

# DAY OF THE ENDANGERED LAWYER 2017

devoted to

## Endangered Lawyers in China

*Giornata dell'Avvocato Minacciato*

लुप्तप्राय वकील दिवस

يوم المحامي المهدد

Ημέρα του Δικηγόρου που Κινδυνεύει



受迫害律師日

*Journée de l'Avocat en Danger*

Tehlikedeki avukatlar günü

ਸੰਕਟਮਈ ਵਕੀਲ ਦਾ ਦਿਨ

*Día del Abogado Amenazado*

TAG DER BEDROHTEN ANWÄLTE

Dia do Advogado Ameaçado

迫害の危険にさらされている弁護士の日

The Foundation Day of the Endangered Lawyer, based in Haarlem, the Netherlands:

- Unites lawyer organizations and bar associations in defending their colleagues
- Brings lawyers together in solidarity in a positive way

24 January 2017

Your Excellency,

Every year since 2010, we observe 24 January as the Day of the Endangered Lawyers. The day commemorates the perils of lawyers during the Spanish fascists in Madrid in 1977 and we have over the past years expressed our solidarity with the endangered lawyers in countries including, Turkey, Honduras and the Philippines.

For 2017, the day is dedicated to our brothers and sisters in China, all those who have been harassed, silenced, pressured, threatened, detained, tortured and even disappeared because they defend human rights, especially for the disadvantaged, while performing their professional roles and duties as lawyers.

China has been a rising power in the international political and economic arena and yet its legal environment has remained perturbing.

As legal professional from around the world, we are concerned that judicial independence is still largely absent in the country despite the many legal reforms claimed to have been conducted over the recent years. Without effective power check and balance between the law-enforcing organs and the judiciary, lawyers and legal rights workers have been subjected to risks and persecution in their work.

## ISSUES OF CONCERN

### 1. The Defective Laws and Lawyers' Right to Practice

We are concerned that in China, defective laws and regulations have been one major factor that weakens lawyers' rights to practice.

- 1.1 Despite certain positive elements being introduced, the 2012 Criminal Procedure Law was also amended to legalise and institutionalise the deprivation of rights, with that of lawyers' further circumscribed and police's power arbitrarily expanded.
- 1.2 We refer in particular to, *inter alias*, the respective provisions on "residential surveillance at designated location" (art. 73) which, when applied in combination with art. 37 on national-security-related crimes which are imprecise in their meanings and definitions as they are in the law; would allow the police maximum discretion on where to detain the suspect and whether or not to grant the suspect's right to lawyers, for up to six months.
- 1.3 We would like to point out that law-enforcers in China are noted to have increasingly used national-security-related allegations over the recent years,

not necessarily with solid grounds and or evidence, as the pretext applying prolonged detention while at the same time depriving detainees their rights of access to lawyers.

- 1.4 In this regard we refer in particular to all the lawyers and legal activists that have been detained in the 709 Crackdown since July 2015. The majority of them have fallen prey to the defects in the law and have been held under “residential surveillance at designated location” with their right of access to legal representation deprived. (see section on Case of Concern: detention)
- 1.5 Equally disturbing are the newly added articles 308 (1) and 309 in the Criminal Law revised in 2015 which seek to criminalise lawyers for divulging information that “should not be divulged according to the law” or that might cause “serious consequence” and for “disrupting order in the court”. Vague and board as they are, the articles are prone to be manipulated to restrict lawyers’ rights to perform their legal duties and possibly their right to freedom of speech.

## **2. The Judicial Bureau and the Autonomy of Lawyers**

We are concerned about the much contended role and power of the judicial bureau, executive branch of the judiciary, in thwarting the autonomy of the lawyers both as individuals and as a professional community.

- 2.1 We take note of the revised Measures for the Administration of Law Firms and the Measures on the Administration of Lawyers’ Practice, both issued by the Ministry of Justice in September 2016 and took effect on 1 November 2016.
- 2.2 We are deeply concerned that the newly revised Measures for the Administration of Law Firms has been amended to place lawyers and law firms under closer scrutiny of the judicial bureaus by one, incorporating law firms as part of the collective control mechanism through the monopolization of politico-ideological stance (art. 3, art. 4) and direct intervention into how “major and difficult” are to be handled. (art. 49); and by two, depriving lawyers of their rights to freedom of speech and expression with prohibition on a series of board and vaguely defined behaviours targeting specifically the lawyers. (art. 50)
- 2.3 We are also concerned that, without substantive improvement in judicial independence with fair treatments given to both the prosecutor and the defence, the newly added articles of 37 – 40 of the Measures on the Administration of Lawyers’ Practice could be readily manipulated to obstruct

lawyers in conducting their legal duties and to constraint their freedom of speech and expression.

