

TO:

Steven Harper

Prime Minister of Canada

CC:

RCMP Canada

Canadian Embassy in France

FROM:

Nikolai Kupriakov

OBJECT: Request to intervene and stop the oppression of an artist by the Quebec Police after the creation an artwork which criticizes the authorities. Denunciation of the wrongful use of the firearms control system as a means of repression to quiet a committed and socially conscious artist. Denunciation of the misuse of the firearms registry to violate an artist's freedom of speech.

Mr. Prime Minister,

I am a Canadian citizen who has been forced to leave Canada et go into exile with my wife, whom is also a Canadian citizen, because of the Quebec Provincial Police's (Surêté du Quebec) illegal and inappropriate behavior, a behavior motivated solely by the creation of an artwork, as I will demonstrate throughout this letter.

Here are the facts :

1. I am a professional artist and painter, the founder of the Montreal Artus School of Fine Arts (École des Beaux-arts de Montréal Artus), as well as a member of the Regroupement des artistes professionnels du Québec (RAAV). I was a member of the RAAV's administrative board from 1998 to 2003.
2. I practice engaged art, and often in my paintings I address news and current events in a manner that protests and criticizes the authorities.
3. I am very committed to the visual arts community and militate in favour of the respect of all professional practices, without any discrimination in various government policies.
4. In 2004 and 2005, I denounced the abuse and a sort of nepotism in a Quebec government policy: the Politique d'intégration des arts à l'architecture (Politique 1%). This favouritism is partly the result of the close relationships that have been built over the years between the government officials and the beneficiaries of these contracts, because nothing has been done to stop this from happening.

5. I defended the thesis that through this policy the Quebec government favors a handful of artists at the expense of hundreds of others.
6. Moreover, I demonstrated how the contract award mechanism employed by this policy allows a network of contract beneficiaries to retain control on the award of the contracts.
7. As a matter of fact, I can provide the competent authorities with a recent analysis that demonstrates at least one ploy used to deflect the contracts towards the Quebec Ministry of Culture's "favored club".
8. As a result of my criticisms and because of the contents of my art, I was expelled from the policy file, a list that gives access to the government contracts.
9. Therefore, on March 3rd 2008, I initiated a lawsuit against the Attorney General, targeting the Quebec Ministry of Culture (**NO: 500-17-041551-089 District de Montréal**).
10. In the spring of 2012, during the trial, the judge Claudine Roy made a declaration that indicated that there was a conflict of interest. She said that she collected the artwork of an artist favoured by the government through the Politique 1%, knowing very well that the favouritism and discrimination mechanism were at the heart of the trial. Despite this statement, she did not withdraw to leave place to another judge, and decided to preside over the trial herself.
11. As a matter of fact, I witnessed warm embraces between this same artist and a Quebec Ministry of culture official (a witness in the trial) in the hallways of the courthouse. This illustrates my theory that there exist close ties between contract beneficiaries and state officials.
12. In the summer of 2012, the judge in question rendered a biased judgement in favor of the Ministry of Culture.
13. On June 1st 2012, during a student protest of the "Printemps Érablé", I created an artwork which portrays, in excrements, Jean Charest, the Prime Minister of Quebec at that time, who had given the order to proceed to mass arrests on the Quebec population. (**Attachment P-1**). <http://www.ledevoir.com/societe/actualites-en-societe/351547/l-art-de-la-manifestation>
14. On March 15th 2013, I produced an artwork in which Ms. Claudine Roy, Judge of the Superior Court of Quebec, is portrayed in excrements. (**Attachment P-2**). <http://www.youtube.com/watch?v=OzOl6xgs35k>

The Sûreté du Québec's repressive behavior:

15. Motivated by the creation of this artwork, the Sûreté du Québec undertook in the weeks that followed abusive measures against me.
16. On March 25th 2013, approximately three weeks after lawfully producing the renewal of my firearms permit, the Sûreté du Québec demanded that I undergo mental exams; that I provide the contact details of all members of my family, of my ex-spouse, of at least two of my friends, and of my last two employers, as well as my places of residence in the past five years. In addition, it was requested that I authorize the Sûreté du Québec to have access to my medical records, and to information regarding my personality, my reliability, my education, my previous employment and my credit rating. All these

requests appear in the various documents produced by the Chief Firearms Officer of the Sûreté du Québec (**Attachment P-3-(1-7)**).

