‘709 Crackdown 2.0’
Global call against China’s renewed crackdown on human rights lawyers

Today, we mark China Human Rights Lawyers Day, in remembrance of the Chinese government’s roundup of over 300 human rights lawyers and legal assistants in the days following July 9, 2015, in what is known as the ‘709 crackdown’. UN experts are dismayed that ‘the profession of human rights lawyer has been effectively criminalised in China.’

Human rights lawyers are a cornerstone of China’s human rights movement. From Uyghurs, Tibetans and Hong Kongers, to religious minorities, LGBTQI and feminist advocates, journalists, and political dissidents: human rights lawyers defend the full spectrum of civil society. They accompany and empower the most vulnerable against land evictions, discrimination, health scandals, or extra-legal detention. They embody the promise of rule of law and hold the government accountable to its commitments under China’s constitution, laws, and the international human rights treaties it has ratified. They ensure that no one is left behind.

Today, we call for urgent global attention to the Chinese government’s new wave of repression against human rights lawyers unfolding over the past three months.

On April 10, Ding Jiaxi and Xu Zhiyong were sentenced to 12 and 14 years in prison and 3 and 4 years’ deprivation of political rights respectively, on grounds of ‘subversion of State power,’ prompting grave concerns by the UN High Commissioner for Human Rights. Both attended a private gathering in the coastal city of Xiamen in December 2019 to discuss the future of civil society in China. Xu’s partner, feminist activist Li Qiaochu, was recently tried behind closed doors for ‘inciting subversion of State power’, and her lawyer was not permitted to question witnesses or review evidence. Li has also been denied access to adequate healthcare despite severe mental health issues in custody.
Another Xiamen gathering attendee, lawyer **Chang Weiping**, was sentenced to three and half years in prison on similar charges on June 8. The three lawyers had previously been forcibly disappeared under ‘Residential Surveillance at a Designated Location’ (RSDL), a criminal procedure systematically used against human rights lawyers and defenders, tantamount to enforced disappearance and torture according to UN experts.

On April 14, lawyer **Yu Wensheng** and his wife **Xu Yan**, were detained on their way to attend a meeting at the Delegation of the European Union in Beijing. Both have since been formally arrested, Yu for ‘picking quarrels and provoking trouble,’ Xu for ‘inciting subversion of State power’. Yu left prison in March 2022 upon completion of a first four-year sentence on national security grounds, prompting concerns that he may now face a harsher sentence. He is the recipient of the 2021 Martin Ennals Award for Human Rights Defenders, and the 2019 Franco-German Prize for Human Rights and the Rule of Law.

We strongly condemn the Chinese government’s abuse of national security, in law and practice, to target human rights lawyers and activists, as documented by UN experts. The authorities make systematic use of national security crimes under China’s Criminal Law, in particular ‘subversion of State power’ or ‘inciting subversion’ (Article 105) that carry lengthy prison sentences. According to UN human rights experts, China’s Criminal Procedure Law, including Articles 39 and 85, ‘provides for explicit exemptions and restrictions to [legal provisions guaranteeing due process] for national security crimes, such as notification of family members of arrest within 24 hours, or access to a lawyer within 48 hours.’ UN experts have called on China to repeal Article 105 of the Criminal Law, and legal provisions allowing for RSDL. In 2015, the UN Committee Against Torture called on China to repeal restrictions to the right to counsel and to family notification on national security grounds.

We are further concerned that the Hong Kong authorities are following a similar path since the imposition of the National Security Law. Prominent lawyers **Chow Hang-tung**, **Albert Ho** and **Margaret Ng** are currently awaiting trial on a range of national security crimes, for their human rights work. UN experts have recently called for Chow Hang-tung's release.

We remain deeply concerned at the Chinese government’s increasing use of exit bans to impede human rights lawyers and activists from leaving the country, sometimes to visit a critically ill relative. On June 9, lawyer **Li Heping** and his family were intercepted by border police at Chengdu’s international airport. Similarly to activist Guo Feixiong and other cases over the past years, the authorities considered Li and his family’s planned travel to ‘endanger national security.’ In May 2021, lawyer **Tang Jitian** was prevented by authorities from visiting his daughter on life support in Tokyo. He was released in January 2023 after being forcibly disappeared for 398 days following an attempt to observe Human Rights Day at the Delegation of the European Union in Beijing in 2021.

