

## ACCESS TO JUSTICE

### *Findings*

- In the annual work report delivered in March 2023 at the meeting of the National People's Congress, Supreme People's Court (SPC) President Zhou Qiang emphasized the Chinese Communist Party's absolute leadership over the judiciary and reported having endeavored to strengthen political loyalty, protect political security, and educate court personnel about safeguarding Party General Secretary Xi Jinping's core leadership position. Rather than promoting judicial independence, reform efforts focused on improving organizational and bureaucratic efficiency in accordance with the Party's plans. While the work report claimed there had been improvements to judicial transparency, authorities had removed a significant number of judgments from an online judgment disclosure database, particularly in the areas of criminal cases and administrative litigation.
- Central authorities further formalized the Party's leadership in the petitioning system as part of an institutional reform that aimed at extending the Party's control over society as a whole. The petitioning system (*xinfang*) operates outside of the formal legal system as a channel for citizens to present their grievances in hopes of triggering discretionary involvement by Party officials in providing a resolution. Under a recently announced institutional reform plan, the government agency that oversaw petitioning was to be led by a functional department of the Party that coordinates and guides work relating to petitions and collecting citizens' suggestions.
- Petitioners continued to face persecution in the form of arbitrary detention in extralegal facilities. Some of those detained suffered mistreatment, including physical assault and electric shock.
- The space for human rights lawyers to operate continued to shrink in the wake of a nationwide crackdown that began in July 2015. As of February 2023, at least 14 human rights lawyers were under different forms of restrictions on their personal liberty: 1 lawyer was missing, 4 were serving prison terms, and 9 were being held in pre-sentencing detention.

### *Recommendations*

Members of the U.S. Congress and Administration officials are encouraged to take the following actions:

- Call attention to the arbitrary detention of rights lawyers such as **Ding Jiaxi, Xu Zhiyong, Chang Weiping, Li Yuhao, Chen Jiahong, Qin Yongpei, Yu Wensheng**, and **Xie Yang**, and urge the Chinese government to unconditionally exonerate them and other similarly situated lawyers.
- Highlight and discuss with Chinese officials cases of human rights lawyers such as Liang Xiaojun, Xu Zhiyong, Lin Qilei, Xie Yang, Lu Siwei, Ren Quanniu, and Xi Xiangdong, whose law licenses were revoked or whose ability to practice law was otherwise restricted because of their legal representation and

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advocacy in cases that Chinese authorities deemed politically sensitive.

- Continue to designate and impose sanctions under the Global Magnitsky Human Rights Accountability Act (22 United States Code §§ 10101–103) on Chinese officials responsible for arbitrarily detaining or otherwise persecuting petitioners, human rights lawyers, and advocates.

- Urge the Chinese government to protect the fundamental civil and professional rights of China's lawyers, investigate all allegations of abuse against them, and ensure that those responsible for abuse are brought to justice.

- Urge the Chinese government to end all forms of harassment or persecution against the family members of human rights lawyers and advocates, including surveillance and restrictions on their freedom of movement.

## ACCESS TO JUSTICE

### *Introduction*

The International Covenant on Civil and Political Rights (ICCPR), which China signed and expressed its intention to ratify,<sup>1</sup> provides that all persons are equal before the courts; it also obligates a State Party to ensure that people have enforceable legal remedies for any violation of the rights and freedoms recognized in the convention, even if the violation has been committed by an official.<sup>2</sup> While China's Constitution recognizes certain universal human rights,<sup>3</sup> citizens do not have any legal channel through which to assert or protect them.<sup>4</sup> Moreover, instances of ongoing persecution of human rights lawyers and political control over the judiciary and the legal profession are inconsistent with the relevant ICCPR provisions.

### *Lack of Judicial Independence and Transparency*

In the annual work report delivered in March 2023 at the meeting of the National People's Congress, Supreme People's Court (SPC) President Zhou Qiang emphasized the Chinese Communist Party's absolute leadership over the judiciary and reported having endeavored to strengthen political loyalty, protect political security, and educate court personnel about safeguarding Party General Secretary Xi Jinping's core leadership position.<sup>5</sup> Rather than promoting judicial independence, reform efforts focused on improving organizational and bureaucratic efficiency in accordance with the Party's plans.<sup>6</sup>

