the appeal site.

"We pointed out to them that our lawyer had sent a letter addressing their concerns, but they denied ever receiving it. So we sent it again, and they replied that they still wanted the site taken down," says Zhang.

Pressure from Chinese Authorities

The Chinese authorities have consistently pressured Canadian authorities at different levels over the Falun Gong protests.

In August 2004, then Vancouver Chinese consulate spokesperson Zhou Yong admitted the consulate had complained to City Hall over the protest, according to the *Vancouver Courier*.

China's charge d'affaires in Canada, Chu Guangyou, said that the Chinese authorities had "advised the Canadian government on the sensitivity of the [Falun Gong] issue in the overall bilateral relations," in a March 2003 letter to Jim Peterson, shortly before he was named the federal Minister of International Trade.

A similar letter from the Chinese Consulate General to Toronto's City Council in March 2004 threatened that if a motion to recognize Falun Gong Day in the city were passed "it would have a very negative effect on our future beneficial exchanges and cooperation."

A report written by a Chinese spy operating in Canada suggested that due to successful lobbying by Beijing, the Canadian government had pressed the City of Vancouver to remove the display from in front of the Vancouver consulate, according to a June 2005 statement by defecting Chinese agent Hao Fengjun.

FDAC's Zhou says many cities in Canada and around the world with similar displays outside consulates and embassies have faced pressure from Chinese authorities. The cities of both Toronto and Ottawa have been asked remove their sites, but so far city officials in those cities are standing their ground.

"For us it's quite obvious that there's pressure from the Chinese side," says Zhou. "We know the Chinese regime has been good at using trade and economic interest to advance their cause in trying to suppress Falun Gong."

"The signs have been up in Vancouver for five years, and all of a sudden the mayor wants them removed. As time goes on, this will be a shame on the city," says Zhou.