We are alarmed at the severe harassment against released human rights lawyers and their relatives, including children. **Li Heping** and three other lawyers have reported that State Security
agents, or unidentified individuals acting on their behalf, regularly intimidate and threaten family members, including elderly parents, and hinder their children's access to education. Over the past two months, lawyer Wang Quanzhang and his family have been forced to move 13 times in Beijing. The family has also suffered from constant harassment and threats at their doors, as well as electricity and gas cuts. Lawyer Bao Longjun has been prevented from leaving his home multiple times by unidentified individuals blocking his door. Lawyer Zhou Shifeng, who was arrested as part of the '709 crackdown' in 2015 and was released after completing his seven-year prison sentence in November 2022, has reported leaving Beijing in May in relation to increasing pressure and surveillance by State authorities.

We also urge greater attention to the Chinese government's disbarment of human rights lawyers. At least 30 human rights lawyers have seen their practising license suspended or revoked by the authorities since 2017. Since 2016, administrative measures have criminalised lawyers 'using the Internet or media to express dissatisfaction with the Party or the government', joining 'sit-ins, holding banners, shouting slogans, expressing solidarity' and other acts in exercise of their rights to free speech and peaceful assembly. Similar rules have tightened ideological control of law firms, with at least three penalised over the same period.

Detained human rights lawyers are constantly subject to physical and psychological torture and ill-treatment in pre-trial detention and prison. They are routinely denied contact with their relatives and access to medical care, despite critical health issues. The government impedes family-appointed lawyers from accessing court documents and representing victims, instead imposing government-appointed lawyers whose identities are not disclosed or refuse to communicate with relatives. Detained lawyers are often convicted during sham closed-door trials, without notification to families nor disclosure of court verdicts for prolonged periods.

The UN Working Group on Arbitrary Detention has determined that China has a 'systemic problem with arbitrary detention which amounts to a serious violation of international law'.

Over the years, sustained attention from the international community has contributed to the release and improvement of conditions for those detained, and brought lawyers and relatives vital moral support.

Against this new wave of repression, which has been known as the '709 crackdown 2.0', we call on the international community to urge the Chinese government to:

- Put an end to its crackdown on human rights lawyers and defenders;
- Immediately and unconditionally release all those arbitrarily detained;
- Amend laws and regulations, including national security legislation, its Criminal Law and Criminal Procedure Law, to bring them into full compliance with international human rights standards; and meaningfully cooperate with the United Nations human rights bodies to that end.
Signatories

Human rights organisations:

American Association of the International Commission of Jurists
ARTICLE 19
Beijing Yirenping Center
Campaign for Uyghurs
China Aid Association
Chinese Democracy & Human Rights Alliance (CDHRA)
Chinese Human Rights Defenders
Committee to Support Chinese Lawyers
CSW (Christian Solidarity Worldwide)
Front Line Defenders
Global Centre for the Responsibility to Protect
Hong Kong Democracy Council
Hong Kong Watch
Humanitarian China
Human Rights in China
Human Rights Now
Human Rights Watch
International Campaign for Tibet
International Federation for Human Rights (FIDH), within the framework of the
Observatory for the Protection of Human Rights Defenders
International Observatory for Lawyers in Danger (OIAD)
International Service for Human Rights (ISHR)
International Tibet Network
Lawyers for Lawyers
Lawyers’ Rights Watch Canada
Montreal Institute for Genocide and Human Rights Studies
PEN America
Solidarity China France
The Rights Practice
The 29 Principles
Tibet Justice Center
Tibetan Centre for Human Rights and Democracy
Uyghur Human Rights Project
Women’s Rights in China
World Federalist Movement/ Institute for Global Policy
World Organisation Against Torture (OMCT), within the framework of the
Observatory for the Protection of Human Rights Defenders
World Uyghur Congress
Bar associations:
Amsterdam Bar Association
Council of Bars and Law Societies of Europe (CCBE)
Geneva Bar Association
Warsaw Bar Association