The report also claimed that authorities had established an open and transparent judiciary, citing the establishment of a court judgment disclosure database and a court hearing broadcasting platform.<sup>7</sup> Experts who regularly used the judgment disclosure database, however, observed a marked decline in the number of judgments available, especially in criminal and administrative cases.<sup>8</sup> A decline that began before February 2022 continued as of March 2023, as a practitioner in China noted that only 31 judgments in administrative proceedings were available in 2023, a decline from 554,534 in 2019.<sup>9</sup> The practitioner noted that before the judgments were pulled from the database, the SPC stopped publishing administrative litigation judgments in 2021, a practice followed by province-level high people's courts in 2022.<sup>10</sup>

### *Reform of the Petitioning System*

Central authorities further formalized the Party's leadership of the petitioning system as part of institutional reforms aimed at extending the Party's control over society as a whole. The petitioning system (*xinfang*), also known as the "letters and visits system," is overseen by the National Public Complaints and Proposals Administration (*Guojia Xinfangju*; NPCPA). NPCPA operates outside of the formal legal system as a channel for citizens to present their grievances in hopes of triggering discretionary involvement by Party officials in providing a resolution.<sup>11</sup> Traditionally, although petitioners rarely saw any results, the system remained widely used, especially among people who lacked the financial means to

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file court cases.<sup>12</sup> Besides treating *xinfang* as an alternative to litigation, some petitioners used it to challenge unfavorable court judgments, which created a conflict with the court and increased the workload on the petitioning system.<sup>13</sup> To address the issue, the PRC in 2013 began to require cases to be resolved through legal channels such as litigation, arbitration, and administrative review, unless a case fell outside of areas covered by existing laws.<sup>14</sup> Despite being a government entity, the NPCPA in May 2022 began to be governed by regulations passed by the Party, which recognized *xinfang* as an important aspect of the Party's work on the masses.<sup>15</sup>

As announced in a March 2023 institutional reform plan, the Party and the government jointly elevated the NPCPA to an organization directly under the State Council rather than one that was managed through its general office.<sup>16</sup> The NPCPA is led by the newly created Social Affairs Work Department, a functional department of the Party that coordinates and guides work relating to petitions and collecting citizens' suggestions.<sup>17</sup> The new department is additionally tasked with pushing Party objectives among non-Party entities such as industry associations, private enterprises, and newly emerging economic and social organizations.<sup>18</sup> A Central Party School professor explained that the Social Affairs Work Department unified functions from several government bodies to strengthen the Party's comprehensive leadership through all levels of government.<sup>19</sup> A U.S.-based analyst observed that the new department was designed to target petitioners and extend the Party's control to non-state entities.<sup>20</sup>

### *Persecution of Petitioners*

PRC authorities continued to harass petitioners and restrict their liberty, especially around major events such as the 20th National Congress of the Chinese Communist Party in October 2022 and the annual meeting of the National People's Congress in March 2023.<sup>21</sup> Radio Free Asia reported in September 2022 that authorities had erected metal barriers around the NPCPA building, a move that multiple interviewees said they had not seen before.<sup>22</sup> Around that time, some petitioners were expelled from Beijing municipality by police or were prevented from traveling there after their health code (a zero-COVID measure) was arbitrarily changed from green to red.<sup>23</sup> Authorities likewise restricted the movement of dissidents by placing them under surveillance or forcing them to travel elsewhere, lifting such measures only after the conclusion of the national event.<sup>24</sup>

Multiple petitioners suffered mistreatment during detention; for example—

- According to an October 2022 report, in 2020, prison authorities in Shenyang No. 1 Municipal Prison in Liaoning province reportedly subjected **Lin Mingjie** to electric shocks at least twice, including by placing an electrode in his mouth.<sup>25</sup> Lin began petitioning because of the unjust demolition of his family's home and detention of his brother.<sup>26</sup> Authorities had sentenced Lin twice—in 2018 and in 2020—on the charge of “picking quarrels and provoking trouble” in connection with his pe-

titioning.<sup>27</sup> His case in 2020 also involved the charge of “unlawful use of an information network.”<sup>28</sup> After his detention in 2019, authorities prevented counsel visits for over nine months.<sup>29</sup>

- **Tong Bin**, a petitioner in Wuchang district, Wuhan municipality, Hubei province, suffered five broken ribs from an assault carried out by a group of “social maintenance workers” as he walked out of a court building, after having filed a complaint in August 2022 concerning the unlawful demolition of his home.<sup>30</sup> The assailants had warned Tong not to sue the department responsible for the demolition, which Tong ignored.<sup>31</sup>
- In July 2022, police in Beijing summoned **Liu Hongxia** for questioning after she established a workshop helping other petitioners produce video recordings of their complaints.<sup>32</sup> The next day, officials from Liu’s hometown in Zhengzhou municipality, Henan province, physically assaulted Liu before returning her to Zhengzhou, where they detained her in a hotel room.<sup>33</sup> Previously, Liu helped produce videos, including one in support of complaints against the NPCA head and another one commemorating a rights defender who died in detention under unknown circumstances.<sup>34</sup>

