

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

Brussels, 12 July 2012

Re: Concerns regarding the arrest of human rights defender, Mr Feng Zhenghu

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 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.

The CCBE writes to express its concerns over the situation of a human rights defender and lawyer, Mr Feng Zhenghu, who has been detained under house arrest and continues to be under strict surveillance by the state authorities. Mr Zhenghu has a history of working with petitioners and educating them about their rights under the Chinese law.

The CCBE has been informed that Mr Zhenghu was originally placed under arrest on 27 February 2012 at a time when many human rights defenders faced restrictions on their activities due to the Chinese People's Political Consultative Conference in Beijing. On 29 February, Mr Zhenghu's apartment in Shanghai was searched by police and a number of items, including computers and mobile phones, were confiscated. Since his detention, Mr Zhenghu has been denied visits by his family and is not allowed to leave the apartment to buy basic food provisions. We are told that Mr Zhenghu has been forced to use a rope to pull up supplies provided by his supporters. The CCBE has been also informed that the security around the lawyer's apartment has intensified, including new security cameras and bright lights installed in the grounds of the building. The number of guards stationed in the apartment complex has reportedly increased to twenty.

The CCBE is deeply concerned about the ongoing detention and surveillance of Mr Zhenghu, and believes that it is as a result of his legitimate and peaceful human rights activities, in particular his provision of legal information to petitioners in Shanghai seeking redress for human rights violations committed by local state officials. The detention of Mr Zhenghu follows a history of targeting and intimidation. In November 2009, Mr Zhenghu was denied permission by the state authorities to return to Shanghai following a visit to Japan. He was eventually allowed to return home in February 2010 and, until his arrest in February 2012, he was subjected to surveillance, sporadic detentions and raids on his apartment.

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:

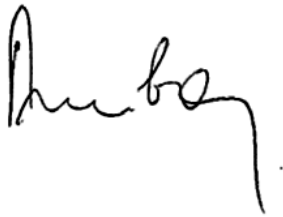
Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or 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 urges you to take immediate and effective steps to end the house arrest and all other forms of intimidation of Mr Zhenghu and guarantee in all circumstances that human rights defenders and lawyers in China are able to conduct their professional duties without hindrance, harassment or improper interference, and that they do not suffer prosecution or reprisals for any action taken while carrying out their duties.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Prunbauer-Glaser', with a long, sweeping tail extending downwards and to the right.

Marcella PRUNBAUER-GLASER

CCBE President