

Your Excellency,

We, the undersigned lawyers, judges and jurists write to express our deep concern about the scores of lawyers detained or intimidated in China during an unprecedented crackdown on criminal defence and human rights lawyers.

The crackdown began in the night of 9 July 2015 with the detention of rights lawyer Wang Yu, her husband and their sixteen-year-old child in Beijing. Since then, hundreds of lawyers, law firm staff, and family members have been subject to intimidation, interrogation, detention as criminal suspects, and forced disappearance.

As of 10 January 2016, some thirteen lawyers and legal assistants affected by this crackdown remain under criminal detention or forcibly disappeared. They are:

- Wang Yu 王宇, lawyer of the Fengrui Law Firm
- Bao Longjun 包龙军, lawyer and husband of Wang Yu
- Wang Quanzhang 王全章, lawyer of the Fengrui Law Firm
- Sui Muqing 隋牧青, lawyer
- Xie Yang 谢阳, lawyer
- Xie Yuandong 谢远东, trainee lawyer of the Fengrui Law Firm
- Zhou Shifeng 周世锋, lawyer and director of the Fengrui Law Firm
- Chen Taihe 陈泰和, law professor and lawyer
- Huang Liqun 黄力群, lawyer of the Fengrui Law Firm
- Li Chunfu 李春富, lawyer
- Liu Sixin 刘四新, former lawyer and administrative assistant of the Fengrui Law Firm
- Gao Yue 高月, assistant to lawyer Li Heping
- Zhao Wei 赵薇 (aka Koala), assistant to lawyer Li Heping

The authorities have indicated where and why some of them are held but none of them has so far been allowed access to counsel, friends or family, and they are effectively disappeared. While some of the abovementioned individuals are purportedly held on suspicion of state security and public order crimes such as 'inciting subversion of state power,' others such as Li Chunfu are not known to be suspected of any crime at all; and in the following cases, your government has so far declined to admit that they are being held at all:

- Li Heping 李和平, lawyer and Li Chunfu's elder brother
- Li Shuyun 李姝云, lawyer of the Fengrui Law Firm
- Wang Fang 王方, Financial manager at Fengrui Law Firm
- Xie Yanyi 谢燕益, lawyer
- Tang Zhishun 唐志顺(aka Caogen Zhinu), HRD
- Xing Qingxian 幸清贤, HRD

We fear that without legal representation or other legal protections, the persons above are at high risk of torture or other cruel and inhuman treatment; and we are especially concerned about those who have been detained and/or disappeared and tortured on similar past occasions, including Li Heping, his brother Li Chunfu and Wang Quanzhang. Our concern is heightened by the findings of the Com-

mittee against Torture which has stated on 9 December 2015 that it “*remains seriously concerned over consistent reports indicating that the practice of torture and ill-treatment is still deeply entrenched in the criminal justice system, which overly relies on confessions as the basis for convictions*”. Moreover, the state-controlled Chinese media have denounced a number of detained ‘suspects’ as members of a crime syndicate engaging in ‘rights-defence-style trouble-making’ (‘维权式’滋事) in a series of broadcasts, and paraded some of those detained ‘confessing’ to wrongdoing before they have even been publicly indicted.

You have repeatedly stated that “*China is a country ruled by law*” and that “*every individual Party organisation and Party member must abide by the country's constitution and laws and must not take the Party's leadership as a privilege to violate them.*” Yet the events just described appear entirely contrary to those commitments.

Further, in the past two years, other notable lawyers, renowned for their criminal defense and human rights practices, have been detained, notably, Lawyer Pu Zhiqiang 浦志强 (in pre-trial detention since May 2014), Lawyer Tang Jingling 唐荆陵 (in pre-trial detention since June 2014), and Lawyer Zhang Kai 张凯 (held under ‘residential surveillance at a designated location’ since August 2015).

May we respectfully remind you that China has signed and ratified the Convention against Torture and signed the International Covenant on Civil and Political Rights. By detaining and disappearing these lawyers and law firm staff, China is in breach of its international obligations as well as Chinese domestic criminal law and constitutional principles. It is also violating the UN Basic Principles on the Role of Lawyers, the UN Declaration on Human Rights Defenders and the UN Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment.

In order to vindicate its claim to be a responsible stakeholder in the international community and to be a respected global superpower, it is imperative that China honour its international commitments to international conventions and human rights. Therefore, we respectfully urge you to:

- **Ensure the release of the detained lawyers and others arrested with them, including those held without legal basis,**
- **Ensure access to counsel for all those detained or held as a criminal suspect,**
- **Confirm the whereabouts of those forcibly disappeared,**
- **Ensure that the rights of those detained, including their right to adequate medical treatment, are safeguarded,**
- **Ensure that those detained and their colleagues will be protected from any future control measures such as: tracking and following, violent attacks, soft detention, ‘being travelled’, being asked to have ‘chats’, criminal, administrative, judicial detention, forced disappearance, torture and psychiatric incarceration.**

We will continue to monitor the fate of the lawyers and staff concerned closely.

Yours sincerely,