#### *Persecution of Legal Professionals*

Due to authorities’ use of criminal prosecution and law license revocation, the space for rights lawyers has essentially disappeared after the 2015 nationwide “709 Crackdown,” according to lawyers interviewed by Radio Free Asia.<sup>35</sup> Having had their law licenses revoked, some lawyers sought employment in fields other than law, and those who provided paralegal services faced difficulties or unemployment.<sup>36</sup> According to a tally prepared by the organization The 29 Principles, as of February 2023, at least 14 human rights lawyers were under different forms of restrictions on their personal liberty: one lawyer was missing, four were serving prison terms, and nine were being held in pre-sentencing detention.<sup>37</sup> The organization also documented the cases of many other lawyers who were disbarred or had been detained previously.<sup>38</sup> Some examples of the enforced disappearance, sentencing, and pre-sentencing detention of human rights lawyers are as follows:

#### ENFORCED DISAPPEARANCE

- **Gao Zhisheng**, a human rights lawyer, remained missing more than five years after his disappearance in August 2017.<sup>39</sup> Previously, authorities sentenced him to three years in prison for “inciting subversion of state power” and subjected him to constant surveillance after his release from prison in 2014.<sup>40</sup>
- Lawyer **Tang Jitian** was released in January 2023, after having been detained by domestic security protection personnel at an undisclosed location in Jilin province for nearly 400 days.<sup>41</sup> Tang’s disappearance occurred in December 2021 when he was preparing to travel to a human rights event hosted by the European Union.<sup>42</sup>

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- In April 2023, the Linyi Municipal Intermediate People's Court in Shandong province sentenced lawyer **Ding Jiayi** and legal scholar **Xu Zhiyong** to 12 and 14 years in prison, respectively, on the charge of "subversion of state power," some three years after their initial detentions.<sup>43</sup> The case was based on their promotion of the China Citizens Movement, which called for a peaceful transition to constitutional governance and full recognition of individuals' status as citizens.<sup>44</sup> Authorities detained Xu and Ding after they joined a social gathering with like-minded friends in December 2019 in Xiamen municipality, Fujian province.<sup>45</sup> Some 20 participants of the gathering were either detained, summoned repeatedly, or forced into self-exile.<sup>46</sup> Xu and Ding suffered torture while being held incommunicado, including food and sleep deprivation and prolonged interrogation while being bound to an interrogation chair.<sup>47</sup> In November 2020, the U.N. Working Group on Arbitrary Detention (WGAD) noted that "Xu's political views and ... his human rights advocacy appear[ed] to be the sole reason for his arrest and detention."<sup>48</sup> Likewise, the WGAD in September 2021 concluded that Ding's detention was arbitrary and further expressed concern that China's history of human rights violations "indicates a systemic problem with arbitrary detention in China, which amounts to a serious violation of international law."<sup>49</sup>

- In March 2023, the Nanning Municipal Intermediate People's Court in Guangxi Zhuang Autonomous Region, sentenced lawyer **Qin Yongpei** to five years in prison for "inciting subversion of state power" because he organized the "Disbarred China Lawyers Club" with other similarly situated lawyers who had lost their law licenses as a result of their rights defense work.<sup>50</sup> A closed trial was held in December 2021, some two years after his initial detention in October 2019.<sup>51</sup> In an opinion adopted in August 2022, the WGAD concluded that Qin's detention was arbitrary, and expressed concerns regarding authorities' denial of family visits and overcrowded conditions in Qin's detention facility.<sup>52</sup> The WGAD further noted that "under certain circumstances, widespread or systematic imprisonment or other severe deprivation of liberty in violation of the rules of international law may constitute crimes against humanity."<sup>53</sup>

PRE-SENTENCING DETENTION

- As of April 2023, lawyer **Li Yuhua** continued to await her sentencing, five and a half years after her initial detention in October 2017.<sup>54</sup> At the age of 74, Li suffered from multiple health conditions that required daily medication, but authorities denied Li's lawyer's multiple applications for medical parole.<sup>55</sup>

