

BY AIRMAIL

H.E. Mr. Li Keqiang, Guojia Zongli,
Prime Minister of the People's Republic of China
The State Council General Office
2 Fuyoujie Xichengqu
BEIJINGSHI 100017
PEOPLE'S REPUBLIC OF CHINA

Amsterdam, 30 November 2016

Subject: Missing Lawyer, Mr. Jiang Tianyong, Urgent Action required

Your Excellency,

Lawyers for Lawyers is an independent, non-profit and non-political foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession.

Missing Lawyer, Mr. Jiang Tianyong

Lawyers for Lawyers is gravely concerned about the disappearance of lawyer Jiang Tianyong. We have reason to believe that his disappearance could be connected to his legitimate activities as a lawyer.

We have had no communications and no idea of Jiang Tianyong's whereabouts since November 22nd 2016. According to our information, Jiang Tianyong was on his way back from Changsha, Hunan on November 21st after visiting Professor Chen Guiqiu, wife of detained human rights lawyer, Xie Yang. During his visit, Jiang Tianyong accompanied Ms. Chen and three other lawyers, to Changsha Detention Centre to try to arrange a meeting with detained Xie Yang. Jiang Tianyong could not be contacted after he told his wife Jin Bianliang at around 10:00PM Beijing Time on November 21st that he had bought the D940 train ticket to return to Beijing West Station from Changsha South Station, the departure time was 10:53PM, and the arrival time would be 06:30 AM the next morning. However, his wife has lost contact with him ever since.

United Nations Basic Principles on the Role of Lawyers¹.

We would like to draw your attention to the United Nations Basic Principles on the Role of Lawyers, more in particular Principles 16 and 17, from which it follows that governments

¹ The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly "welcomed" the Basic Principles in their 'Human rights in the administration of justice' resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.



are under an obligation 'to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference'. Further: 'Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities'.

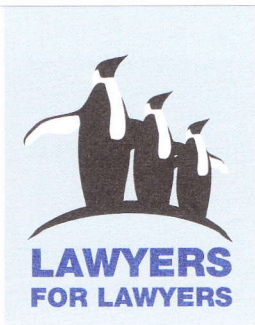
According to paragraph 23, 'Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action of their membership in a lawful organization'.

These principles are universally applicable. Therefore, the Chinese government is under an obligation to adequately protect and support its lawyers and human rights defenders.

Lawyers for Lawyers would like to stress that the use of administrative or criminal detention of lawyers is an extremely serious threat to the rule of law, which can only function properly if lawyers are able to do their work without any improper interference or harassment by the government.

In view of the above, Lawyers for Lawyers respectfully urge you to:

- 1) Order an immediate, impartial, independent and effective investigation into **Jiang Tianyong**'s fate and whereabouts, publicly disclose its findings and bring those responsible for his disappearance to justice.
- 2) Furthermore, we urge that if **Jiang Tianyong** is in state custody, that he is **immediately released**, or, if credible evidence of an internationally recognized crime exists, that **Jiang Tianyong** is transferred to an official place of detention, charged promptly and remanded by **an independent court in line with international human rights standards**. In this respect, we also demand that the case-handling organs should immediately **notify his family** in writing as the law provides.
- 3) Also we urge the Chinese authorities to ensure that **Jiang Tianyong** is **protected from torture and other ill-treatment**, and that he is allowed access to his family and adequate medical care, and to ensure his basic rights of access to a defence lawyer of his choice.



Conclusion

Thank you for your attention to this very important matter. We are confident that the Chinese government will give this case the attention it deserves and will continue to monitor this case closely.

On behalf of the President of Lawyers for Lawyers, Phon van den Biesen,

Sincerely,

LAWYERS FOR LAWYERS

Adrie van de Streek
Executive director

Letters concerning the same topic were sent to:

- H.E. Guo Shengkun, Minister of Public Security
- Tang Xiangyang, Director, Changcha City Public Security Bureau