

DATE  
21/01/2010

Prime Minister of the People's Republic of China  
WEN Jiabao Guojia Zongli  
The State Council General Office  
2 Fuyoujie, Xichengqu  
Beijingshi 100017  
People's Republic of China

## **Re: Concerns regarding the case of lawyer Mr. Gao Zhisheng.**

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 around one million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven 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.

In reference to our letter dated 06 February 2009, the CCBE writes to express its serious concerns over reports that lawyer Mr. Gao Zhisheng has gone missing, following his arrest on 13 June 2009 by the Public Security Police.

According to the information received, police admitted that Mr. Gao Zhisheng "went missing" in September, seven months after being taken into detention. Despite this fact, we understand that the authorities refuse to comment on the case.

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:

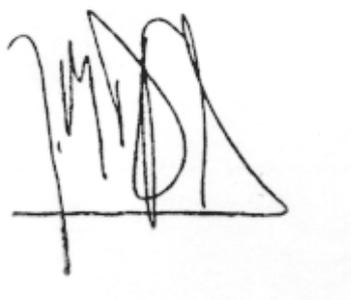
*Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or 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.*

**Conseil des barreaux européens – Council of Bars and Law Societies of Europe**

association internationale sans but lucratif

In view of the above, the CCBE expresses concern regarding Mr Gao Zhisheng's situation and urges the authorities to provide the CCBE with the information about his current whereabouts.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'JMD', written over a horizontal line. The signature is stylized and somewhat abstract.

JOSÉ-MARÍA DAVÓ-FERNÁNDEZ  
President