- Public interest lawyer **Chang Weiping** was one of the December 2019 Xiamen gathering participants subjected to arbitrary detention.<sup>56</sup> Authorities in Baoji municipality, Shaanxi province, released him on bail in January 2020 but detained

him again in October 2020 after he recounted in a video recording his experience of being tortured during his previous detention.<sup>57</sup> Authorities charged him with “subversion of state power” and denied him counsel visits until September 2021.<sup>58</sup> Chang told his lawyer that he was again subjected to torture, including sleep and food deprivation, in addition to prolonged interrogation in an interrogation chair, which caused permanent numbness in his fingers and psychological damage.<sup>59</sup> In July 2022, the Baoji Municipal Intermediate People’s Court tried Chang in a closed proceeding, and authorities prevented Chang’s family from traveling to the court, using COVID prevention measures as justification.<sup>60</sup> Chang was sentenced to three years and six months in prison in June 2023, nearly a year after his trial.<sup>61</sup>

- As of March 2023, lawyer **Xie Yang** remained in pretrial detention after authorities in Changsha municipality, Hunan province, criminally detained him in January 2022 on the charges of “inciting subversion of state power” and “picking quarrels and provoking trouble.”<sup>62</sup> Xie’s detention took place after he called public attention to the involuntary commitment of a pregnant woman to a psychiatric hospital.<sup>63</sup>

- In September 2022, domestic security protection personnel in Yulin municipality, Guangxi Zhuang Autonomous Region, detained lawyer **Chen Jiahong**, accusing him of “picking quarrels and provoking trouble.”<sup>64</sup> Chen’s detention took place six months after he had completed a three-year prison term for “inciting subversion of state power,” and was possibly related to his criticism of the government.<sup>65</sup>

- In April 2023, police detained lawyer **Yu Wensheng** and his wife **Xu Yan**, charging them with “picking quarrels and provoking trouble.”<sup>66</sup> A European Union (EU) spokesperson said that the detention took place when the couple was en route to a scheduled meeting with EU officials and that PRC authorities likely were aware of the meeting.<sup>67</sup> PRC authorities reportedly prevented lawyers from representing the couple.<sup>68</sup>

## Notes to Chapter 5—Access to Justice

<sup>1</sup>United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Civil and Political Rights, accessed July 8, 2023; State Council Information Office, “Guojia Renquan Xingdong Jihua (2016–2020 nian)” [National Human Rights Action Plan of China (2016–2020)], September 29, 2016, sec. 5.

<sup>2</sup>International Covenant on Civil and Political Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, arts. 2(3), 14.

<sup>3</sup>*Zhonghua Renmin Gongheguo Xian Fa* [PRC Constitution], passed and effective December 4, 1982, amended March 11, 2018, arts. 33–48.

<sup>4</sup>Luoyang Municipal Intermediate People’s Court, Henan province, Xingzheng Caidingshu [Administrative order], (2018) Yu 03 Xing Zhong No. 368, November 28, 2018, reprinted in China Judgments Online, January 14, 2019; Thomas E. Kellogg, “Arguing Chinese Constitutionalism: The 2013 Constitutional Debate and the ‘Urgency’ of Political Reform,” *University of Pennsylvania Asian Law Review* 11, no. 3 (2016): 349; Paul Gewirtz, “Constitutional Enforcement: Who Should Do It and How?,” *China Law Review*, 4 (2016): 5.

<sup>5</sup>“Zuigao Renmin Fayuan gongzuo baogao” [Supreme People’s Court work report], March 7, 2023, secs. 1, 6.

<sup>6</sup>“Zuigao Renmin Fayuan gongzuo baogao” [Supreme People’s Court work report], March 7, 2023, sec. 5.

<sup>7</sup>“Zuigao Renmin Fayuan gongzuo baogao” [Supreme People’s Court work report], March 7, 2023, sec. 5.

<sup>8</sup>Luo Jiajun and Thomas Kellogg, “Verdicts from China’s Courts Used to Be Accessible Online. Now They’re Disappearing,” *ChinaFile*, Asia Society, February 1, 2022.

<sup>9</sup>Luo Jiajun and Thomas Kellogg, “Verdicts from China’s Courts Used to Be Accessible Online. Now They’re Disappearing,” *ChinaFile*, Asia Society, February 1, 2022; “Xingzheng susong anli: Dang Caipan Wenshu Wang buzai gongkai xingzheng susong de caipan wenshu shi . . .” [Administrative litigation case examples: When China Judgments Online no longer publishes judgments in administrative litigation cases], *Weixin*, reprinted in *China Digital Times*, March 22, 2023.

