



Human Rights
Institute



Statement on the sixth anniversary of the '709 Crackdown' 9 July 2021

Today, 9 July 2021, we, the undersigned organizations, take the opportunity to commemorate the sixth anniversary of the crackdown on Chinese lawyers and human rights defenders which occurred in the People's Republic of China on 9 July 2015. On that date, an estimated 300 lawyers and human rights defenders were arrested, summoned or briefly detained in what has become known (or infamous) as the '709 Crackdown'.

In the wake of the 709 Crackdown, more lawyers and human rights defenders – often lawyers that acted for the victims of the 709 Crackdown – have been detained, arrested, held incommunicado, summoned to appear before court, convicted, or otherwise restricted in their freedom. Lawyers and human rights defenders have been, and are being, prosecuted for vague and overbroad crimes such as 'subversion of state power', 'inciting subversion of state power', 'picking quarrels' or 'stirring up troubles', and sentenced to lengthy stays in prison. Examples of this are the cases of human rights lawyers Zhou Shifeng, Wang Quanzhang, Li Heping, Xie Yang, and more recently Jian Tianyong, Yu Wensheng and Li Yuhuan.

In some cases, lawyers have been detained for years without trial, or have been tried behind closed doors without access to proper legal representation. Allegations of torture and abuse in prison are a very serious and widespread issue.

Even after serving their sentences, many convicted lawyers and human rights defenders are subjected to further (judicial) harassment in the form of continuous surveillance and economic restrictions, a practice that has been dubbed 'non-release release'. Authorities have also suspended and revoked lawyers' licenses to practice law, blocked access to court houses, as well as delayed license renewal processes for lawyers convicted in the wake of the 709 Crackdown. Through these practices, the authorities have made it impossible for lawyers to freely practice their profession. Since November 2016, all lawyers and law firms are required to support the leadership of the Chinese Communist Party, and the socialist rule of law, as a basic requirement for legal practice. These directives impede lawyers' right to freedom of expression, assembly and association, and have seriously weakened the independence of lawyers.

The undersigned organizations stress that the right to practice law independently, and free from judicial harassment, is an essential component in upholding the rule of law. Lawyers play a fundamental role in ensuring the protection of human rights and fundamental freedoms. The rights and duties of both lawyers and governments are specified in the United Nations Basic Principles on the Role of Lawyers. Pursuant to the Basic Principles, governments must ensure that lawyers are able to perform all their professional functions without intimidation, hindrance, harassment, or improper interference, are able to travel and consult with their clients freely within their country and abroad, and particularly that they 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 (Principle 16). In addition, lawyers must not be identified with their clients or their clients' causes as a result of discharging their functions (Principle 18).

The undersigned organizations, urge the government of the People's Republic of China to uphold the rule of law, respect the United Nations Basic Principles on the Role of Lawyers, and bring an end to the persecution of lawyers. All lawyers who have been unduly detained for carrying out their professional activities should be immediately released, all acts of judicial and/or economic harassment of lawyers must cease.

Signatory organisations:

International Bar Association's Human Rights Institute (IBAHRI)

International Service for Human Rights (ISHR)

Judicial Reform Foundation

Lawyers for Lawyers