17. The Sûreté du Québec justified this behavior by saying that I " *could compromise my own safety and that of others...* " (**Attachment P-4**)
18. Recreational shooting has been a hobby of mine since a very young age. I have a firearms permit that I have acquired in accordance to all the laws and regulations. All my permits and licenses are in order and I have submitted myself to all the annual verifications prescribed by the law in January-February 2013.
19. I have trouble believing that the Sûreté du Québec is capable of seriously thinking that an artist is preparing serious acts of violence because of an artistic performance: a performance of a critical and protesting nature, yes; however still just a purely artistic performance. In fact, the initiator of these procedures, the police officer Denis Ducros of the Sûreté du Québec, was certain I did not pose any threat at all, as he clearly told my lawyer.
20. Indeed, it is a well-known fact that whenever the Canadian police suspects a potential danger for public safety, they immediately take action.
21. After my performance and receiving the Sûreté du Québec's requirements, I continued to go to the shooting range regularly and remained in possession all my equipment.
22. All this proves that the Sûreté du Québec's initiatives were a roundabout way for the authorities to repress my artistic expression, by demanding I undergo psychiatric examination, and produce deliberately exaggerated documents.
23. Given that it was an act of repression and not normal routine verifications, I refused to submit to the clearly exaggerated requirements of the Quebec police.
24. On June 12th 2013, the Sûreté du Québec withdrew my firearms permit.
25. I refuse to hand it over because to submit to the authorities' excessive requests would mean to give up my freedom of speech and to accept to be treated in a discriminatory manner, as well as to suffer the police's defamatory and slanderous remarks. For an artist, freedom of speech is non-negotiable, especially given that it is guaranteed under the Canadian Charter of Rights and Freedoms.
26. Moreover, I simply enjoy recreational shooting and want to preserve that privilege to which is entitled every honest Canadian citizen who has never committed any crime.
27. On September 11th 2013, the Sûreté du Québec submitted a file to the criminal court which proves that their initiatives and actions were motivated by the creation of the portrait of Judge Claudine Roy (**Attachment P-5**). Note however that the Judge never filed a complaint.
28. It is remarkable that the police saw it fit to publicly utter lies concerning me, and took the liberty to do so.
29. In fact, in an article published in the August 3rd 2013 edition of the Journal de Montréal, Guy Lapointe, spokesperson for the Sûreté du Québec, claims that:
 - 29.1. Firstly: "*It is normal that, for the sake of public safety, there is a rigorous verification for the renewal of a firearms permit*". By this statement he stipulates that the police's requests were dictated solely by the standard renewal requirements. However, it is all too obvious that this is a blatant lie, considering that I had just received my renewed permit a week or two prior to painting the

portrait of Judge Claudine Roy. I had already passed the police's "*rigorous verifications*" and met all their requirements.

- 29.2. Afterwards, Mr. Lapointe insinuated that "*other elements*" that the Sûreté du Québec cannot reveal publicly, had pushed the controller to demand I provide a medical certificate, etc. Honestly! This is another blatant lie. In fact, if there had been "*other elements*" as M. Lapointe says, I would never have received my permit, yet it had well and truly been renewed three weeks prior. It is impossible.

Mr. Prime Minister, I have never committed any crimes, I have never been implicated in any context of violence, I have never threatened anyone neither through my artwork, nor in person, and I have always complied with the Law.

30. By simply looking at the facts, it is clear that this intervention of the Quebec authorities was solely the repression of a "bothersome" artist, and not the result of a true concern for public safety. Therefore, it is normal that I find myself unable to submit to the requirements of the police, and cannot return my firearms permit.
31. Understanding that any legal exercise would lead me nowhere, I had no other choice but to go into exile with my wife. We first went to Mexico.
32. Therefore I was forced to abandon my children, my house, my work: the best art school in Montreal (EBAMA), a school that I founded myself et built for over 14 years. And now, others reap the fruit of my endeavours.
33. As we were crossing the Mexican border, we were attacked by the Gulf Cartel. Without the intervention of the Mexican Federal Police, we would undoubtedly have been kidnapped and sequestered.
34. Afterwards, we went to Spain and now we are temporarily living in France.
35. France is a beautiful country, but it is not ours.