<sup>10</sup>“Xingzheng susong anli: Dang Caipan Wenshu Wang buzai gongkai xingzheng susong de caipan wenshu shi . . .” [Administrative litigation case examples: When China Judgments Online no longer publishes judgments in administrative litigation cases], *Weixin*, reprinted in *China Digital Times*, March 22, 2023.

<sup>11</sup>Stella Chen, “Petitioning,” *CMP Dictionary, China Media Project*, May 20, 2022; Carl F. Minzner, “Xinfang: An Alternative to Formal Chinese Legal Institutions,” *Stanford Journal of International Law* (2006): 105.

<sup>12</sup>Lu Dewen, “‘Jiejie’ nu jiaoshi juebi xin shijian: yi tiao guiyi de shangfang zhi lu” [“Solution” female teacher’s last letter incident: a strange road of petitioning], *People’s Daily*, August 6, 2019; Carl F. Minzner, “Xinfang: An Alternative to Formal Chinese Legal Institutions,” *Stanford Journal of International Law* (2006): 106.

<sup>13</sup>Wan Yi, “Xinfang yu sifa fenli kaoyan sifa quanwei” [Separation of petitioning and judiciary as a test for the authority of the judiciary], *Beijing Daily*, reprinted in National Public Complaints and Proposal Administration, May 15, 2014. The National Public Complaints and Proposal Administration (Guojia Xinfang Ju) was formerly known in English as the National Bureau of Letters and Visits.

<sup>14</sup>National Public Complaints and Proposal Administration, “Guojia Xinfang Ju jiedu ‘Yifa Fenlei Chuli Xinfang Suqiu Gongzuo Guize’” [National Public Complaints and Proposal Administration interprets “Regulations for Sorting Petitions in Accordance with Law”], May 30, 2019.

<sup>15</sup>Chinese Communist Party Central Committee and State Council, *Xinfang Gongzuo Tiaoli* [Regulations on Complaints and Proposals Work], passed January 24, 2022, effective May 1, 2022, arts. 34.

<sup>16</sup>Jane Cai, “China Seeks to Tighten Grip with New Social Work Department,” *South China Morning Post*, March 17, 2023; “Zhonggong Zhongyang Guowuyuan yinfa ‘Dang he Guojia jigou gaige fangan’” [Party Central Committee and State Council issues Institutional reform plan of the Party and State Council], *Xinhua*, March 16, 2023, sec. 1(4); Changhao Wei, Taige Hu, and Zewei (Whiskey) Liao, “A Guide to China’s 2023 State Council Restructuring,” *NPC Observer*, March 23, 2023.

<sup>17</sup>“Zhonggong Zhongyang Guowuyuan yinfa ‘Dang he Guojia jigou gaige fangan’” [Party Central Committee and State Council issues “Institutional reform plan of the Party and State Council”], *Xinhua*, March 16, 2023; Jane Cai, “China Seeks to Tighten Grip with New Social Work Department,” *South China Morning Post*, March 17, 2023.

<sup>18</sup>“Zhonggong Zhongyang Guowuyuan yinfa ‘Dang he Guojia jigou gaige fangan’” [Party Central Committee and State Council issues “Institutional reform plan of the Party and State Council”], *Xinhua*, March 16, 2023, sec. 1(4).

<sup>19</sup>Ye Hongmei and Zhang Lu, “Zujian Zhongyang Shehui Gongzuo Bu, Zhongyang Keji Weiyuanhui youhe shenqi? Zhuanjia jiedu” [What are the implications for creating the Central Social Affairs Work Department and the Central Technology Commission? Experts provide explanations], *Beijing News*, reprinted in *163.com*, March 17, 2023.

<sup>20</sup>Wu Guoguang, “Guoshi guangxi: Shehui zhuyi de huapi pi buxiaqu le?—Zai ping Zhonggong zujian Zhongyang Shehui Gongzuo Bu” [Guang analyzing national affairs: Can the facade of socialism be sustained any longer? Commenting again on the Central Committee’s establishment of the Central Social Affairs Work Department], *Voice of America*, April 12, 2023.

<sup>21</sup>See, e.g., Gu Ting, “Guojia Xinfang Ju shiwu qianli bei weifeng fangmin Ershi Da qijian kong shangfang wumen” [National Public Complaints and Proposals Administration unprecedentedly cordoned off; petitioners worry that there is no place to file petitions during the 20th Party Congress], *Radio Free Asia*, September 27, 2022; Gu Ting, “Lianghui qianxi Beijing jingfang soubu fangmin bing jiangqi qianfan yuanju zhudi” [Beijing police detain petitioners and

return them to their place of residence during the Two Sessions], *Radio Free Asia*, February 20, 2023.