### 3. Annual Inspection

We find the annual inspection system disturbing as it has been used to penalise or intimidate lawyers and law firms not readily succumbing to the authorities' "guidance" in the handling of "grave cases" by revoking their licences.

- 3.1 We understand that the self-assumed power to "stamp and validate" a license was formalised by the judicial bureau in 2010 and has been challenged by lawyers from across the country for lacking legal basis.
- 3.2 In this regard, we regret that lawyer Li Jinxing (*alias* Wu Lei) was threatened in early 2016 by the Jinan Judicial Bureau in Shandong to fail his annual inspection. He was subsequently given administrative penalty with a one-year suspension of his practicing practice starting December 2016.
- 3.3 Li Jinxing was the defence lawyer of renowned legal activist Yang Maodong (*alias* Guo Feixiong). Li has been accused of "disrupting court order" and "interrupting the judge's speech" for pointing out irregularities in Yang's trial.
- 3.4 Also regretted is the latest situation of the hard-hit Beijing Fengrui Law Firm. The law firm together with its two senior partners, including rights lawyer Liu Xiaoyuan, have not been accepted for the 2016 annual inspection, hence restrained from normal operation, despite their being free from any charge or allegation in relation to the crackdown. The case is strongly suspected to be one of guilty by association or collective punishment.

### 4. Torture and Violence against Lawyers

We take note of China being a State Party to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment since 1988; and yet reports continue to emerge on violence inflicting physical, mental and psychological sufferance on lawyers and legal activists during detention and or extra-judicial detention. (<https://www.evernote.com/shard/s534/sh/e309c0d1-1cda-4a6b-8b05-b8f2936e2be6/44a2595401e3f2ce098823ba38193a4d>)

We are also aware that apart from physical violence, intimidation, harassment, as well as abuses against lawyers has remained commonplace in China both inside and outside the courtrooms, with attackers including public officials (such as public security officers, judges and court police for instances), parties to litigation and gangsters who often act with the acquiescence of the formers. More than often,

cases assaulting lawyers and legal activists are not inquired into with legal means for remedies and redress not feasible.

- 4.1 We note in 2015, lawyers Wen Donghai, Shi Fulong in Hunan, Cui Wai in Beijing, Wang Fu, Zhang Lei and Liu Jinbin in Hengyang Hunan, Xie Yang in Guangxi, Wang Quanzhang, Wang Yu, Lan Zhixue, Dong Qianyong and Li Zhongwei in Shenyang Liaoning, Dong Qianyong in Hebei, Shu Xiangxin in Jinan, to name but a few.
- 4.2 Situation did not mitigate in 2016. It was recorded in March alone, four cases from across the country, involving respectively Lu Hang in Shannxi, Wang Zichen in Heilongjiang, Li Dugen and Jiang Quan in Jiangsu as well as Zhang Xinsheng in Hubei happened just within a short span of 6 days, with 3 of them taking place inside the courtroom or within the complex of the court. Public officials were involved in 3 of these 4 cases.
- 4.3 The assault of lawyer Wu Liangshu in June 2016 astounded the world when he appeared in a photo taken outside a Guangxi court with half of his pair of trousers torn off.
- 4.4 On cases of concern, we refer in particular to the ordeals of lawyers and legal activists detained in the 709 Crackdown. Both lawyer Xie Yang in Hunan, and legal activist Wu Gan in Tianjin complained about being tortured including physical assaults, deprivation of sleep, food, and placement with death rows.

## **CASES OF CONCERN**

### **1. In Detention**

Apart from the above issues of concern, we write also to draw your attention to the status of the following cases.

#### **1.1 JIANG Tianyong, disappeared since 21 November 2016**

Formerly human rights lawyer in Beijing, Jiang was disbarred in 2009 as a result of his work.

