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Findings

• Under the International Covenant on Civil and Political Rights (ICCPR), all persons are entitled to equal treatment in the course of seeking enforceable legal remedies within the legal system for violations of their rights. During the 2019 reporting year, the Commission observed examples in which Chinese authorities violated the right to equal treatment by influencing the judiciary, controlling the legal profession, and persecuting human rights lawyers, all of which are inconsistent with the relevant ICCPR provisions.

• The Chinese Communist Party issued regulations to formalize its control over the judiciary through political-legal work committees, which are Party entities. In January 2019, the Central Political-Legal Committee led an investigation into a case involving allegations that Supreme People's Court President Zhou Qiang interfered with the adjudication of a case. The investigation’s conclusion was based on a possibly coerced confession and did not address Zhou’s involvement.

• The Party’s absolute leadership over the judiciary, as promoted by official media, had a negative impact on the overall judicial process. The Supreme People’s Court planned to amend past judicial interpretations to conform to approved political ideology and announced that it would not issue any new judicial interpretations unless the topic was specified by the Party. With respect to the legal profession, the Minister of Justice urged lawyers to “unify their thoughts” and to accept the Party’s complete leadership over their work.

• Authorities continued to criminally prosecute human rights lawyers on charges such as “subversion of state power,” viewing legal representation provided by them as a threat to the Party’s political security. Authorities also restricted the speech and movement of human rights lawyers, and in some cases stripped them of their law licenses.

• Citizens continued to use the petitioning system as a channel to express their grievances, but the system’s opacity made the effectiveness of their efforts difficult to determine. Some local governments answered calls from central authorities to improve data-sharing capability with anticorruption agencies to better monitor conduct of local officials, suggesting a new focus for the petitioning system.

• The Ministry of Justice announced changes to the legal aid system to standardize services, including the prompt assignment of and compensation for legal aid workers. Acting jointly with the Supreme People’s Court, the Ministry of Justice also expanded a legal aid service pilot program for criminal cases to cover more locations. These new developments do not appear to expand the space for civil society groups to provide public interest legal aid services, and authorities banned a group formed to provide legal aid and consultation.
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Recommendations

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

○ Highlight and discuss with Chinese officials the report in which the UN Working Group on Arbitrary Detention found human rights lawyers *Wang Quanzhang, Jiang Tianyong, Li Yuhan,* and *Yu Wensheng* to have been arbitrarily detained. Urge the Chinese government to unconditionally exonerate the above-named lawyers and other similarly situated lawyers.

○ Highlight and discuss with Chinese officials cases of human rights lawyers such as *Sui Muqing, Tan Yongpei, Liu Zhengqing, Xie Yanyi,* and *Chen Keyun,* whose law licenses were revoked or whose ability to practice law was otherwise restricted because of their legal representation and advocacy in cases that Chinese authorities deem politically sensitive.

○ Urge the Chinese government to protect the fundamental civil and professional rights of China’s lawyers, to investigate all allegations of abuse against them, and to ensure that those responsible 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.

○ Urge the Chinese government to stop all forms of persecution or prosecution of petitioners who use the petitioning system to peacefully seek redress for their grievances.

○ Urge leaders of the Chinese Communist Party and government to grant the judiciary true independence and warn them of the negative impact on the rule of law when the judiciary is involved in political campaigns.

○ Increase support for programs that promote dialogue between U.S. and Chinese legal experts to determine how China can structure and implement legal reforms. Concomitantly increase support for collaboration between U.S. and Chinese academic and non-governmental entities to help develop programs that enhance the capacity of the Chinese legal system to protect citizens’ rights.
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The International Covenant on Civil and Political Rights (ICCPR), which China signed and expressed its intention to ratify, 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.

Although Supreme People’s Court President Zhou Qiang reported improvements in different aspects of the judicial system, the examples of political interference with the judiciary, control over the legal profession, and persecution of human rights lawyers that the Commission observed during the 2019 reporting year are inconsistent with the relevant ICCPR provisions.