<sup>22</sup> Gu Ting, “Guojia Xinfang Ju shiwu qianli bei weifeng fangmin Ershi Da qijian kong shangfang wumen” [National Public Complaints and Proposals Administration unprecedently cordoned off; petitioners worry that there is no place to file petitions during the 20th Party Congress], *Radio Free Asia*, September 27, 2022.

<sup>23</sup> Gu Ting, “Guojia Xinfang Ju shiwu qianli bei weifeng fangmin Ershi Da qijian kong shangfang wumen” [National Public Complaints and Proposals Administration unprecedently cordoned off; petitioners worry that there is no place to file petitions during the 20th Party Congress], *Radio Free Asia*, September 27, 2022.

<sup>24</sup> Gu Ting, “Lianghui weiben jieshu yiwei renshi ji fangmin luxu huoshi” [Social stability maintenance around the Two Sessions ends; dissidents and petitioners are being released], *Radio Free Asia*, March 15, 2023.

<sup>25</sup> Civil Rights & Livelihood Watch, “Liaoning Lin Mingjie fuxing qijian lu zao kuxing” [Lin Mingjie of Liaoning suffers torture repeatedly], October 22, 2022.

<sup>26</sup> Civil Rights & Livelihood Watch, “Liaoning Lin Mingjie fuxing qijian lu zao kuxing” [Lin Mingjie of Liaoning suffers torture repeatedly], October 22, 2022.

<sup>27</sup> Civil Rights & Livelihood Watch, “Liaoning Lin Mingjie fuxing qijian lu zao kuxing” [Lin Mingjie of Liaoning suffers torture repeatedly], October 22, 2022.

<sup>28</sup> Civil Rights & Livelihood Watch, “Liaoning Lin Mingjie fuxing qijian lu zao kuxing” [Lin Mingjie of Liaoning suffers torture repeatedly], October 22, 2022.

<sup>29</sup> Civil Rights & Livelihood Watch, “Liaoning Lin Mingjie fuxing qijian lu zao kuxing” [Lin Mingjie of Liaoning suffers torture repeatedly], October 22, 2022.

<sup>30</sup> Civil Rights & Livelihood Watch, “Wuhan fangmin Tong Bin zai fayuan bei daduan leigu” [Wuhan petitioner Tong Bin suffers broken ribs from an assault at courthouse], August 6, 2022.

<sup>31</sup> Civil Rights & Livelihood Watch, “Wuhan fangmin Tong Bin zai fayuan bei daduan leigu” [Wuhan petitioner Tong Bin suffers broken ribs from an assault at courthouse], August 6, 2022.

<sup>32</sup> Civil Rights & Livelihood Watch, “Liu Hongxia yin bangzhu fangmin weiquan bei ouda ruanjin” [Liu Hongxia was beaten and placed in soft detention for helping petitioners defend their rights], July 8, 2022.

<sup>33</sup> Civil Rights & Livelihood Watch, “Liu Hongxia yin bangzhu fangmin weiquan bei ouda ruanjin” [Liu Hongxia was beaten and placed in soft detention for helping petitioners defend their rights], July 8, 2022.

<sup>34</sup> Civil Rights & Livelihood Watch, “Liu Hongxia yin bangzhu fangmin weiquan bei ouda ruanjin” [Liu Hongxia was beaten and placed in soft detention for helping petitioners defend their rights], July 8, 2022.

<sup>35</sup> Kai Di, “Xi Jinping zhixia de Zhongguo weiquan lushi hai sheng duoshao shengcun kongjian?” [How much space is left for rights lawyers in China to survive under Xi Jinping’s rule?], *Radio Free Asia*, November 23, 2022.

<sup>36</sup> Kai Di, “Xi Jinping zhixia de Zhongguo weiquan lushi hai sheng duoshao shengcun kongjian?” [How much space is left for rights lawyers in China to survive under Xi Jinping’s rule?], *Radio Free Asia*, November 23, 2022.

<sup>37</sup> The 29 Principles, “List of Oppressed Chinese Human Rights Lawyers (22/2/2023 Updated),” February 22, 2023.

<sup>38</sup> The 29 Principles, “List of Oppressed Chinese Human Rights Lawyers (22/2/2023 Updated),” February 22, 2023.

