

DATE
30/04/2010

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

Re: **Concerns regarding the case of lawyers Mr. Tang Jitian and Ms. Liu Wei**

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.

We express our concern over the situation facing Mr. Tang Jitian and Ms. Liu Wei, two Beijing lawyers who have been active in defending human rights.

We sent you a letter on 1 October 2009 regarding these two lawyers and the deprivation of their right to exercise the legal profession, as their respective licenses were not renewed in June 2009. If they were revoked, this would permanently ban them from practising law.

The CCBE has been informed about continuing official harassment against them. According to information received, during a further hearing on 22 April 2010, no decision was issued on the revocation of their licenses, as the evidence presented against them did not include anything that could substantiate the charges presented against them. We have been also informed that lawyer Mr. Li Subin, representative of Ms. Liu Wei, was prevented by the police from attending this hearing.

Both lawyers had been accused by the Beijing Bureau of Justice (BBJ) of "disrupting court order and interfering with the normal conduct of litigation activities", on the basis of Article 49 of the Lawyers' Law. The accusations referred to the trial of a Falun Gong practitioner that took place on 27 April 2009 where Mr. Tang Jitian and Ms. Liu Wei, representatives of the defendant, walked out the courtroom after pointing out the repeated interruptions by the presiding judge and court officials.

The CCBE condemns such harassment against Mr. Tang Jitian and Ms. Liu Wei, which seems to us aimed at sanctioning their professional activity defending human rights.

In this context, the CCBE wishes to draw to your attention the following Article 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

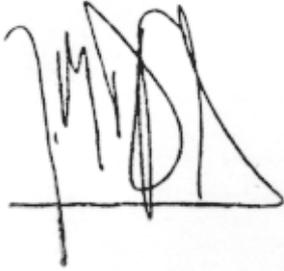
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threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

In view of the above, we urge the Chinese authorities to dismiss the judicial proceedings against Mr. Tang Jitian and Ms. Liu Wei, and to guarantee the free exercise of the profession of lawyer without any interference, in order to preserve the independence and integrity of the administration of justice.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'J.M. Davó-Fernández', written over a horizontal line.

JOSÉ-MARÍA DAVÓ-FERNÁNDEZ
President