Mr. Prime Minister, we want to come home.

The irony is all this is that, as I am writing you this letter, I just recalled another story, one that took place at the end of the 70's. I remember my father writing to the central authorities of the Soviet Union to complain about the abuse he had endured at the hands of the Ukrainian KGB. In vain....

Currently, Quebec has become a province where police forces grant themselves rights and powers that were never entrusted to them. Abusive surveillance and spying on the population have become the norm. Therefore, when the police considers it is necessary to violate the Canadian Charter of Rights and Liberties, they do so without any consequences.

On October 14th 2014, the police searched my home in Montreal. Afterwards, a police officer contacted me (in an email full of spelling and grammar mistakes) by hacking into an email account that I had created to communicate only with my three children. The police is spying on me, they are watching me, checking my internet accounts, and all this, because I created a controversial artwork... I won't even need to send them a copy of this letter: they will have read it before you do.

Mr. Prime Minister, how can you defend western values and lecture countries such as Russia and China, when in our own country Liberty and Democracy have become mere illusions? I sincerely hope you do not believe democracy is just the right to vote and choose between three political parties every four years?

Mr. Harper, is the Canadian Charter of Rights and Freedoms just a useless piece of paper every Quebec police officer may use whenever he or she runs out of toilet paper?

I believe it is your responsibility to force provincial administrations to respect the Charter of Rights and Freedoms.

I understand that Quebec is opposed to the abolition of the firearms registry, but to adopt a behavior that is completely senseless and use the system of firearms control to oppress an artist whom the authorities dislike, is going too far... Such a behavior cannot be tolerated by a democratic society. Do all artists who possess firearms permits no longer have the right to create artworks that criticize the system or the authorities?

For some time now, certain unscrupulous forces have been cultivating a collective hysteria around firearms. Millions of dollars are spent on this issue. Whom is this aimed at? Thousands of honest Canadian citizens who legally possess firearms and practice their millennia-old hobby in a safe manner. It is time to stop this mass brainwashing, which only serves to transform our democratic society into a police state.

Never could I have imagined that in the twenty-first century, in a country of rights and freedoms, an artist could be repressed for creating an artwork. Never could I have thought that the police would dare order him to undergo psychiatric examinations, withdraw his firearms permit and imprison him at the end of the battle. Because that is the fate that awaits me if you do not intervene.

Instead of fighting artists like me, Canada should be proud to have such artists. The existence of artists that create artworks of a social nature in all liberty proves that our society is healthy, open to criticism and capable of reflection. Only Stalinist, Nazi, and now Islamic extremist type states oppress these artists.

As a matter of fact, this whole story demonstrates how effective art really is. In fact, the exaggerated reaction of the Quebec police shows just how an artwork can attain its goal. On the other hand, the question raised is as follows: are there people who really think that some members of our society (judges, for example) should be immune to criticism? Do the authorities have different rights than the rest of the population?

Mr. Harper, it is obvious that the issues at stake here are not the administrative rights of the police to withdraw an individual's firearms permit, but in the legitimacy of their actions and their true motivation, which by all accounts is the repression of an artist in this case. All this is even more important because it takes place within the framework of a battle for freedom of speech and the fundamental rights of a citizen that criticized a discriminatory government policy.

Mr. Harper, it is normal that modern societies keep a feeling of reluctance towards legal and registered firearms. From time to time, these weapons are involved in criminal incidents or accidents. However, the police should never have the right to use this as an excuse to resort to repressive measures or to settle a score in a matter that has nothing to do with public safety. **If the firearms registry and the gun control system are used by the Quebec authorities to repress professional artists, we must really congratulate the Government of Quebec for its complete disregard of and contempt for democracy.**

Mr. Prime Minister, my wife and I ask you to please intervene, and to demand that the Government of Quebec punish those who are responsible and force the Sûreté du Québec to apologize for their improper and abusive conduct, to reactivate my permit, and to negotiate with me the compensations and indemnities for the damages my family and I have suffered because of this matter.

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