

Statement on the 9th anniversary of the 709 Crackdown

Today, 9 July 2024, marks the ninth anniversary of the ‘709 Crackdown’ on 9 July 2015, when over twenty lawyers, staffers, human rights defenders were arrested and nearly 300 lawyers and human rights defenders were summoned and questioned during the large-scale crackdown. The situation of lawyers in China remains of concern to this day. The undersigned organizations call for urgent global attention to the continuing repression of lawyers in China.

The 709 Crackdown

The ‘709 Crackdown’ refers to the large-scale arrests of Chinese rights defence lawyers and activists that began on July 9, 2015, involving nearly 300 lawyers and human rights defenders who were summoned nationwide, with some individuals summoned multiple times. During the initial arrest, 15 lawyers were detained. By early 2017, most of them were released on bail with the focus shifting to five lawyers in particular.

Immediately following the arrests, and before the families of the detained received any legal notice, a state media smear campaign began. It presented a narrative of Beijing Fengrui Law Firm, a firm famous for handling human rights cases, and lawyers connected to it, being a “major criminal gang” led by Zhou Shifeng, its director. The narrative was presumably spread to propagate that the ‘709 Crackdown’ was a legitimate legal action for the lawyers’ engagement in “unspeakable criminal acts.”

In the past year and a half, some lawyers detained during the ‘709 Crackdown’ came forward to share their experiences. Their testimonies provide new insight into fair trial violations during the trials and detention of the lawyers.

Interrogations and torture

According to reports received, in order to obtain desired testimonies as well as make the detainees submit and admit guilt, the interrogators carried out torture and inhuman treatment, using methods such as solitary confinement, sleep deprivation, use of fatigue during interrogation, forcing detainees to take unknow medication for months on end, verbal abuse, routine use of physical violence, forcing detainees to stand or sit motionless for 9-16 hours a day, hunger, threats of harm to loved ones, “body sandwiching,” and deprivation of communication with family members while serving time in prison.

Sometimes interrogations were conducted several times during the day and night. In an article published after his release in 2022, lawyer Zhou Shifeng said: “I didn’t know if I slept or how long I slept. I really didn’t have the strength. I tried to conserve physical energy by keeping my voice low.”¹

Reports further state that the police resorted to bribing or forcing people to falsely accuse detainees. According to those reports, several lawyers and staff members of Fengrui Law Firm were forced to go on national TV as well as write statements smearing Zhou Shifeng and other colleagues.

No access to a lawyer of their choice

It has further been reported that lawyers who acted as legal counsel for the main targets of the ‘709 Crackdown’, faced tremendous pressure from the authorities. In some instances, they were subjected to having their practicing licenses reviewed, or were pressured to drop the case by their law firm. Some of the lawyers were even restricted in leaving their homes to travel to their client. A case officer threatened the defendants by saying that they wouldn’t be able to hire their own lawyer, and that no lawyer would dare to represent them, as they would be arrested if they would do so.²

Furthermore, the authorities appointed two lawyers to defend Zhou Shifeng without his consent. He claims he signed an engagement letter with the appointed lawyers under duress for the first phase of

¹ Radio Taiwan International, 8 December 2022, available via <https://www.rti.org.tw/news/view/id/2152884>.

² Radio Taiwan International, 8 December 2022, available via <https://www.rti.org.tw/news/view/id/2152884>.

the judicial process, namely the phase of police investigation, they nonetheless acted as his defence counsel throughout the prosecution and trial phase illegally.³ Another lawyer, Wang Quanzhang, was urged to cooperate and accept state appointed lawyers. He was told the lawyers of his own choosing could not be accepted. After he had resisted a succession of lawyers whom the court had tried to impose on him, the court finally allowed him to choose a lawyer, but only a lawyer approved by the court. The lawyers he had wanted were excluded, never allowed access to him.

Trials

Eventually, a total of nine 709 defendants were tried during the 709 Crackdown. Five of them were lawyers. It has been reported that in these cases, fair trial standards were not upheld.

Judgments, sentencing the lawyers to several years in prison, repeatedly accused the lawyers of “attacking and denigrating China’s judicial system.” In the judgments, reference is made to charges centred around “dissatisfaction with the national political system” and “developing ideas to overthrow state power”. The details in the judgments, however, don’t correspond with those charges. Zhou Shifeng even claims that key evidence in his case was forged.⁴

Of the nine trials, six were so-called “public trials”, supposedly open for public observation. However, diplomats from multiple countries, relatives and ordinary citizens who came to observe the trials were barred from entering the courtroom. Instead, the audience consisted of selected individuals, including journalists from state media, local representatives of the People’s Congress and Political Consultative Conference, officials from the lawyers’ associations, and directors of some law firms.