Scholars:
Donald Clarke, George Washington University Law School
Edward Friedman, University of Wisconsin
Eva Pils, King's College London
Jean-Philippe Béja, Centre national de la recherche scientifique (CNRS)
Jerome Cohen, New York University School of Law
Marie Holzman, Université Paris VII
Martin S. Flaherty, Leitner Center for International Law and Justice
Michael C. Davis, Wilson Center
Rana Siu Inboden, University of Texas at Austin
Terence Halliday, American Bar Foundation & Australian National University
Tomoaki Ishii, Meiji University
Tomoko Ako (阿古智子), University of Tokyo
Zhang Yutong

Chinese human rights defenders:
Anna Ruiqin Wang
Li Dabin
Liu Sifang
Lu Miaqing
Luo Shengchun Sophie, wife of Ding Jiaxi
Shi Minglei, wife of Cheng Yuan
Wang Yonghong
Wu Shaoping
Xiang Li
Zhang Miao
ANNEX: Individual cases

Ding Jiaxi (丁家喜)

*Ding Jiaxi* is a disbarred lawyer-turned-activist based in Beijing. Born in 1967, Ding Jiaxi began his activism in 2010 by supporting equal right to education for migrant workers’, and also offered legal assistance and provided food to ‘petitioners’ in Beijing.

Ding had previously served a three and half years prison in 2014, for his involvement in the “New Citizens Movement,” a loose network of activists spearheaded by legal scholar Xu Zhiyong (see below) that had promoted social justice and political and legal reforms. Ding was suspected of taking part in an anti-corruption campaign calling for the disclosure of top Chinese officials’ financial assets.

Ding was detained without warrant on December 26, 2019 and forcibly disappeared under ‘RSDL’, following his participation in a private gathering among peer activists in Xiamen to discuss the future of civil society in China. On April 10, 2023, Ding was sentenced to 12 years imprisonment and 3 years deprivation of political rights, following a secret trial in June 2022 for ‘subversion of State power’. The *indictments* against Ding Jiaxi and Xu Zhiyong accuse them of forming the ‘Citizens Movement,’ creating a Telegram group chat, and organizing the December 2019 Xiamen meeting. His and his wife’s application for exclusion of evidence obtained through torture were rejected.

The UN Working Group on Arbitrary Detention issued Opinion 30/2021 deeming Ding’s detention to be arbitrary under international law, and called for his immediate release.

Xu Zhiyong (许志永) and Li Qiaochu (李翘楚)

*Xu Zhiyong* is a prominent Beijing legal professor and rights activist. Born in 1973, Xu founded the ‘Open Constitution Initiative’ (*Gongmeng*, 公盟), a pro-democracy movement which later spawned the ‘New Citizens Movement,’ a loose grouping of activists advocating for democratic and rule-of-law reforms, constitutionalism, human rights, and social justice. Since 2003, Xu has promoted non-violence, defended individuals unjustly sentenced to death, drafted legal reforms, and provided legal consultation and other forms of assistance to homeless petitioners.

Xu was seized on February 24, 2020 and forcibly disappeared under ‘RSDL’, following his participation in a private gathering among peer activists in Xiamen to discuss the future of civil society in China. On April 10, 2023, Xu was sentenced to 14 years imprisonment, following a secret trial in June 2022 for ‘subversion of State power’. The *indictments* against Ding Jiaxi and Xu Zhiyong accuse them of forming the ‘Citizens Movement,’ creating a Telegram group chat,
and organizing the December 2019 Xiamen meeting. Xu’s lawyers have been denied visits on national security grounds.

The UN Working Group on Arbitrary Detention issued Opinion 82/2020 deeming Xu’s detention to be arbitrary under international law, and called for his immediate release.

Xu’s partner, Li Qiaochu, is an activist focusing on women’s and labor rights of migrant workers in Beijing. Li was taken from Xu’s residence in Beijing a few hours after Xu himself had been taken into custody on February 16, 2020, and forcibly disappeared under ‘RSDL’. Li’s case is believed to be linked to her human rights activities and ties to her partner.

On June 20, 2023, a secret trial took place, on charges of ‘inciting subversion of State power’, during which only one of her two lawyers was allowed into the courtroom, but denied requests to see evidence and question witnesses. No sentence has been disclosed publicly yet. Li Qiaochu suffers from severe depression and daily auditory hallucinations, steadily deteriorating, without access to adequate medical care. Her mother’s ten applications for bail on medical parole have all been rejected.