Communist Party’s Control Over the Judicial Process

COMMUNIST PARTY EXERTS CONTROL THROUGH POLITICAL-Legal COMMITTEES

The Chinese Communist Party Central Committee issued Regulations on the Chinese Communist Party’s Political-Legal Work, effective in January 2019, to formalize its control over a range of state functions, including the judiciary. Under the regulations, Party-run political-legal committees at the central and provincial levels are tasked with promoting judicial transparency, as well as reporting instances of judicial interference by cadres in leadership positions. According to an official interpretation of the new regulations, political-legal committees are responsible for setting general directions and policies but are not authorized to manage substantive work in individual cases. In practice, however, political-legal committees have a record of influencing individual cases.

In March 2018, Central Party authorities expanded the scope of the Central Political-Legal Committee’s jurisdiction to domestic public security concerns, including integrated “social order management,” “social stability maintenance,” and prevention and handling of “cult” issues, which have been the bases for prosecuting citizens in connection to their legitimate and peaceful exercise of internationally recognized human rights. [For more information on Chinese authorities’ use of criminal provisions to suppress religion and human rights activities, see Section II—Criminal Justice and Freedom of Religion.]

Judicial Interference and Party-Led Investigation

In January 2019, the Central Political-Legal Committee led an investigation into a case involving allegations of judicial interference, including those involving the Supreme People’s Court (SPC) President Zhou Qiang. According to Radio Free Asia, some lawyers pointed out that the Central Political-Legal Committee lacks constitutional authority to investigate the Supreme People’s Court since such authority lies with the National People’s Congress.
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<th>Judicial Interference and Party-Led Investigation—Continued</th>
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| The subject of the investigation was a case that commenced in 2006, when entrepreneur Zhao Faqi’s company sued a state-owned enterprise over a contract dispute concerning mining rights in Shaanxi province. Despite initial success, Zhao’s company lost on appeal, and the case twice came before the SPC. In November 2016, Zhao Faqi published an open letter in which he alleged that several high-ranking officials in Shaanxi had intervened in the judicial process and thereby affected the disposition of the case.15

Beginning in December 2018, Wang Linqing, a former SPC judge who handled the case, released several pre-recorded video clips and confirmed unofficial information that the case file had gone missing since 2016.17 Wang further recounted that an SPC leader—whom another source identified as SPC President Zhou Qiang—gave him two sets of instructions through another court official, initially to remand the case, and later to dismiss the appeal, which would have had the effect of reversing the collegial panel’s decision to rule in favor of Zhao’s company.19 In February 2019, official media outlet China Central Television broadcasted a recording showing Wang admitting to stealing the file himself ostensibly in order to prevent the case from being transferred away, given the amount of time he had spent working on it.20

The Party-led investigation team found that the SPC’s case file security measures were defective and that the adjudication process was delayed beyond the statutory timeframe. The team, however, did not make a finding specific to the alleged involvement of Zhou Qiang.22 Zhou promptly expressed support for the investigation results, as reported in an editorial in the People’s Court Daily entitled “Upholding the Party’s Absolute Leadership over the Work of People’s Courts.”23 Observers questioned the voluntariness of Wang Linqing’s recorded confession and the credibility of the investigation.24

FIVE-YEAR PLAN TO CONFORM JUDICIAL INTERPRETATIONS TO PARTY VALUES

Following a Chinese Communist Party directive, the Supreme People’s Court (SPC) in September 2018 issued a five-year plan requiring that the selection, drafting, and amendment of judicial interpretations must conform to “socialist core values” as guided by the political ideology of Party General Secretary and President Xi Jinping. While the full text of the plan was not publicly available, the head of the SPC Research Office explained that the SPC planned to revisit existing judicial interpretations and amend portions that were in conflict with socialist core values, with an intention to incorporate the ideological aims of socialist core values into judicial adjudication standards. He also said that the SPC in principle would not issue new judicial interpretations in the next five years unless the topic was specifically listed in the five-year plan.

