

Mr Li Keqiang
Premier of the State Council of the
People's Republic of China
The State Council General Office
2, Fuyoujie, Xichengqu
Beijingshi 100017
People's Republic of China

Brussels, 8 April 2014

Re: Concerns regarding the detention of Messrs Tang Jitian, Jiang Tianyong, Wang Cheng and Zhang Junjie, human rights lawyers

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has observer representatives from a further twelve European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concern over the situation of Messrs Tang Jitian, Jiang Tianyong, Wang Chen, and Zhang Junjie, human rights lawyers, who were detained on 21 March 2014. Their detention follows their attempts to investigate an unofficial detention center, also known as a "black jail", in China's northeastern Heilongjiang province. All four human rights defenders have a record of taking on politically sensitive cases, and for the past number of years, have been extremely active in defending the rights of others.

According to the information that we received, on 27 March 2014, Mr Zhang Junjie was released with serious injuries. Mr Zhang Junjie reported that during his time in custody he endured severe beatings at the hands of men who refused to identify themselves. On 28 March, Mr Zhang Junjie underwent a medical examination where it was revealed that he had three broken ribs as a result of the alleged brutality.

The CCBE is alarmed by reports from reliable sources that Messrs Tang Jitian, Wang Chen and Jiang Tianyong have also suffered injuries as a result of abuse in custody, although the extent of their injuries is unknown.

The detention sentence constitutes the latest step in judicial harassment against these human rights lawyers who have previously been subjected to detentions, beatings and abductions over the last two years. In 2011, Messrs Jiang Tianyong and Tang Jitian were forcibly abducted and tortured for a number of months during a widespread crackdown on human rights defenders in the country. In February 2014, Mr Wang Cheng was detained following his involvement in the launch of an online petition calling on China to ratify the International Covenant on Civil and Political Rights.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

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.

Furthermore, Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights 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 organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, the CCBE reiterates its grave concern for the physical and psychological integrity of Messrs Jiang Tianyong, Wang Chen and Tang Jitian, especially in light of the serious injuries sustained by Mr Zhang Junjie during his time in custody. The CCBE respectfully urges your Excellency to immediately release the three lawyers still in detention and investigate the very serious allegations of torture recounted by Mr Zhang Junjie. The CCBE also asks the Chinese government to take all necessary measures to guarantee that lawyers in China are able to carry out their professional activities in all circumstances, without fear of reprisal, intimidation or judicial harassment.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo BULGARELLI
President