UN human rights experts wrote to the Chinese government on Li Qiaochu’s case in April 2021 and February 2022.

Chang Weiping (常玮平)

Chang Weiping is a human rights lawyer who has taken on notable cases defending the rights of a wide range of marginalized groups including women, LGBTQ persons, those with HIV/AIDS and hepatitis B facing workplace discrimination, victims of forced demolition, defective vaccines, and repression for practicing Falun Gong.

Chang was forcibly disappeared for ten days in January 2020, following his participation in a private gathering among peer activists in Xiamen to discuss the future of civil society in China. In October 2020, he posted a video describing torture during his disappearance by State officials, including non-stop sitting in stress positions on a ‘tiger-chair’ causing severe pain, food and sleep deprivation, and later interrogation in a state of extreme exhaustion.

Shortly after the video’s release, he was again forcibly disappeared under ‘RSDL’ on October 22, 2020. A month later, he was allowed to speak to his father for ten minutes, where he appeared to only be slowly reciting what RSDL authorities wanted him to say, asking his father not to speak up on his behalf. This would be his last communication with the outside world for nearly a year.

On June 8, 2023, Chang was sentenced to three and half years imprisonment, following a secret trial in July 2022 for ‘subversion of State power’.
UN human rights experts called for Chang’s release in a December 2020 public statement, and raised his case in letters to the Chinese government in December 2020, April 2021, February 2022 and September 2022.

Yu Wensheng (余文生) and Xu Yan (许艳)

Yu Wensheng is a prominent human rights lawyer from Beijing who represented a wide range of victims of restriction on civil liberties, ‘petitioners’, activists and fellow human rights lawyers, including Wang Quanzhang (see below). Born in 1967, Yu has also been an advocate for change in multiple areas of Chinese society, suing the government over air pollution in 2016, and expressing support for Hong Kong’s Occupy Central movement.

Yu was first detained by police in January 2018, after releasing an open letter calling for constitutional reform and oversight of the Chinese Communist Party. In the days prior, he had been disbarred, denied permission to set up a law firm, and banned from traveling overseas on national security grounds. In July 2017, Beijing Daoheng Law Firm had dismissed Yu under pressure from authorities, after he visited his client, detained lawyer Wang Quanzhang (see below).

Yu was forcibly disappeared under ‘RSDL’, and first allowed to see his lawyer in August 2020. His wife, Xu Yan, who never stopped advocating publicly for his husband’s release, was informed in June 2020 Yu had been sentenced to four years imprisonment for ‘inciting subversion of State power’, after a secret trial in May 2019. Yu received the 2021 Martin Ennals Award for Human Rights Defenders, and the 2019 Franco-German Prize for Human Rights and the Rule of Law.

The UN Working Group on Arbitrary Detention issued Opinion 15/2019 deeming Yu’s detention to be arbitrary under international law, and called for his immediate release. Yu left prison upon completion of his sentence on March 1, 2022.

On April 13, 2023, Yu Wensheng and Xu Yan were taken by police in the subway on their way to meet with a senior EU official at the Delegation of the European Union in Beijing. Yu’s detention may also be related to his condemnation on Twitter of the sentencing of Xu Zhiyong and Ding Jiaxi three days before. Both have since been formally arrested, Yu for ‘picking quarrels and provoking trouble,’ Xu for ‘inciting subversion of State power’. The police also surveilled and molested the couple’s 18-year old son.

Li Heping (李和平) and family

Born in 1971, Li Heping is a renowned human rights lawyer who represented activists, dissident writers, farmers whose property had been expropriated, other human rights lawyers, underground
church members and Falun Gong practitioners. He received in 2008 the Human Rights Award of the Council of Bars and Law Societies of Europe.

Li, and his legal assistants, were detained and forcibly disappeared during the July 2015 ‘709 crackdown’. At the time they were seized, they had been working on a project to promote the International Convention against Torture, which China ratified in 1988.

On April 28, 2017, Li Heping was convicted to three years imprisonment, suspended for four years, for ‘subversion of State power’, following a secret trial three days before. He returned home on May 9, 2017, and reported to have been chained for weeks and forced to take medication while detained. Following his release, his family remained under surveillance. On June 6, 2018, Li was disbarred by judicial authorities in Beijing.