CONTROL OF THE LEGAL PROFESSION

In September 2018, the Ministry of Justice convened a meeting about Party-building in the legal profession nationwide, echoing a provision in the Measures on Managing Law Firms that requires
law firms to engage in Party-building. “Party-building” encompasses a range of activities such as improving the Party’s organizational structure, as well as Party members’ discipline and their ideological commitment. At the meeting, Minister of Justice Fu Zhenghua urged attendees to further “unify [their] thoughts” and to “unabashedly support the Party’s complete leadership over lawyers’ work.” The meeting specified that Party-building work must be a priority within the entire legal profession by 2020. In May 2019, three non-governmental organizations submitted a joint analysis to the UN Special Rapporteur on the independence of judges and lawyers, in which they observed that recent administrative measures imposed on lawyers and law firms facilitated political interference by granting authorities “the power to deny, temporarily or indefinitely, the right to practice to lawyers without reasonable and effective avenues for appeal.”

Persecution of Human Rights Lawyers

Chinese authorities continued to persecute human rights lawyers, including Wang Quanzhang, Jiang Tianyong, Li Yuhan, and Yu Wensheng, whom the UN Working Group on Arbitrary Detention (Working Group) found to have been detained for their rights defense work, in contravention of the Universal Declaration of Human Rights. The Working Group requested that the Chinese government immediately release the lawyers. Chinese authorities, however, continued to subject them to criminal prosecution and penalty.

In January 2019, the Tianjin No. 2 Intermediate People’s Court sentenced Wang Quanzhang to four years and six months in prison for “subversion of state power.” In June 2019, authorities permitted Wang’s wife Li Wenzu to visit him for the first time in nearly four years. Li reported that Wang had lost a significant amount of weight, exhibited robotic reactions and hazy memory, and was reading from a piece of paper when he asked her not to visit him anymore. In February 2019, authorities extralegally detained Jiang Tianyong upon completion of his two-year prison term for “inciting subversion of state power.” Authorities eventually permitted Jiang to return home but continued to subject him to strict surveillance, a measure not provided for in the PRC Criminal Procedure Law. Jiang’s wife reported that authorities tortured Jiang and that he suffered from depression and significant memory loss. In April 2019, Li Yuhan’s lawyers reported that Li’s health had deteriorated further at a detention center in Shenyang municipality, Liaoning province, and that the court had postponed a scheduled trial without giving them notice. As of March 2019, authorities continued to hold Yu Wensheng in pretrial detention for over a year and deny him legal representation by lawyers hired by his family. Yu’s wife Xu Yan reported that in March over 10 public security officials and residential committee personnel were stationed outside her residence and prevented her from leaving. Xu previously filed an administrative review and an administrative appeal over the public security bureau’s rejection of clothing that she had sent to her husband in detention.
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Besides criminal prosecution, Chinese authorities used other methods to persecute human rights lawyers, including revoking their law licenses, placing obstacles in the license renewal process, and restricting their freedom of speech and movement. In one example, police physically assaulted a lawyer when she was performing her duties as a criminal defense lawyer:

- **Sun Shihua.** In September 2018, lawyer Sun, the wife of human rights lawyer Sui Muqing, went to a police station in Guangzhou municipality, Guangdong province, in connection with her client’s criminal case. An officer surnamed Chen reportedly declined to discuss Sun’s client’s case with her and accused Sun of attacking him. A group of officers then gathered and beat Sun, during which time Officer Chen choked her and rendered her unconscious. Officers then ordered Sun to take off her clothes and provide a urine sample. During Sun’s six-hour long detention, officers also reportedly ordered her client to strip naked. The Guangzhou Public Security Bureau said it investigated the incident and concluded that the officers “had a rigid attitude and acted uncivilly,” but it denied physical assault or insult having taken place. While at the police station, Sun overheard two officers saying to each other that someone had asked the police station to “handle her case.”

