



BY AIRMAIL

Xi Jinping,
President of the People's Republic of China
Zhongnanhai, No. 174 Xi Chang'an Jie,
Beijing 100017

PEOPLE'S REPUBLIC OF CHINA

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, 17 August 2017

Subject: release and protection of lawyers

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. Lawyers for Lawyers has a Special Consultative Status with the Economic and Social Council of the United Nations since 2013.

Lawyers for Lawyers is gravely concerned about the arrest, detention and/or bail and/or conviction of human rights lawyers since the 9th of July 2015. In short, a large number of human rights lawyers and defenders in China were arrested during an unprecedented and seemingly well-coordinated detention campaign.

At present, we have information that at least six individuals are convicted to imprisonment for at least three years and/or deprived of their political rights for years. Amongst them are lawyers Zhou Shifeng and Li Heping. Some of them are still awaiting trial as for example Wang Quanzhang and Jiang Tianyong,

We have reason to believe that the actions against these human rights lawyers could be connected to their legitimate activities as attorneys.

We would like to draw your attention to the United Nations Basic Principles on the Role of Lawyers, more in particular Principles 16, 17 and 23, which read:



16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

17. Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

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 or their membership in a lawful organization.

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) Immediately release those of the human rights lawyers who are still in custody, or, if credible evidence of an internationally recognized crime exists, that these lawyers are 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 their families** in writing as the law provide. In addition we urge the release and protection of **Jiang Tianyong** human rights lawyer, specifically, detained under "residential surveillance in a designated location" for over six months. Held without communication and without access to a lawyer, we state that he is at risk of torture or other ill-treatment and that there are serious indications that his detention is highly clashing with international human rights standards.
- 2) Furthermore, we urge that those of the human rights lawyers who are convicted to imprisonment will have an adequate opportunity to appeal against this decision at **an independent court in line with international human rights standards**.
- 3) Also we urge the Chinese authorities to ensure that the lawyers arrested, in detention or at bail are **protected from torture and other ill-treatment**, and that they will always have access to their family and adequate medical care, and to ensure their basic rights of access to a defence lawyer of their choice.



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.

Sincerely,

LAWYERS FOR LAWYERS

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Phon van den Biesen,
President

A copy to of this letter was sent to:

- Minister of Public Security of the People's Republic of China, Guo Shengkun
- Embassy of the People's Republic of China in the Netherlands