UN human rights experts wrote to the Chinese government on Li Heping's case in March and April 2017.

On June 9, Li and his family were intercepted by border police at Chengdu’s international airport as their travel overseas was considered to ‘endanger national security.’

**Wang Quanzhang (王全璋), Li Wenzu (李文足) and family**

Born in 1976, **Wang Quanzhang** is the longest-held individual in pre-trial detention from the July 2015 ‘709 crackdown’ on human rights lawyers. Wang has represented a wide array of victims in human rights cases, including Falun Gong practitioners, members of the New Citizens’ Movement, housing rights activist Ni Yulan, and journalist Qi Chonghuai. He has also written many pieces on the legal profession and human rights. Since 2008, he has faced constant harassment and suffered retaliation for his work.

Wang was forcibly disappeared under ‘RSDL’. In August 2016, officials told Wang’s family-appointed lawyer, Yu Wensheng (see above), that Wang had given police a letter in claiming that he did not want to engage a lawyer and wanted to terminate the employment of his family-appointed lawyer, but refusing to disclose this document. It is likely Wang was coerced to sign such a letter under ‘RSDL’. Wang was first allowed a visit by another lawyer in July 2018.

On January 28, 2019, Wang was sentenced to four and half years in prison, and five years deprivation of political rights, for ‘subversion of State power’, following a secret trial in December 2018 during which her wife, **Li Wenzu**, was placed under house arrest.

The UN Working Group on Arbitrary Detention issued Opinion 62/2018 deeming Wang’s detention to be arbitrary under international law, and called for his immediate release. Wang left prison upon completion of his sentence on April 5, 2020.
Over the past two months, Wang and Li reported that they have been forced to move out 13 times in Beijing due to pressure from the authorities. The family has also suffered from constant harassment and threats at their doors, as well as electricity and gas cuts.

**Bao Longjun** (包龙军)

Bao Longjun, husband of prominent lawyer Wang Yu, was released on bail in August 2016 following his wife’s televised “confession” on July 31, after a January 2016 arrest for 'inciting subversion of State power'. During the July 2015 ‘709 crackdown’, Bao Longjun and his son, Bao Zhuoxuan, were detained by police at Beijing Capital Airport as Bao Zhuoxuan prepared to board a flight to Australia where he was intending to continue his studies. That same day, Wang Yu was taken from her home in Beijing on charges of ‘inciting subversion of state power’. In October 2015, Burmese police detained Bao Zhuoxuan in Myanmar and took him back to China.

UN human rights experts wrote to the Chinese government on Bao Longjun’s case in July 2015.

In June 2023, Bao reported being prevented from leaving his home multiple times by unidentified individuals blocking his door, in the context of broader harassment to human rights lawyers released from jail.

**Zhou Shifeng** (周世锋)

Born in 1964, lawyer Zhou Shifeng, has defended several high-profile cases, including victims in the 2008 contaminated powdered milk scandal, dissident and writer Tie Liu and Zhang Miao, a news assistant who had been detained for supporting the 2014 Hong Kong protests. Under his leadership, the Beijing Fengrui Law Firm has employed nearly one hundred lawyers, including several prominent human rights lawyers detained during the July 2015 ‘709 crackdown’, such as Wang Yu and Wang Quanzhang (see above).

Zhou was detained in July 2015, and accused by State-controlled media to run a ‘criminal syndicate’ to incite ‘social disorder.’ Zhou was sentenced to seven years in prison for ‘subversion of State power’ after a short trial on August 4, 2016. From the court transcript, authorities accused him of working with activists on advocacy campaigns around ‘politically-sensitive’ cases, using funds from an overseas NGO, and meeting at a restaurant to organise such activities.

UN human rights experts wrote to the Chinese government on Zhou Shifeng’s case in September 2016. Zhou left prison upon completion of his sentence on September 24, 2022.

Zhou has reported leaving Beijing in May 2023 in relation to increasing pressure and surveillance by State authorities, in the context of broader harassment to human rights lawyers released from jail.
**Tang Jitian (唐吉田)**

Born in 1969, Tang Jitian is a human rights lawyer who defended victims of land grabbing, Falun Gong practitioners, and vulnerable groups including victims of discrimination based on HIV/AIDS status. For his human rights work, Tang was disbarred in 2010, detained and tortured for 15 days in 2014 while protesting outside a 'black jail' where Falun Gong practitioners were believed to be disappeared, and issued a travel ban on national security grounds while attempting to travel to Hong Kong for medical treatment in 2017.

