



His Excellency Li Qiang

Premier of the People's Republic of China  
The State Council General Office  
2 Fuyou Street, Xicheng District  
Beijing 100017

Email: [premier@mail.gov.cn](mailto:premier@mail.gov.cn)

27 August 2025

### **Re: Halt Unfair Trial and Release Lawyer Xie Yang**

Your Excellency,

Law Society of England and Wales (the Law Society), Chinese Human Rights Defenders, Council of Bars and Law Societies of Europe (CCBE), Asian Lawyers Network, Lawyers' Rights Watch Canada, Lawyers for Lawyers, and the International Bar Association Human Rights Institute are gravely concerned about the ongoing unfair trial following a 10-yearlong persecution of human rights lawyer Xie Yang by the Chinese authorities.

On 30 July 2025 Xie Yang was tried behind closed doors on charges of "inciting subversion of state power" at the Changsha Intermediate Court in Hunan Province. These charges stem from Xie Yang's legitimate legal work defending the rights of human rights defenders, and for exercising his right to freedom of expression online. Over the past decade, he has endured persistent harassment by the authorities characterised by multiple human rights violations, including arbitrary detention, enforced disappearance, torture, and the denial of fair trial rights.

Xie Yang is known for his work as a human rights lawyer, representing activists arrested during the 2011 "[Jasmine Crackdown](#)", the 2013 [New Citizen's Movement](#) and the response to the [Hong Kong's pro-democracy](#) protests in 2014. During the "709" crackdown that began in July 2015, Xie Yang was detained by authorities in Hunan. He was subsequently subject to enforced disappearance for 6 months under "Residential Surveillance at a Designated Location" (RSDL). UN experts have [called for the practice of RSDL to end](#), stating that it constitutes enforced disappearance, arbitrary detention, and increases the risk of torture and other ill-treatment, and can itself amount to torture. Xie Yang has reported that he was subject to [torture](#), which included being shackled to a metal table, placed in stress positions, beaten and threatened, during his time under RSDL. Following this arrest, he was convicted of "inciting subversion" before being exempted from serving his sentence in exchange for renouncing his allegations of torture. After he was released on bail, Xie Yang was subjected to close surveillance. In 2020, the authorities [revoked Xie Yang's license](#) to

practice law. In the face of this ongoing harassment, Xie Yang has remained vocal in his advocacy in support of fair trial rights and other persecuted lawyers.

In the weeks before his current arrest (January 2022), Xie Yang had peacefully protested in support of Ms. Li Tiantian, a teacher who was forcibly put in psychiatric detention by authorities. On 11 January 2022, Xie Yang was detained again on charges of “picking quarrels and provoking trouble” and “inciting subversion of state power”. In August 2022, he was indicted by the Changsha procuratorate on the sole charge of “inciting subversion” under Article 105(2) of China’s Criminal Law because of his social media posts on X and WeChat, and for providing interviews to foreign media. The Changsha authorities said his comments “attacked and denigrated state power, the socialist system, and the leadership of the Chinese Communist Party.”

After this arrest, he was subjected to seven months of enforced disappearance for a second time where his whereabouts were obscured from his family. From January to August 2022, Xie Yang was denied access to his lawyer. The prison guards at Changsha No. 1 Detention Centre refused to tell his family members that he was being held there. From October 2022 to May 2023, he was again denied access to a lawyer of his choice, and authorities attempted to enforce a state-appointed lawyer to represent him. Furthermore, it has been reported that Xie Yang has been subject to torture during his time at the Changsha No. 1 Detention Centre including being beaten, chained for days on end, sexually harassed, and denied food.

Xie Yang’s trial proceedings have been marred by multiple fair trial rights violations. In addition to denying him access to a lawyer of his choice for months, on 11 April 2023, a pre-trial hearing was convened without Xie Yang’s own lawyer. At another pre-trial meeting on 2 September 2024, Xie Yang’s lawyer was denied access to his case files. At the same meeting, his lawyer requested the recusal of members of the Changsha judicial committee who were officials from the city’s Communist Party and administration, who were involved in Xie’s previous detention, and the recusal of the presiding judge.

After an exceedingly long pre-trial detention (3.5 years), on 30 July 2025, the Changsha Intermediate Court tried Xie Yang behind closed doors. The authorities failed to notify one of his lawyers about the hearing. On 28 July 2025 at a pre-trial meeting his other lawyer was not allowed to copy case files to be used as evidence. The case files had been marked as confidential even though they did not have a “secret” classification marking. The trial has not yet concluded.