Jiang went disappeared at around 22H on 21 November 2016 in Changsha, Hunan after he visited the family of Xie Yang, a rights lawyer indicted in the 709 Crackdown. It was almost three weeks later on 13 December that the authorities confirmed having detained him for administrative penalty from 21 November to 1 December 2016.

On 23 December, 2016, Jiang's family received an official notification that Jiang had been held under "residential surveillance at designated location", effective from 1 December 2016, for the alleged crime of "inciting subversion of state power". At this stage, Jiang is not yet formally arrested or indicted.

We are concerned that Jiang Tianyong has remained incommunicado. His whereabouts and status of physical and psychological wellbeing is unknown.

### **1.2 Li Heping, detained incommunicado since 10 July 2015, pending for trial**

Li was a practicing lawyer in Beijing before his detention. He was indicted for the alleged crime of Subversion of State Power in December 2016.

Li was taken from home by police on at around 14H on 10 July 2015 and remained disappeared until his family received in late January 2016 the notification of his formal arrest effective on 8 January 2016. Li was alleged to have committed the crime of "subverting state power". The case of Li Heping has completed the processes of the initial police investigation and twice supplementary investigations.

As of the time of writing, Li is pending for trial on a date to be announced.

#### **Major violations and concerns in Li Heping's (LHP) case include:**

(1) LHP's family had not received any formal notification for the first five months of his detention and his whereabouts was unknown. (2) LHP has not been allowed to meet the lawyers appointed by his family since he was first taken by police in July 2015. His lawyers have been denied by the authorities and they did not have access to the files of the case. Status of his physical and psychological wellbeing is hence unknown. (3) It is also disturbing that police have attempted to allure LHP's family at least twice in 2016 to make video to persuade Li into making confession. (4) Ms. Wang Qiaoling, wife of LHP, has been harassed multiple times including being questioned, temporarily detained, monitored, intimidated, slapped on face and forced to evict from home while seeking legal remedies for her husband's case. (5) The authorities have, by means of not issuing a residential permit, forbidden LHP's six-year-old daughter from entering a primary school.

### **1.3 XIE Yang, detained since 11 July 2015, pending for trial**

Xie was a practicing lawyer in Hunan before his detention. He was indicted for Inciting Subversion of State Power and Disrupting Order in Court in December 2015.

Xie was taken away from home by police at around 05H on 11 July 2015. Despite the notifications his family received, respectively in late 2015 and in January 2016, about him being held under "residential surveillance at designation location" and being formally arrested. Xie's lawyers appointed by his family had not been able to meet

him until late November 2016, and they only managed to gain access to case files in mid-December 2016.

The case of Xie Yang has completed the process of the initial police investigation and twice supplementary investigations. As of the time of writing, Xie is pending for trial on a date to be announced.

Major violations and concern in Xie Yang's (XY) case include:

(1)XY has not been given access to lawyers appointed by his family until late November 2016, almost 17 months after his first detention. (2) XY has confirmed being tortured during his detention. (3) Chen Guiqu, wife of XY, was harassed, threatened and banned from travelling out of mainland China while seeking legal remedies for her husband's case.

**1.4 WANG Quanzhang**, detained incommunicado since 10 July 2015, pending for indictment

Wang was practicing lawyer in Beijing before his detention. His case was returned by the Procuratorate to the police on 30 November 2016 for the second (last) supplementary investigation for the alleged crime of Subversion of State Power.

Wang disappeared at about 10H on 10 July 2015 and remained so until the family received the first formal notification in January 2016 which announced his formal arrest effective on 8 January 2016, on suspicion of having committed the crime of "subverting state power".

According to the criminal procedure in China, a decision on whether or not to indict Wang will have to be made within another 2.5 months from 30 November 2016 for the latest.

Major violations and concerns in Wang Quanzhang's (WQZ) case include:

(1) WQZ's family had not received any formal notification for the first five months of his detention and his whereabouts was unknown. (2) WQZ has not been allowed to meet the lawyers appointed by his family since he was first taken by police in July 2015. WQZ's lawyers have been denied by the authorities and they have not been given access to any case files. Status of WQZ's physical and psychological wellbeing is hence unknown. (3) The police have attempted to allure his family at least twice in 2016 to make videos to persuade Wang into making confession. (4) Ms. Li Wenzu, wife of WQZ, has been harassed multiple times including being questioned, temporarily detained, monitored, intimidated and forced to evict from home while seeking legal remedies for her husband's case. (5) Police have harassed school masters to forbid the three-year-old son of Wang from attending a kindergarten.