In December 2021, Tang Jitian was forcibly disappeared on his way to attend a Human Rights Day event at the Delegation of the European Union in Beijing, soon before the 2022 Beijing Winter Olympics. Tang was reportedly subjected to sleep deprivation and beatings, similar to his 2014 detention, despite his deteriorated health status. His friends reported him to be 'at the point of physical and mental collapse' when he disappeared, after he was once more prevented from leaving the country on national security grounds. Tang planned to travel to Japan in May 2021 to visit his 24-year-old daughter, in a coma due to complications from tuberculosis.

UN human rights experts wrote to the Chinese government on Tang Jitian’s case in July 2014, February 2022 and December 2022.

He was released in January 2023 after being forcibly disappeared for 398 days.

**Chow Hang-tung (鄭幸彤)**

Chow Hang-tung is a prominent Hong Kong barrister. Born in 1985, Chow was active in several NGOs in Hong Kong, including as vice chairwoman of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (Hong Kong Alliance), which organized an annual vigil on June 4 to commemorate the anniversary of the 1989 Tian'anmen pro-democracy movement. In 2021, the Chinese central government considered it an ‘anti-China’ organization.

On June 4, 2021, Chow was arrested for allegedly promoting an unauthorized assembly on the 32nd anniversary of the Tian'anmen movement. Chow had told the media that people should commemorate in their own ways, given the authorities banned the vigil on Covid-19 grounds.

On September 9, 2021, Hong Kong police shut down the Tiananmen Massacre Museum, which was run by the Hong Kong Alliance, and charged Hong Kong Alliance chair Lee Cheuk-yan, and vice-chairs Chow Hang-tung, and Albert Ho, with ‘inciting subversion of State power.’ Chow, alongside four other members, were separately charged with ‘failing to comply with notice to provide information’, after the Hong Kong Alliance’s decision not to cooperate with a police request under the National Security Law. All five were denied bail.
On December 13, 2021 Chow was sentenced to 12 months in prison for organizing and taking part in the 2020 Tian'anmen Vigil; she was further sentenced to another 15 months for engaging in the 2021 Tian'anmen Vigil on January 4, 2022.

On December 2022, Hong Kong’s High Court in Hong Kong ruled in favour of Chow’s appeal against her conviction and 15-month sentence. Yet, Chow still faces other national security charges.

The UN Working Group on Arbitrary Detention issued Opinion 30/2023 deeming Chow’s detention to be arbitrary under international law, and called for her immediate release.

**Albert Ho (何俊仁)**

Albert Ho is a Hong Kong solicitor, former member of the Legislative Council and former chairman of the Democratic Party. Ho is the vice-chairman of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (Hong Kong Alliance), which organized an annual vigil on June 4 to commemorate the anniversary of the 1989 Tian'anmen pro-democracy movement. In 2021, the Chinese central government considered it an ‘anti-China’ organization.

On September 9, 2021, Hong Kong charged Hong Kong Alliance chair Lee Cheuk-yan, and vice-chairs Chow Hang-tung, and Albert Ho, with ‘inciting subversion of State power.’

On August 22, 2022, Ho was granted bail by Hong Kong’s High Court to be treated for lung cancer. He was yet arrested while on bail on March 21, 2023, for allegedly perverting the course of justice.

UN human rights experts wrote to the Chinese government on Albert Ho’s case in May 2020.

**Margaret Ng (吳靄儀)**

Margaret Ng is a Hong Kong barrister and former pro-democracy member of the Legislative Council. On April 18, 2020, Margaret Ng was one of the 15 pro-democracy figures arrested for allegedly ‘organizing and taking part in unauthorized assemblies’ during the 2019 anti-extradition bill mass protests. On April 16, 2021, she was sentenced to one year in prison, suspended for two years.

On December 29, 2021, Ng and six other individuals linked to the media outlet ‘Stand News’ were arrested for allegedly conspiring to publish seditious publications under a colonial-era law. Ng was released on bail the next day without charge.

UN human rights experts wrote to the Chinese government on Margaret Ng’s case in May 2020.