Our organisations are concerned that Xie Yang’s ongoing trial and detention is related to his professional duties as a lawyer and his legitimate exercise of his freedom of expression. We are also concerned about Xie Yang’s reports of the torture he has endured during both periods of detention, and the myriad of infringements of his fair trial rights.

According to Article 16 of the [UN Basic Principles on the Role of Lawyers](#), governments should “ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (...) and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognised professional duties, standards and ethics”. Moreover, Article 23 of the Basic Principles provides that: “Lawyers like other citizens are entitled to freedom of expression, belief, association, and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the administration of justice and the promotion and protection of human rights.” Xie Yang’s right to freedom of

expression is also protected under Article 35 of China's constitution and Article 19 of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). As a signatory to the ICCPR, China is obligated under international law to refrain from acts that would defeat the object and purpose of the treaty.

The rights not to be subjected to arbitrary detention and to a fair trial are recognised under the UDHR (Articles 9 & 10) and the ICCPR (Articles 9(1) & 14). They are also recognised as fundamental rights under customary international law.

The torture and periods of enforced disappearance experienced by Xie Yang also violate the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ratified by China on 4 October 1988), as well as the UDHR (Article 5).

In light of the above, the Law Society urgently calls on China's authorities to:

- Immediately ensure the unconditional release of Xie Yang from detention and drop the criminal charges and disciplinary measures against him in relation to his legitimate professional activities and his exercise of his freedom of expression.
- Immediately halt all acts against Xie Yang constituting torture and other cruel, inhuman or degrading treatment or punishment and ensure he receives prompt medical treatment and comprehensive rehabilitation to address the physical and psychological effects of the torture he has endured.
- Ensure that Xie Yang has access to an effective remedy and timely access to independent legal counsel of his choice, in line with international human rights standards.
- Cease all acts of harassment, intimidation, and arbitrary detention against lawyers in China.
- Uphold the rights of all lawyers to carry out their professional functions without interference and to exercise their rights to freedom of expression, association, and movement.

We will continue to closely monitor Xie Yang's situation and the broader pattern of repression against lawyers and human rights defenders in China.

Yours sincerely,

Law Society of England and Wales  
Chinese Human Rights Defenders (CHRD)  
Council of Bars and Law Societies of Europe (CCBE)  
Asian Lawyers Network (ALN)  
Lawyers' Rights Watch Canada (LRWC)  
Lawyers for Lawyers  
International Bar Association Human Rights Institute (IBAHRI)

cc:

Ms. He Rong  
Minister of Justice  
10, Chaoyangmen Nandajie  
Chaoyang District  
Beijing, 100020  
Email: [hotline@moj.gov.cn](mailto:hotline@moj.gov.cn)

His Excellency Zheng Zeguang  
Ambassador  
Embassy of the People's Republic of China  
49-51 Portland Place  
London W1B 1JL  
Email: [political\\_uk@mfa.gov.cn](mailto:political_uk@mfa.gov.cn) ; [press\\_uk@mfa.gov.cn](mailto:press_uk@mfa.gov.cn)

His Excellency Chen Xu  
Ambassador Extraordinary and Plenipotentiary  
Permanent Mission of the People's Republic of China to the United Nations Office at Geneva  
Chemin de Surville 11  
1213 Petit-Lancy  
Switzerland  
Email: [chinamission\\_gva@mfa.gov.cn](mailto:chinamission_gva@mfa.gov.cn)

Her Excellency Caroline Wilson DCMG  
Ambassador  
British Embassy  
11 Guang Hua Lu  
Jian Guo Men Wai  
Beijing  
China  
Email: [consularmailbeijing@fco.gov.uk](mailto:consularmailbeijing@fco.gov.uk); [Olivia.Norton@fcdo.gov.uk](mailto:Olivia.Norton@fcdo.gov.uk)

Prof. Margaret Satterthwaite  
UN Special Rapporteur on the Independence of Judges and Lawyers  
OHCHR-UNOG, 8-14 Avenue de la Paix,  
1211 Geneve 10  
Switzerland  
Email: [hrc-sr-independencejl@un.org](mailto:hrc-sr-independencejl@un.org)