**1.5 WU Gan**, detained in May 2015, allegation changed and investigation started anew in early January 2016, pending for trial

Wu was an administrative staff member of Beijing Fengrui Law Firm and a legal activist. He was indicted in December 2016 for the alleged crimes of Subversion of State Power and Picking Quarrels and Provoking Troubles.

Wu was first detained by police in Fujian in May 2015 and formally arrested on 3 July 2015 for taking part in protests calling on lawyer's right to access files. However, in January 2016, police started the case anew on the claim of having found evidence of new crimes and the case was transferred to Tianjin where the most of the 709 cases have been detained.

Allegations against Wu Gan were changed in August 2016 to become "subverting state power" and "picking quarrels and provoking troubles".

The case of Wu Gan has completed the process of the initial police investigation and twice supplementary investigations. As of the time of writing, Wu is pending for trial on a date to be announced.

Major violations and concerns in Wu Gan's (WG) case include:

(1) WG's family did not receive any notification regarding his relocation from Fujian to Tianjin or the change of his allegations. (2) WG first met his lawyer on 9 December 2016, almost 11 months after he was moved to Tianjin. (3) WG confirmed being tortured during his detention.

## **2. Open and Fair Trial**

**2.1 Zhou Shifeng**, practicing lawyer in Beijing and director of the Beijing Fengrui Law Firm.

Zhou was convicted of Subverting State Power in the 709 Crackdown, and sentenced to 7 years of imprisonment on 4 August 2016.

Zhou encountered similar problems of violations and concerns shared by lawyers listed here above during his detention after he disappeared abruptly on 10 July 2015. His family was not given any formal notification of his detention and his lawyers were unable to meet him. It was also reported that Zhou's family was pressurised by the police to change Zhou's lawyer into one appointed by the authorities.

There are grave concerns of the violations of domestic law in Zhou's trial. (1) Date of trial was announced only one day in advance which is against the domestic law. (2) Police were stationed in the neighbourhood where Zhou's family lived with family members warned not to attend the trial. Family members and family appointed



lawyers were finally absent in the trial. The claim by the authorities that Zhou did not want his family to attend the trial cannot stand any legal justification. (3) The trial was attended by government arranged people and media instead of being open to public as the law prescribes. (4) Zhou was represented in the court by a lawyer appointed by the authorities. (5) Prior to his trial, Zhou, and a few others detained because of the crackdown, was made to confess or self-incriminate on a state-controlled TV, which was then republished and spread by other state-controlled media.

## **2.2 Tang Jinling, formerly rights lawyer in Guangzhou, disbarred in 2005 for his work.**

Tang was formally arrested in June 2014, roughly one month after he was first detained. The first trial took place on 29 January 2016, almost 1.5 years after his detention. Tang complained being tortured in detention.

Tang was convicted of the alleged crime of Inciting Subversion of State Power and sentenced to 5-year imprisonment for reproducing and disseminating 5 publications by Gene Sharp on “non-violent civil disobedience movement”.

It is concerned that the authorities has refused his family from attending the first trial which took place at the end of January 2016, in clear breach of article 9 of the “Rules of the People’s Court” issued by the Supreme People’s Court (SPC).

The sentence was maintained in a second (appeal) trial conducted in secret on 31 May 2016 without the presence of lawyers which violated stipulations of articles 182 and 183 of the Criminal Procedure Law.

## **2.3 Xia Lin, practising rights lawyer in Beijing, pending for all**

Xia was taken away from home by police without warrant on 8 November 2014, soon after he took up the case of Guo Yushan, an activist targeted by the authorities in a series of NGOs crackdowns at the time.

He was convicted for “fraud and deception” and was given 12-year imprisonment on 22 September 2016, by far the heaviest among rights lawyers persecuted.

It is understood that the case has been controversial not only in the fact Xia had been denied access to his lawyers during his detention, but more fundamentally in its nature. The defence lawyers have convincingly pointed out that money-at-stake, despite its large amount, had been proved to be loans between friends and partners done in the civic arena with no major gripe among them.