**Citizen Petitioning**

The petitioning system (xinfang), also known as the “letters and visits system,” has been a popular mechanism outside of the formal legal system for citizens to present their grievances to authorities, either in writing or in person. The petitioning system reportedly has been ineffective in addressing citizens’ grievances due to factors such as the large number of petitions, staff shortages, officials’ fraudulent use of data, and corruption.

Although the director of the National Public Complaints and Proposals Administration said that the petitioning system was highly efficient and had a public satisfaction rate of over 95 percent, such claims remained unverifiable due to a lack of transparency. A group of 57 petitioners from Shanghai municipality previously asked the government to release information to verify a similar claim made in 2016. The Shanghai government called the information “state secrets” and refused to disclose it. The petitioners then sought administrative review with the State Council, which had not provided them with a response as of October 2018, far exceeding the statutory 90-day case processing time limit.

This past year, some local governments focused their efforts on enhancing the petitioning system’s capability to collect data for anticorruption agencies. For example, an official news outlet reported that officials in Beijing municipality created a system by which they would make appointments with petitioners to individually hear complaints concerning significant misconduct. In Guizhou province, officials developed a system to sort through this type of complaint and set case completion time limits.

During this reporting year, petitioners continued to face official repression. Authorities detained petitioners, alleging criminal or administrative offenses including “disrupting order in a public
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place,” 76 “picking quarrels and provoking trouble,” 77 and “obstructing official business.” 78 In addition, authorities reportedly detained petitioners in the period leading up to and during the annual meetings of the National People’s Congress and Chinese People’s Political Consultative Conference in March 2019. 79

Legal Aid

The legal aid system remained a state-controlled institution. State Council regulations require that justice bureaus of local governments appoint legal aid organizations and administer legal aid programs through them. 80 Legal aid organizations may assign eligible applicants to in-house lawyers or make referrals to law firms, grassroots legal services, or other social organizations. 81 Lawyers are legally obligated to provide legal aid services and may be disciplined or fined for refusing to do so. 82

This past year, authorities expanded and standardized legal aid services across China. In January 2019, the Supreme People’s Court and the Ministry of Justice expanded a legal aid pilot program from 8 locations to 31. 83 The pilot program required authorities to advise unrepresented criminal defendants of their right to legal counsel; it also required better coordination between courts, procuratorates, public security bureaus, justice bureaus, and legal aid offices to improve allocation of legal aid resources. 84

Following this, the Ministry of Justice in February 2019 issued a document to standardize legal aid services in criminal cases, covering different stages of a criminal case, from pretrial investigation to appellate work. 85 Around the same time, the Ministry of Justice and Ministry of Finance issued a guiding opinion delineating specific standards for setting the amount of compensation for legal aid workers and lawyers in administrative, civil, and criminal cases. 86

These documents, however, do not contain provisions for legal aid services provided by civil society groups operating outside the officially sanctioned framework. In at least one instance, authorities banned one such group and effectively shut down its operations. 87 In September 2018, several rights lawyers who lost their law licenses after a crackdown in 2015 formed a public interest group based in Nanning municipality, Guangxi Zhuang Autonomous Region, to provide legal aid and consultation services. 88 In January 2019, authorities in Nanning banned the group, alleging that it operated in violation of the Regulations on the Registration and Management of Social Organizations. 89

Other Developments in the Judicial System

Parallel to the repressive campaign against rights lawyers and advocates, Chinese authorities continued to carry out “the most systematic and structural legal reform, unprecedented since Chinese reform started 40 years ago,” as observed by a Hong Kong-based scholar. 90

• Supreme People’s Court President Zhou Qiang reported an increase in the number of successfully resolved enforcement cases in the past three years, 91 thereby accomplishing a goal set at the Fourth Plenum of the 18th Chinese Communist Party Central Committee held in November 2014. 92 In January
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2019, however, the U.S. Department of State cautioned that Chinese authorities could prohibit U.S. citizens from leaving China in order to compel them to resolve civil disputes in favor of Chinese parties.93