Furthermore, the trials give the appearance of being predetermined. Lawyer Zhou Shifeng could not express any objections with the indictment, which consisted of many inaccuracies. Zhou Shifeng’s closing statement, a requirement in the court proceedings, was pre-written by two police interrogators, and he was supposed to read a print-out copy of it during the trial. Nonetheless, he was able to make his own statement partly before he was interrupted by the presiding judge.⁵

In the case of Wang Quanzhang,⁶ according to a source, he was examined by two groups of psychology professors in order to persuade him to admit to the charges. For the trial, held behind closed doors on 26 December 2018, the judge allegedly told him that he would not find any procedural flaws in the trial, but as he recently pointed out, the first instance was anything but normal, and he challenges the court to publish the video recording of his trial for everyone to see.⁷ According to reports, despite Wang Quanzhang’s revocation of his lawyers’ right to represent him and his request to adjourn the trial, the trial was ordered to proceed. The bailiffs forced Mr. Quanzhang back to the courtroom. As he struggled to protest, seven or eight bailiffs surrounded him and wrapped him in a restraining blanket.

Continuous harassment

Even after serving their sentences, the 709 lawyers face serious restrictions in their practice and daily lives. According to our sources, the lawyers and their families, including young children, are subjected to close surveillance and continued harassment by the authorities. Zhou Shifeng and Wang Quanzhang’s homes are monitored around the clock, and whenever they leave home, they are followed. Their social interactions are frequently disrupted by police interference. Wang Quanzhang and his family have been forced to move at least 13 times in Beijing, and for a period faced electricity and gas

³ 《周世鋒親述 709 案中辯護的真實經過, Radio Taiwan International, 2023 年 7 月 12 日, available via <https://www.rti.org.tw/news/view/id/2173330>.

⁴ IPKMEDIA 12月 6, 2022, 周世鋒 | 709 特大事件真相, available via <https://yibaochina.com/?p=248675>.

⁵ 周世鋒被認定犯顛覆國家政權罪：一審判處有期徒刑 7 年, CCTV, 2016 年 8 月 4 日, available via <https://tv.cctv.com/2016/08/04/VIDEvvXWeGkVPkcK2nWFdEJU160804.shtml>.

⁶ Lawyers for Lawyers, 31 January 2019, available via https://lawyersforlawyers.org/wp-content/uploads/2019/02/28Fin29WQZ20joint20statement_Eng.pdf.

⁷ Wang Quanzhang, 3 July 2024, on X: <https://x.com/quanzhanglawyer/status/1808493714081501475?s=46>.

cuts.⁸ Furthermore, the implementation of administrative measures targeting lawyers' practices and the management of law firms from 2016 to 2018 have further restricted lawyers' work.⁹

In 2023, the United Nations Special Rapporteur on the Independence of Judges and Lawyers raised concerns on the use of legal and administrative mechanisms to systematically harass lawyers and their family members.¹⁰ She called for an immediate review of these laws and regulations to ensure they align with international human rights standards, stressing the need to protect lawyers' freedoms of expression, association, and assembly.

Ongoing concerns

All these facts and the details surrounding the arrests and detention of the involved lawyers continue to deeply concern the signing organizations. The Chinese authorities' suppression of rights defence lawyers since 2015 has not been limited to the 709 arrests and trials. Today, lawyers in China are exposed to similar actions by the state. These ongoing concerns about China's compliance with its international human rights obligations under the UN Basic Principles on the Role of Lawyers were highlighted in several NGO submissions by the undersigned organizations to the Universal Periodic Review of China, that took place in January 2024. China regrettably dismissed 30% of the recommendations received in the UPR session, among them recommendations related to human rights defenders and lawyers.

We call on the Chinese authorities to:

- Put an end to its crackdown on human rights lawyers and defenders;
- Put an end to the unlawful detention and torture of human rights lawyers and defenders;
- Conduct an independent investigation in relation to the allegations of torture and hold those responsible to account;
- Put an end to other ill-treatment to which the 709 lawyers were subjected;
- Amend laws and regulations, including national security legislation, its Criminal Law and Criminal Procedure Law, to bring them into full compliance with international human rights standards, and meaningfully cooperate with the United Nations human rights bodies to that end; and
- Ensure that the United Nations Basic Principles on the Role of Lawyers are respected, and that lawyers are able to assist their clients without intimidation, hindrance, harassment or improper interference and without threats of prosecution or administrative sanctions for any actions they take in accordance with internationally recognized professional duties, standards and ethics.

⁸ Lawyers for Lawyers, 10 July 2023, available via <https://lawyersforlawyers.org/709-crackdown-2-0-global-call-against-chinas-renewed-crackdown-on-human-rights-lawyers/>.

⁹ Letter of the UN Special Rapporteur on the independence of judges and lawyers, 14 February 2024, Ref.: AL CHN 1/2024, available via <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28726>.

¹⁰ Idem.