The conviction of Xia is seen as another case of political retaliation on human rights lawyers in the country. The case is pending for appeal on a date to be announced.

### **3. Released on Bail**

We write to raise our concern that in China, instead of being a measure to ensure the presumption of innocence, the bailing system is often manipulated as an extended punishment or harassment to rights lawyers or activists whose cases cannot be established in the end. According to China's Criminal Procedures Law, people on bail retain their status as suspects or defendants with their cases stay open and they could be made subject to restriction of movement and or personal freedom for a maximum of 12 months.

In this regard, we bring to your attention the following cases, (1) all, except one, lawyers, lawyer's assistants and legal activists now released on bail have had no access to lawyers of choice during their detention ranging from 1 to 17 months. In at least two cases, the families were pressurised to accept the lawyers appointed by the authorities. (2) The majority of those released on bail has remained largely constrained in their freedom of movement. Some have been forced to return to their native towns in remote areas. Others have to stay at designated locations for weeks before they could join their family. To date, the more prominent figures are still under strict surveillance of the police months after their release. (3) Many have been warned against speaking up or contacting friends.

#### **3.1 Li Chunfu, practicing lawyer in Beijing, detained since 1 August 2015**

Li Chunfu was taken by police on 1 August 2015 while looking for his elder brother, lawyer Li Heping, who was taken by police about 3 weeks earlier. Li Chunfu was formally arrested on 8 January 2016 for the alleged crime of subverting state power. Throughout his detention, Li was denied access to lawyers of choice. In July 2016, it was reported that his wife was pressurised by the police to accept the lawyer appointed by the authorities.

Li was released on bail on 5 January 2017 according to official document but he arrived home in Beijing on 12 January 2017.

What has been most shocking, however, is that lawyer Li is found to be in an extremely traumatised state of mind, suffering paranoia, strong sense of insecurity, and having lost a lot of weight upon his release. Li is reported to have told his family that during the detention, he was give "tablets" on daily basis for, the officials said, his hypotension. Li's family confirmed that Li did not suffer hypotension before he was detained. A medical examination done 2 days after his release also confirmed Li has no symptom of hypotension. It remains strongly dubious what that medicine could be.

**3.2 XIE Yanyi, practicing lawyer in Beijing, detained since 12 July 2015**

Xie was formally arrested on 8 January 2016 on the alleged crime of Inciting Subverting State Power. Xie was released on bail 5 January 2017, about 17 months after his detention incommunicado. As of 9 January 2017, his family has been able to talk to him over the phone but unable to meet him in person.

**3.3 Wang Yu, practicing lawyer in Beijing, disappeared on 9 July 2015 and formally arrested for the alleged crime of “subverting state power” on 8 January 2016 with no access to lawyer before being released on bail in August 2016. The family is still under tight surveillance and she is constrained on her mobility**

**3.4 Bao Longjun, practicing lawyer in Inner Mongolia, husband of Wang Yu, disappeared on 9 July 2015 in Beijing and formally arrested on 8 January 2016 for the alleged crime of “inciting subversion of state power” with no access to lawyer before being released on bail in August 2016.**

**3.5 Ren Quanniu, practicing lawyer in Henan, defence lawyer of Zhao Wei, legal assistant arrested in the 709 Crackdown. Ren was taken away by police in Zhengzhou, Henan, on 8 July 2016 for the alleged crime of “picking quarrels and provoking troubles” with access to lawyer once before being released on bail on 6 August 2016. His wife was reportedly harassed and intimidated during his detention. Ren also mentioned being given medicine by officials during his detention.**

**3.6 Liu Sixin, formally practicing lawyer in Beijing, disbarred in 2009 in an arbitrary criminal case of assault. Liu was taken away by police on 10 July 2015 and formally arrested on 8 January 2016 for the alleged crime of “subverting state power” with no access to lawyer before being released on bail at the end of September 2016.**

**3.7 Zhang Kai, practicing lawyer in Beijing, taken away by police in Wenzhou, Zhejiang, on 25 August 2015 for the alleged crimes of “assemble to disrupt public order” and “stealing, collecting, purchasing and illegally providing state secrets and intelligence to overseas organizations”; with no access to lawyer before being released on bail in March 2016.**