- Court officials used technology to make it more convenient for citizens to access the court system, such as developing online case opening systems and promoting mobile courts housed in vehicles.94

- In October 2018, the National People's Congress Standing Committee (NPCSC) revised the PRC Organic Law of People’s Courts, which codified certain judicial reforms in the past 40 years, including the establishment of specialized courts, a judicial responsibility system, and a judge quota system.95

- In April 2019, the NPCSC revised the PRC Judges Law to codify the selection and review process for judges.96 The revised law also added the requirement to support the Party’s leadership and the socialist system.97
Notes to Section III—Access to Justice


4 Chinese Communist Party Central Committee, Zhonggong Gongchandang Zhengfa Gongzuotong (Regulations on Chinese Communist Party Political-Legal Work), effective January 13, 2019, art. 3.

5 Ibid., arts. 21(8), 31.


8 The Central Political-Legal Committee is also known as “Central Committee of Political and Legal Affairs.” Susan V. Lawrence, “China’s Political Institutions and Leaders in Charts,” Congressional Research Service, Library of Congress, November 12, 2013, 8 n.8.


13 Wang Lingqing qianyi kuangguan an jianzhang diu shijian yu diaoza jiegou [Investigation result in loss of case file incident in 100 billion mining rights case involving Wang Lingqing], BBC, February 23, 2019.

14 Ibid.

15 Zhao Faqi, “Zhao Faqi shiming jubao quanwen: Shanxi yuan Shengzhang Chunqing, Shengwei Shijie Zhao Zhengyong hu tong Shannxi Sheng Zhengxie Changwei Liu Juan daoqu guoyou zichan” [Full text of Zhao Faqi’s complaint under his real name: former Shanxi Governor Chunqing, provincial Party Secretary Zhao Zhengyong stole state assets with the aid of Shanxi CPPCC Standing Committee member Liu Juan], WeChat post, November 3, 2019, reprinted in China Digital Times, January 18, 2019.


17 Cui Yongyuan baoguang qianyi kuang an hou, Zhonggou Zuigao Fayuan faguan Wang Lingqing, zibao shipian zuixin 4 duan (20 fenzhong wangzheng ban) [Complete collection of newest 4 video clips of China’s supreme court judge Wang Lingqing, recorded for self-protection after Cui Yongyuan exposed 100 billion mining rights case] [Video file], YouTube, January 6, 2019. A compiled version of the video clips showing Cui Yongyuan’s interview with Wang Lingqing is available on YouTube.

18 A collegial panel is responsible for case adjudication; it may consist of a single judge or a panel of people’s assessors. Zhonghua Renmin Gongchandang Renmin Fayuan Zuzhi Fa [PRC Organic Law of People’s Courts], passed July 1, 1979, revised October 26, 198, effective January 1, 2019, arts. 29, 30.

19 Cui Yongyuan baoguang qianyi kuang an hou, Zhonggou Zuigao Fayuan faguan Wang Lingqing, zibao shipian zuixin 4 duan (20 fenzhong wangzheng ban) [Complete collection of newest 4 video clips of China’s supreme court judge Wang Lingqing, recorded for self-protection after Cui Yongyuan exposed 100 billion mining rights case] [Video file], YouTube, January 6, 2019. A compiled version of the video clips showing Cui Yongyuan’s interview with Wang Lingqing is avail-

20 "Shipin: ‘Kaiqilai an’ juanzong diushi deng wenti diaocha jieguo ghongbu’ [Video clip: announcement of result of investigation into issues such as loss of case file in ‘Kaiqilai Case’], CCTV, February 22, 2019.

21 "Zhongyang Zhengfaweixian qiantou de lianhe diaocha zu gongbu ‘Kaiqilai an’ juanzong diushi deng wenti diaocha jieguo’ [Investigation team led by Central Political-Legal Committee releases investigation results concerning issues including missing file in ‘Kaiqilai Case’], Xinhua, February 22, 2019.