<sup>39</sup> Wang Yun, “Zhongguo yiwei renshi Gao Zhisheng turan cong jiali shizong” [Chinese dissident Gao Zhisheng suddenly disappeared from his home], *Radio Free Asia*, August 14, 2017; Michael Bristow, “Gao Zhisheng” shizong wu nian BBC zhuanfang Geng He: ‘Wo bei po zai zhangfu he haizi zhijian zuo xuanze’ [Five years after Gao Zhisheng’s disappearance; Geng He says in a BBC exclusive interview: “I was forced to make a choice between my husband and my children], *BBC*, November 19, 2022.

<sup>40</sup> Wang Yun, “Zhongguo yiwei renshi Gao Zhisheng turan cong jiali shizong” [Chinese dissident Gao Zhisheng suddenly disappeared from his home], *Radio Free Asia*, August 14, 2017; Michael Bristow, “Gao Zhisheng” shizong wu nian BBC zhuanfang Geng He: ‘Wo bei po zai zhangfu he haizi zhijian zuo xuanze’ [Five years after Gao Zhisheng’s disappearance; Geng He says in a BBC exclusive interview: “I was forced to make a choice between my husband and my children], *BBC*, November 19, 2022; “Guoji Teshe piping Zhongguo zaici qiu jin Gao Zhisheng” [Amnesty International criticizes China for detaining Gao Zhisheng again], *BBC*, December 6, 2011.

<sup>41</sup> Mak Yin-ting, “Tang Jitian bei wugu guanya jin sibai tian hou huoshi” [Tang Jitian released after being detained for nearly 400 days for no reason], *Radio France Internationale*, January 14, 2023.

<sup>42</sup> Mak Yin-ting, “Tang Jitian bei wugu guanya jin sibai tian hou huoshi” [Tang Jitian released after being detained for nearly 400 days for no reason], *Radio France Internationale*, January 14, 2023.

<sup>43</sup> Mak Yin-ting, “Xu Zhiyong deng liang ming Zhongguo wei quan renshi huo zhongxing 14 nian he 12 nian ‘709’ yilai zuizhong” [Xu Zhiyong is one of two Chinese rights defenders to receive heavy sentences of 14 and 12 years; heaviest since “709”], *Radio France Internationale*, April 10, 2023.

<sup>44</sup> Chinese Human Rights Defenders, “China: Release Xu Zhiyong and Ding Jiaxi Ahead of U.N. Anti-Torture Day,” June 16, 2022; Xu Zhiyong, “The Citizens Movement,” *China Change*, June 21, 2022.

<sup>45</sup> Xue Xiaoshan, “‘Xiamen Juhui An’ zhounian huigu (yi): Yichang juhui” [Anniversary review of the “Xiamen Gathering Case” (I): A gathering], *Radio Free Asia*, December 23, 2020; Human Rights in China, “Xiamen Juhui An” [The Xiamen Gathering Case], December 8, 2021.

<sup>46</sup> Xue Xiaoshan, “‘Xiamen Juhui An’ zhounian huigu (yi): Yichang juhui” [Anniversary review of the “Xiamen Gathering Case” (I): A gathering], *Radio Free Asia*, December 23, 2020.

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<sup>47</sup>Human Rights in China, “Xiamen Juhui An” [The Xiamen Gathering Case], December 8, 2021; Luo Shengchun (@luoshch), “#DingJiaxi zai Yantai bei kuxing zuotian xiaowu, Peng Jian lushi dengdai jin 48 ge xiaoshi zhongyu di er ci huijian dao Jiaxi! ...” [#DingJiaxi tortured in Yantai yesterday afternoon, lawyer Peng Jian finally met Jiaxi for the second time after waiting for 48 hours! ...], Twitter, February 4, 2021, 9:44 a.m.

<sup>48</sup>U.N. Human Rights Council, Working Group on Arbitrary Detention, Opinion No. 82/2020 concerning Xu Zhiyong (China), A/HRC/WGAD/2020/82, March 2, 2021, para. 74.

<sup>49</sup>U.N. Human Rights Council, Working Group on Arbitrary Detention, Opinion No. 30/2021 concerning Ding Jiaxi, Zhang Zhongshun and Dai Zhenya (China), A/HRC/WGAD/2021/30, November 12, 2021, paras. 84–85.

<sup>50</sup>Gao Feng, “Guangxi lushi Qin Yongpei ‘shan dian’ zui cheng panqiu wu nian” [Guangxi lawyer Qin Yongpei sentenced to five years for “inciting subversion”], *Radio Free Asia*, March 31, 2023; U.N. Human Rights Council, Working Group on Arbitrary Detention, Opinion No. 41/2022 concerning Qin Yongpei (China), A/HRC/WGAD/2022/41, September 28, 2022, para. 25.