**3.8 Sui Muqing, practicing lawyer in Guangzhou, taken away by police on 10 July 2015 for the alleged crime of “inciting subversion of state power” with no access to lawyer before being released on bail in January 2016.**

- 3.9 Wang Liquan**, practicing lawyer in Beijing, taken away by police on 10 July 2015 on unclear grounds with no access to lawyer before being released on bail in January 2016.
- 3.10 Xie Yuandong**, trainee lawyer in Beijing, taken away by police on 10 July 2015 for the alleged crime of “inciting subversion of state power” with no access to lawyer before being released on bail in January 2016.
- 3.11 Li Shuyun**, trainee lawyer in Beijing, taken away by police on 10 July 2015 and formally arrested in January 2016 for the alleged crime of “subverting state power” with no access to lawyer before being released on bail in April 2016.
- 3.12 Wang Qiushi**, practicing lawyer in Heilongjiang, taken away by police on 9 January 2016 and released on bail on alleged but unspecified national-security-related crime with no access to lawyer before being released on bail in early February 2016.
- 3.13 Zhao Wei**, assistant to lawyer Li Heping, taken by police on 10 July 2015 and formally arrested on 8 January 2016 for the alleged crime of “subverting state power” with no access to lawyer of choice before being released on bail in early July 2016.
- 3.14 Gao Yue**, assistant to lawyer Li Heping, taken by police on 20 July 2015 and formally arrested on 8 January 2016 for the alleged crime of “aiding to destroy evidence” with no access to lawyer of choice before being released on bail at the end of April 2016.
- 3.15 Liu Peng**, assistant to lawyer Zhang Kai, taken by police in Wenzhou, Zhejiang, on 25 August 2015 for the alleged crimes of “assemble to disrupt public order” and “stealing, collecting, purchasing and illegally providing state secrets and intelligence to overseas organizations”; with no access to lawyer before being released on bail in December 2015.
- 3.16 Fang Xiangui**, assistant to lawyer Zhang Kai, taken by police in Wenzhou, Zhejiang, on 25 August 2015 for the alleged crimes of “assemble to disrupt public order” and “stealing, collecting, purchasing and illegally providing state secrets and intelligence to overseas organizations”; with no access to lawyer before being released on bail in December 2015.

**Taking note that China has ratified the following international human rights treaties (year ratified),**

- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1980)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (1981)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (1988)
- Convention on the Rights of the Child (CRC) (1992)
- International Covenant on Economic, Social and Cultural Rights (ICESCR) (2001)
- Convention on the Rights of Persons with Disabilities (CRPD) (2008)

**And that China has signed the following treaty (year signed),**

- International Covenant on Civil and Political Rights (ICCPR) (1998)

**Also that China has supported the “Basic Principles on the Role of Lawyers”, adopted by the 8<sup>th</sup> United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba, in 1990, which inter alia, obliges the State to protect lawyers.**

**Recognising in addition the many instances of President Xi Jinping pledging to promote rule of law and protect constitutional rights of the Chinese people,**

**And that as a long-standing member of the United Nations, the UN Human Rights Council, and a state party to the majority of the core human rights treaties, China is obliged to abide by its international legal obligations in observing the guiding principles and provisions enshrined in the various human rights laws.**

**Taking further reference of the provisions in both national and international laws and in particular that of,**

- Articles 33, 34, 35, 36 37,38, 39 and 125 of the PRC Constitution
- Articles 1, 2, 16, 18, 20, 23, 24, 26, 27, 28 and-29 of the UN Basic Principles on the Role of Lawyers
- Articles 2, 4, 7, 9, 14, 18 and 26 of the ICCPR
- Articles 1, 2, 4, 10, 11, 12, 13 and 15 of the CAT, and

- Articles 2 and 28 of the CRC

**We reiterate our convictions in lawyers' role in upholding the rule of law and in defending social justice, and only when lawyers' rights are protected that the rights of citizens can be safeguarded.**

**Hence we hereby call on the Chinese government to immediately,**

1. Respect and observe her legal duty as a member of the international community, respect and observe its solemn pledges to the Chinese citizens on rule of law and rights protection by adhering rigorously to its Constitution and law congruent to the spirit and principles of the international human rights laws;
2. Release all lawyers and others who have been unlawfully detained, convicted and sentenced, in particular those implicated in the 709 Crackdown, including Li Heping, Xie Yang, Jiang Tianyong, Wang Quanzhang, Wu Gan and Zhou Shifeng; as well as the non-709 cases including Tang Jingling, Xia Lin and the others.
3. Ensure the full protection of the basic rights of all lawyers and others arrested or held as criminal suspects or defendants including but not limited to the rights of access to lawyers of one's own choosing, adequate medical treatments, visitation and freedom from torture, inhuman treatments and self-incrimination,
4. Cease all harassment, intimidation and collective punishments against lawyers' families, their colleagues and friends, and ensure all their basic rights of the citizens.

