

President Xi Jinping
The State Council General Office
2 Fuyoujie Xichengqu
Beijingshi 100017
People's Republic of China

Brussels, 9 July 2015

Re: Concerns regarding the detention of You Feizhu, Ma Wei, Tang Tianhao, Ma Lianshun and Ge Yongxi, 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 thirteen European countries' bars.

The CCBE 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 5 lawyers, You Feizhu and Ma Wei, Tang Tianhao, Ma Lianshun and Ge Yongxi. You Feizhu and Ma Wei were arrested and detained on 29 May in the Qing'an county of the Heilongjiang province by the Public Security Bureau. Subsequently, on 1 June 2015, the police of the same county detained another 3 lawyers - Tang Tianhao, Ma Lianshun and Ge Yongxi who went to represent You and Ma.

According to the information we have received, in the morning of 28 May 2015, lawyers You Feizhu, Li Weida and Ma Wei went to the Heilongjiang Qing'an Detention Centre to meet their clients. Upon arrival at the detention centre, the lawyers were informed by the director that they cannot do so, because it was not confirmed that the letters of authorization were signed by the clients themselves. The 3 lawyers left the centre after repeatedly shouting the slogan "*Qing'an Detention Centre, Lawyers asked to meet with their clients*". On the next day, You's brother You Zhonghong, himself also a lawyer, received news that You Feizhu had been given 15-day administrative detention by Heilongjiang Suihua Public Security Bureau for "*picking quarrels and provoking troubles*". Lawyer Ma Wei also went missing on the same day, while Li Weida was not arrested.

The CCBE has been informed that on 1 June 2015, lawyers Tang Tianhao, Ge Yongxi, Xu Zhong, Ma Lianshun, and You Zhonghong arrived at the county to represent the 2 detained lawyers. The Qing'an Public Security Bureau, however, refused to disclose the location of You Feizhu and Ma Wei. As they were unable to find the whereabouts of their detained colleagues after visits to the detention centres in Qing'an, the 5 lawyers decided to report the case of missing persons to the police. 3 of the lawyers, namely Tang Tianhao, Ge Yongxi and Ma Lianshun, were in turn given administrative detention of 15 days by the police.

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, economics 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 respectfully urges you to take immediate and effective steps to immediately and unconditionally release You Feizhu, Ma Wei, Tang Tianhao, Ma Lianshun and Ge Yongxi, in order to preserve the independence and integrity of the administration of justice. 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.

I look forward to hearing from your Excellency urgently.

Yours sincerely,



Maria ŚLAZAK
President