22 "Zhongyang Zhengfaweixian qiantou de lianhe diaocha zu gongbu ‘Kaiqilai an’ juanzong diushi deng wenti diaocha jieguo’ [Investigation team led by Central Political-Legal Committee releases investigation results concerning issues including missing file in ‘Kaiqilai Case’], Xinhua, February 22, 2019.

23 Jiacheng Dang dui renmin fayuan de juejiu lingdao [Upholding the Party’s absolute leadership over the work of people’s courts], People’s Court Daily, February 24, 2019.


25 Zhongyang zhongguo guanyu suan jiazhiguan de gongzuo guihua (2018–2023) [Having socialist core values as the soul, comprehensively bolster foundation of value of judicial interpretations—interview with head of Supreme People’s Court Research Office concerning ‘Supreme People’s Court Plan on Comprehensively Implementing Socialist Core Values in Judicial Interpretation (2018–2023)’], Zuigao Renmin Fayuan Wang [Supreme People’s Court Net], September 18, 2018.

26 Commission research staff performed a search on April 16, 2019, and was unable to locate the full text of the plan.

27 Yi shehui zhuyi hexin jiazhixi tixi weihun, quanmian zhu lao sifa jieshi de jiazhixi jichu—jiu ‘Zuigao Renmin Fayuan guanyu sifa jieshi de jiazhixi jichu’ [Having socialist core values as the soul, comprehensively bolster foundation of value of judicial interpretations—interview with head of Supreme People’s Court Research Office concerning ‘Supreme People’s Court Plan on Comprehensively Implementing Socialist Core Values in Judicial Interpretation (2018–2023)’], Zuigao Renmin Fayuan Wang [Supreme People’s Court Net], September 18, 2018.

28 "Yi shehui zhuyi hexin jiazhixi tixi weihun, quanmian zhu lao sifa jieshi de jiazhixi jichu—jiu ‘Zuigao Renmin Fayuan guanyu sifa jieshi de jiazhixi jichu’ [Having socialist core values as the soul, comprehensively bolster foundation of value of judicial interpretations—interview with head of Supreme People’s Court Research Office concerning ‘Supreme People’s Court Plan on Comprehensively Implementing Socialist Core Values in Judicial Interpretation (2018–2023)’], Zuigao Renmin Fayuan Wang [Supreme People’s Court Net], September 18, 2018.

29 Yi shehui zhuyi hexin jiazhixi tixi weihun, quanmian zhu lao sifa jieshi de jiazhixi jichu—jiu ‘Zuigao Renmin Fayuan guanyu sifa jieshi de jiazhixi jichu’ [Having socialist core values as the soul, comprehensively bolster foundation of value of judicial interpretations—interview with head of Supreme People’s Court Research Office concerning ‘Supreme People’s Court Plan on Comprehensively Implementing Socialist Core Values in Judicial Interpretation (2018–2023)’], Zuigao Renmin Fayuan Wang [Supreme People’s Court Net], September 18, 2018.

30 "Yi shehui zhuyi hexin jiazhixi tixi weihun, quanmian zhu lao sifa jieshi de jiazhixi jichu—jiu ‘Zuigao Renmin Fayuan guanyu sifa jieshi de jiazhixi jichu’ [Having socialist core values as the soul, comprehensively bolster foundation of value of judicial interpretations—interview with head of Supreme People’s Court Research Office concerning ‘Supreme People’s Court Plan on Comprehensively Implementing Socialist Core Values in Judicial Interpretation (2018–2023)’], Zuigao Renmin Fayuan Wang [Supreme People’s Court Net], September 18, 2018.