<sup>51</sup>U.N. Human Rights Council, Working Group on Arbitrary Detention, Opinion No. 41/2022 concerning Qin Yongpei (China), A/HRC/WGAD/2022/41, September 28, 2022, paras. 8, 14.

<sup>52</sup>U.N. Human Rights Council, Working Group on Arbitrary Detention, Opinion No. 41/2022 concerning Qin Yongpei (China), A/HRC/WGAD/2022/41, September 28, 2022, para. 67.

<sup>53</sup>U.N. Human Rights Council, Working Group on Arbitrary Detention, Opinion No. 41/2022 concerning Qin Yongpei (China), A/HRC/WGAD/2022/41, September 28, 2022, para. 68.

<sup>54</sup>Civil Rights & Livelihood Watch, “Li Yuhan lushi anjian zuixin qingkuang” [Current situation of the case of lawyer Li Yuhan], April 16, 2023.

<sup>55</sup>Civil Rights & Livelihood Watch, “Li Yuhan lushi anjian zuixin qingkuang” [Current situation of the case of lawyer Li Yuhan], April 16, 2023.

<sup>56</sup>Human Rights in China, “Xiamen Juhui An” [The Xiamen Gathering Case], December 8, 2021.

<sup>57</sup>Human Rights in China, “Xiamen Juhui An” [The Xiamen Gathering Case], December 8, 2021.

<sup>58</sup>Human Rights in China, “Xiamen Juhui An” [The Xiamen Gathering Case], December 8, 2021.

<sup>59</sup>Human Rights in China, “Xiamen Juhui An” [The Xiamen Gathering Case], December 8, 2021.

<sup>60</sup>“Mi shen kaiting zai ji weiquan lushi Chang Weiping de qi er jiaran zao weidu” [Before secret trial begins, wife and child of rights lawyer Chang Weiping were surrounded], *Radio Free Asia*, July 25, 2022.

<sup>61</sup>“Human Rights Lawyer Chang Weiping Jailed for 3.5 Years by China for State Subversion,” *Agence France-Presse*, reprinted in *Hong Kong Free Press*, June 9, 2023.

<sup>62</sup>Rights Defense Network, “Weiquan Wang: Zhongguo dalu zaiya zhengzhi fan, liangxin fan yuedu baogao (2023 nian 3 yue 31 ri) di 90 qi (gong 1500 ren) (qi)” [Rights Defense Network: Monthly report on political prisoners and prisoners of conscience currently detained in mainland China (March 31, 2023) issue no. 90 (total 1500 persons) (7)], March 31, 2023.

<sup>63</sup>Rights Defense Network, “Bei qiangpo shizong de Hunan renquan lushi Xie Yang yi zao xingshi juliu” [Forcibly disappeared Hunan human rights lawyer Xie Yang has been criminally detained], January 17, 2022.

<sup>64</sup>Rights Defense Network, “Zao xingshi juliu de Guangxi renquan lushi Chen Jiahong yi bei pibu” [Criminally detained Guangxi human rights lawyer Chen Jiahong has been formally arrested], November 16, 2022; Independent Chinese PEN Centre, “Chuyu jin bannian Guangxi lushi Chen Jiahong zaiyin shufa shenxian lingyu” [Having been released from prison for only half a year, Guangxi lawyer Chen Jiahong is detained again for his calligraphy], October 27, 2022.

<sup>65</sup>Independent Chinese PEN Centre, “Chuyu jin bannian Guangxi lushi Chen Jiahong zaiyin shufa shenxian lingyu” [Having been released from prison for only half a year, Guangxi lawyer Chen Jiahong is detained again for his calligraphy], October 27, 2022.

<sup>66</sup>“Renquan lushi Yu Wensheng ji qizi Xu Yan bei yi xunxin zishi zui xingshi juliu” [Human rights lawyer Yu Wensheng and his wife Xu Yan criminally detained on the charge of picking quarrels and provoking trouble], *Radio Free Asia*, April 15, 2023; Gregorio Sorgi, “China Arrests Human Rights Activists En Route to EU Embassy in Beijing,” *Politico*, April 14, 2023.

<sup>67</sup>Gregorio Sorgi, “China Arrests Human Rights Activists En Route to EU Embassy in Beijing,” *Politico*, April 14, 2023.

<sup>68</sup>Gao Feng, “EU Lodges Protest over China’s Detention of Rights Lawyer and Activist Wife,” *Radio Free Asia*, April 17, 2023.