**We appeal further to the Chinese government to embark on legal, judicial and institutional reforms that work to,**

5. Facilitate the prospective development of judicial independence, with effective power check and balance between law enforcement and the judiciary;
6. Bring an end to any systematic violations of human rights and suppression on the civil society by repealing all draconian legislation, with special reference to the provisions in the Criminal Law, the Criminal Procedure Law, the Measures on the Administration of Law Firms and that on the Administration of Lawyers' Practice that function to suppress lawyers, to deprive them of their basic human rights, and/or to obstruct them from performing their professional

duties as highlighted in UN Basic Principles on the Role of Lawyers, as noted here above;

7. Stop all violence and harassments against lawyers;
8. Fortify lawyers and legal practitioners' role and functions in defending rule of law and criminal justice;
9. Ensure the independence of lawyers by repealing the Annual Inspection system, and by institutionalizing free elections for the All China Lawyers Association;
10. Bring provisions in national law and regulations in line with the principles and standard of international human rights protection; and
11. Fortify citizen's rights to litigation and legal remedies.

We urge international communities to continue with their concerns and pressure for China to reform and we reiterate our pledges to stand in solidarity with the lawyer brothers and sisters as well as the legal practitioners in China in their struggles for better rights protection and legal environment.

Sincerely,

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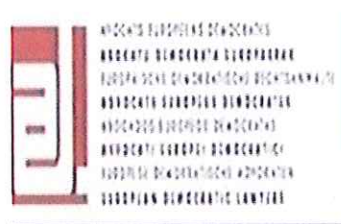
On behalf of All the attached lawyer- organizations  
en Bar associations  
offered by the International coordinator of the Day  
of the Endangered Lawyer.

Hans Gaasbeek - Vice president of the Dutch League  
for Human Rights

Lawyer in Haarlem, The Netherlands

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INTERNATIONAL ASSOCIATION OF PEOPLE'S LAWYERS



"People's lawyers should involve in cases, cases, and issues that fundamentally affect the lives of a large number of people, usually a sector of society or even the whole society itself."



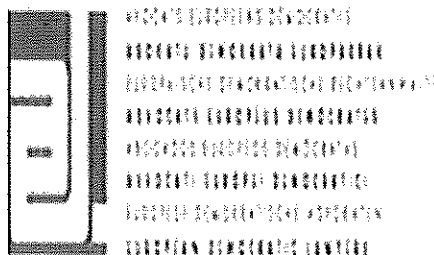
China Human Rights Lawyers Concern Group (CHRLCG)

中國維權律師關注組 中國維權律師關注組



[[Open for the people of the world, together the World Lawyers' Union who defend the human]]





The Day of the Endangered Lawyer was initiated in 2009 by the President\* of the Commission Defense de la Defense of the European Democratic Lawyerorganisation. This initiative was strongly supported by Gilberto Pagano, the former AED President lawyer in Milano. The goal of the Day was to strengthen structurally the international work for endangered lawyers in the world.

The cooperation with ELDH and later IADL started in 2011 - A strong foundation Day of the Endangered Lawyer and a group of volunteers support the project. In the more recent years, the following lawyerorganizations and bar associations gave their important support:

- IDHAE
- Lawyers for Lawyers
- CCBE
- Conseil national des Barreaux / OIAD (Observatoire)
- IDHAE
- Bureau de Bruxelles l'Ordre Français
- UIA
- IAPL
- CHR Lawyers HK
- Avvocati Minaciati
- Colombia Caravana

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- \* Hans Gaasbeek - vice president of the Dutch League for Human Rights  
Former bureau member of VSAN - lawyers  
Former president of the Commission Defense de la Defense during 15 years