31 "Zhongyang zhongguo guanyu suan jiazhiguan de gongzuo guihua (2018–2023) [Having socialist core values as the soul, comprehensively bolster foundation of value of judicial interpretations—interview with head of Supreme People’s Court Research Office concerning ‘Supreme People’s Court Plan on Comprehensively Implementing Socialist Core Values in Judicial Interpretation (2018–2023)’], Zuigao Renmin Fayuan Wang [Supreme People’s Court Net], September 18, 2018.

32 Commission research staff performed a search on April 16, 2019, and was unable to locate the full text of the plan.

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35 Ministry of Justice, Lushi shiwusuo guanli banfa [Measures on Managing Law Firms], issued May 28, 2008, amended September 6, 2016, effective November 1, 2016, art. 4.

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42 “Weiquan lushi Jiang Tianyong xingman chuyu que bei buming shenfen zhe diaizou” [Rights defense lawyer Jiang Tianyong released from prison upon sentence completion, but was taken away by unidentified people], Deutsche Welle, February 28, 2019.  


44 Zhonghua Renmin Gongheguo Xingshi Susong Fa [PRC Criminal Procedure Law], passed July 1, 1979, amended October 26, 2018. The PRC Criminal Procedure Law does not provide for surveillance of a person who has completed a sentence.  

45 Jiang Tianyong jiankan kanyou qizi xiaowang ta dao Meiguo kankan ji” [Jiang Tianyong’s health a worry, wife hopes he can come to U.S. for medical treatment], Radio Free Asia, March 8, 2019.  


48 “Jiang Tianyong jiankang kanyou qizi xiwang ta dao Meiguo kanbing” [Jiang Tianyong’s health a worry, wife hopes he can come to U.S. for medical treatment], Radio Free Asia, March 8, 2019.  


51 Beijing Fengrui tingye hou yizhi qiu zhuan lusuo Liu Xiaoyuan bu huo shouli mianlin zhuxiao zhiye zheng [Continuously asked to change law firms after Beijing Fengrui stopped operation, Liu Xiaoyuan’s application ignored, license to practice may be revoked], Radio Free Asia, February 24, 2019.

52 All China Lawyers Association, “Jinyan shenxing zao zunsha shoufa yongfa de kaizhi” [Exercising the exercise in speech and action so as to be a model for obedience, compliance, and application of the law], March 4, 2019; [Lici cunzhao] Guanyu jiaoban zhongyao min’gan xingxiang xinxi de han” [For the record] Letter concerning assignment of handling of important sensitive message about petitioning] China Digital Times, January 16, 2019; “Li Jinjing lushi yin wangzhang yanlun jieshou diaocha” [Lawyer Li Jinjing investigated for online speech], Radio Free Asia, November 21, 2018; “Chongqing lushi yin wangzhang yanlun zao siqiu diaocha huo shou chufu” [Chongqing lawyer investigated and possibly punished by justice bureau for online speech], Voice of America, September 17, 2018.
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55 Rights Defense Network, “Shanghai jiti shenqing caijue yi an de shenqingren daibiao di 12 ci dao Guowuyuan Fazhi Ban yaoqiu shifang weiquan daibiao” [Representatives of case in Shanghai group request for decision demand written response in their 12th visit to State Council’s Legislative Affairs Office but still

57 Ibid.
58 Ibid.
59 Ibid.
60 Ibid.

62 China Human Rights Lawyers Concern Group, “You yitian, jingcha kaishi pengci—wo bei Guangzhou jingcha gouxian zhuabu, xiuru de kongbu jingli—Sun Shihua” [One day, police began to feign being attacked—my horrific experience of being framed, detained, and insulted by Guangzhou police—Sun Shihua], October 11, 2018.

63 China Human Rights Lawyers Concern Group, “You yitian, jingcha kaishi pengci—wo bei Guangzhou jingcha gouxian zhuabu, xiuru de kongbu jingli—Sun Shihua” [One day, police began to feign being attacked—my horrific experience of being framed, detained, and insulted by Guangzhou police—Sun Shihua], October 11, 2018.

