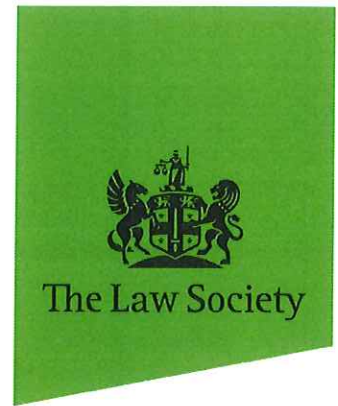


From the President

Li Keqiang
Premier
The State Council
9 Xihuangcheng Genbeijie
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People's Republic of China



5 May 2016

Your Excellency

Ge Yongxi - Lawyer at risk

The Law Society is very concerned for the safety of Ge Yongxi, a Guangdong-based human rights lawyer, at An Guo Law Firm. He is well-known for defending political and social activists, underground church leaders and those involved in a non-violent civil disobedience movement. In 2013 Ge Yongxi was subjected to a travel ban while defending Tang Jingling, a human rights lawyer sentenced to 5 years in prison for subversion. Between 28 May and 6 June 2015, Ge Yongxi was held at a detention centre in Qing'an, Heilongjiang Province. He was released after 733 Chinese lawyers signed a petition, calling on the Standing Committee of the National People's Congress to investigate his detention. Moreover, on 8 September 2015, Ge Yongxi was prevented from travelling to Hong Kong, despite a lack of documentation authorising his travel ban. These repeated incidents, involving detention and harassment, have impeded Ge Yongxi's legitimate work as a human rights lawyer.

On Thursday 14 April, at 2.30pm, Ge Yongxi posted a picture on a social media network, WeChat, which related to the leaked Panama Papers. The picture purported to show the Panama Canal and included images of President Xi Jinping and two former Chinese leaders, Deng Xiaoping and Jiang Zemin. Later that day, at around midnight, Ge Yongxi was taken from his home in Foshan, in Guangzhou province, by five plain-clothed police officers. While the police informed Ge Yongxi's family that he had been detained for interrogation, his family could not contact him as his mobile phone appeared to have been switched off.

During his detention, the police questioned Ge Yongxi about the origin of the picture posted and whether he had been involved in spreading material about the Panama Papers. Moreover, Ge Yongxi was made to write a letter of assurance promising not to post the picture again. On Friday 15 April, human rights lawyers gathered outside the Public Security Bureau to show their support for Ge Yongxi. He was subsequently released that night, after being held in detention for 22 hours.

Ge Yongxi's detention was allegedly justified on the basis that he had been "insulting other people". We submit that his arrest was, however, arbitrary and linked to his posting about Chinese officials and the Panama Papers. Indeed, Chinese websites have been banned from publishing material relating to the Panama Papers and social media references to the leak have been deleted.

We respectfully draw your attention to the Law Society's previous letters dated 14 February 2014, 19 May 2014, 27 June 2014, 15 July 2015 and 25 January 2016 concerning the detention and ill treatment of human rights lawyers in China. These letters demonstrate that there has been a significant increase in criminal and administrative detentions in China since 2014, indicating escalating suppression of human rights and fundamental freedoms. Since July 2015, over 280 Chinese human rights lawyers, their associates and family members have been summoned, detained or subjected to travel bans. While some have been released, many have been charged with subversion or remain in detention, with the whereabouts of detained victims largely unknown. This has led to an international plea for Chinese authorities to release detained lawyers who seek to protect the rights of other Chinese citizens.

China has been a member of the United Nations since 1 October 1949 and became a member of the UN Human Rights Council on 1 January 2014 which promotes and protects all human rights.

These include rights enshrined in the **Universal Declaration of Human Rights (1948)** which states that:

Article 9: *No one shall be subjected to arbitrary arrest, detention or exile.*

Article 19: *Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*

China is also a signatory of the **International Covenant on Civil and Political Rights (1976)**, which states that:

Article 9: *Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.*

The **UN Basic Principles on the Role of Lawyers (1990)** specifically concerns the rights of lawyers and provides that:

Article 16: *Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference.*

Article 23: *Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion of human rights.*

We further draw your attention to the **Declaration on the Rights and Responsibilities of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (1998)**, which provides as follows:

Article 7: *Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.*

The Law Society respectfully urges that:

- 1) You ensure that Ge Yongxi is not subjected to further intimidation, harassment or detention.
- 2) China complies with its obligations to promote and protect freedom from arbitrary arrest or detention and freedom of expression.
- 3) China provides a safe environment for human rights lawyers to carry out their legitimate work without fear of intimidation, harassment or detention.

Yours sincerely,


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President

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