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Norwegian Nobel Institute
Drammensveien 19, N-0255
Oslo, Norway

January 30, 2012

Dear Norwegian Nobel Committee:

We, the undersigned, do hereby nominate Gao, Zhisheng, renowned human rights lawyer in China, for the Nobel Peace Prize.

Hon. David Kilgour is a former Canadian Secretary of State (Asia-Pacific). David Matas is an adjunct professor at the Faculty of Law, University of Manitoba.

Beijing Olympics and Gao Zhisheng's Sentence

China's probably best-known and one of its most courageous lawyers, Gao Zhisheng, was convicted of "inciting subversion" in 2006 and given a three-year prison sentence with a five year suspension. During his five year suspension, Gao was arrested by the authority in February 2009 and released briefly in March 2012 and disappeared soon after. In late December 2011 right before Gao's five-year suspension term is up, Gao was sent back to jail for 3 years for violating probation rules.

Given the serious nature of the charge, the sentence at first glance appears light, especially given the harsh reality in China that 70 individuals sentenced from the democracy movement in Tiananmen Square back in 1989, 33 Tibetans and 40 internet journalists, among many others, are presently scheduled to be still languishing in prison even after the Olympic athletes have left Beijing in 2008.

There has been a general crackdown on human rights across China since the government of Hu Jintao and Wen Jiabao took power in 2003. This has struck the tiny minority of lawyers brave enough to represent citizens with complaints against government and Party officials about corruption, farmland seizures and numerous other abuses of the public trust.

In Gao's case, probably three factors explain the seemingly lenient sentence, which, like the verdict in the closed-door trial, was done without his lawyer of choice or family even being informed beforehand, determined by a party committee and merely announced by the presiding 'judge'.

International Pressure

First, there has been considerable international pressure and media coverage on Gao's case. Many across the world said that sending a Nelson Mandela/Mahatma Gandhi-like lawyer to prison would have a seriously negative impact on the Beijing Games. The "experts" who said that that public lobbying internationally for leniency would achieve the opposite were proven dramatically wrong.

Second, the nature of the 5-year of suspension sentence was clearly intended to position a Damoclean sword over Gao's head during the government's charm offensive to the world before the Olympic and Paralympic Games in 2008. If he speaks out against continuing totalitarian misgovernance and 'carnivore capitalism', officials can dispatch him to the silence of prison, claiming that he has violated the 'political rights' condition of his suspended sentence.

Family Assaulted

It matters little to Party leaders that Gao's permit to practice law was revoked in 2005 because he wrote an open letter to them about the need for religious freedom, independent judges, democracy and the rule of law; or that his wife, Geng He, and two young children have since been constantly followed, harassed and intimidated by public security personnel; or that even their then 13-year-old daughter, Gege, was beaten by police.

The most important reason for the seeming caution exercised by the regime in this case probably stems from the unique character of Gao Zhisheng, who is becoming increasingly known outside China and has recently become the focus of a multinational movement to nominate him for this year's Nobel Peace Prize.

Gao, 47, was born in the hillside cave in which his desperately poor family lived in north China. Starting as a migrant worker and then going underground as a coal miner at the age of 15, he later joined the People's Liberation Army, where he met his future wife, obtained a secondary education and became a member of the Communist party. On discharge, he became a street vendor, but also studied to become a lawyer, and was among the only one percent of the self-trained candidates who passed the bar exam in 1994.

Friend of People

Victims of official abuse were soon lining up at his office and he began to win cases against all odds in China's notoriously unjust court system. By 2001, the Ministry of Justice named him one of ten "honour lawyers" in a national television competition, although it rescinded the title four years later when he became a target of the regime.

His defense of farmers losing their land and Christians was serious enough, but doing the same for Falun Gong practitioners, when the regime had banned any lawyer from even representing them, was completely intolerable. It was Gao who wrote to David Matas and me last summer, inviting us to come to China to investigate the stealing of vital organs from Falun Gong prisoners of conscience. Predictably, no visa was subsequently issued by its embassy in Ottawa to do so; he was detained not long afterwards.

His three open letters to President Hu and others, protesting a range of abuses, including specific cases of torture and murder, caused his law office to be closed by the government. Literally throngs of police soon began to follow him and his family day and night. In a characteristic response, he posted the details of this campaign on his website, resigned from the Party and later became a publicly-declared Christian.

Litmus Test

The sentence is thus unjust as an undue restraint on freedom of speech and should be lifted completely; Gao's right to practice his profession honorably should be restored as well. The issue for the international community is whether the commitment of the government of China to improve human rights on the basis of which it was awarded the Olympic Games is to have any substance. The treatment afforded to Gao and his family is a litmus test whether the promises made by China to get the Olympics were real.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Matas', with a stylized, cursive script.

David Matas

A handwritten signature in blue ink, appearing to read 'D. Kilgour', with a stylized, cursive script.

David W. Kilgour