64 State Council, Xinjiang Tiaoli [Regulations on Letters and Visits], issued January 5, 2005, effective May 1, 2005; Benjamin L. Liebman, “A Populist Threat to China’s Courts?” in Chinese Justice: Civil Dispute Resolution in Contemporary China, eds. Margaret Y.K. Woo and Mary E. Gallagher (Cambridge: Cambridge University Press, 2011), 269–313; Liang Shibin, “Jianjue da jiti shangfang jiekou, jiyi shangfang shixiang banguang zui” [Resolutely fight to win the battle of publicity of the petition system], Legal Daily, 27 April 16. Such grievances reportedly include cases concerning demolition or expropriation of property, social security, agriculture, land and resources, and environmental protection.


66 “Zhongdian jieshou 12 lei tuchu wenti de xinfang” [Admitting 12 categories of outstanding problems in the petition system], Supervision Office, Commission for Discipline Inspection, Southern Medical University, December 7, 2018.

67 “Juebu yunyu gongzheng de pingtai fubai cheng zaohua shuohuang wugui men dang jian cheng pai” [Adamanitly oppose a fair platform being used by fraudulent and lying turtles as a shell], Boxun, November 20, 2018; “Weiwen buyi luoxia dingxing shengfang shi ‘fan dang fan zhengfu’ xingwei” [Recording from meeting to maintain social stability leaked, identifies petitioners as “opposing the Party and government”], Radio Free Asia, April 13, 2017.

68 Dong Xiaodi, “Guojia Xinfangju: xinfang shixiang banjie lu 95% tuiguang rang qunzhong zhidu jia” [Admitting 95% completion rate 95%, promote idea that the public “petition only once at most”], Access to Justice, 12 May 18; “China’s ‘709’ incident: ‘shenghong’ yiben fang yu’” [Representatives of case in Shanghai group request for decision demand written response in their 12th visit to State Council’s Legislative Affairs Office but still

69 Rights Defense Network, “Shanghai jiti shenqing caijue yi an de shenqingren daibiao di 12 ci dao Guowuyuan Fazhi Ban yaoqiu shifang weiquan daibiao” [Representatives of case in Shanghai group request for decision demand written response in their 12th visit to State Council’s Legislative Affairs Office but still
have not received response, rights defenders took to the streets and shouted “where is China's rule of law?” October 18, 2018.


79. Ministry of Justice, "Quanguo xingshi falu yuanzhu fuwu guifan” [Specifications for national legal aid services], issued February 25, 2019, secs. 8.5.1–8.5.2.4.


83. Supreme People’s Court and Ministry of Justice, Guanyu Kuoda Xingshi Anjian Lushi Bianhu Quan Fugai Shidian Fanwei de Tongzhi [Decision on Several Major Issues in Comprehensive Advancing Governance of the Country According to Law], issued September 18, 2018.

84. Ibid., sec. 2.

85. Ministry of Justice, "Quanguo xingshi falu yuanzhu fuwu guifan” [Specifications for national criminal legal aid services], issued February 25, 2019, secs. 8.5.1–8.5.2.4.


88. "Lushihou julebu’ zao qidi daya shengji” [‘Former Lawyers’ Club’ banned as repression intensifies], Radio Free Asia, September 18, 2018.

89. "Lushihou julebu’ zao qidi daya shengji” [‘Former Lawyers’ Club’ banned as repression intensifies], Radio Free Asia, January 16, 2019. See also " ‘Lushihou julebu’ zao daya fagqiren tuichu” [Crackdown on ‘Former Lawyers’ Club,’ initiators withdraw], Radio Free Asia, November 7, 2018; Ministry of Civil Affairs, Shehui Tuanti Dengji Guanli Tiaoli [Regulations on the Registration and Management of Social Organizations], issued February 8, 2016.


91. "Zuigao Renmin Fayuan gongzuo baogao" [Supreme People’s Court work report], March 12, 2019.


94. "Zuigao Renmin Fayuan gongzuo baogao” [Supreme People’s Court work report], March 12, 2019.
