

# Statement Upon the Third Anniversary of the Chinese Human Rights Lawyers Group

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*Chinese Human Rights Lawyers Group, September 13, 2016*

On September 13, 2016, Chinese Human Rights Lawyers Group marks the third anniversary of its founding.

Over the last three years, the Chinese Human Rights Lawyers Group has been an open platform for lawyers, offering them a channel to get to know one another, exchange their thoughts, and put out calls for mutual aid. It has also become the main force in “effective criminal defense,” Chinese-style. We deeply believe that behind these achievements lies the fact that human rights is not a dull, abstract idea, or some unfathomable theory — the universality of human rights is already deeply rooted in the hearts of the Chinese people. They spring every moment from the human experiences of freedom, safety, equality, and dignity. We realize that as long as there are lawyers, they’ll inevitably defend rights, they must defend rights, and that in the final analysis, all that they do is directed toward safeguarding human rights. Thus, the Human Rights Lawyers Group is extremely happy to become a bridge, operating within a legal framework, for Chinese lawyers to throw themselves into the work of safeguarding human rights in whatever form it may take.

Over the last three years, this group of lawyers has intervened in countless cases of human rights violations, making passionate appeals to the public, taking on defense cases, and persisting in legal appeals. They’ve withstood immense pressure and put their personal safety at risk in order to expose the facts and uphold the truth, demonstrating a rare and precious courage and sense of responsibility. They rejoice with the just disposal of each case, and their hearts ache at the countless human rights tragedies trapped in the black hole of the system. If these lawyers can’t be the sharp sword defending civil liberties, then they’ll be the stubborn, final thorn in the side of those who would abuse power. They’ve been ground and polished into a shining spearhead by a maelstrom of suppression. But they’re also full of warmth and affection for the people living on this land.

Over the last three years, human rights lawyers have, as expected, been on the receiving end of retrograde suppression. This includes many of the lawyers arrested during the “709 incident,” still not free to this day. After those arrests, the United Nations High Commissioner, the U.S. State Department, over ten countries in Europe, and a large number of legal associations around the world, all expressed serious concern and condemnation. And after the show trials of four [one lawyer and three activists] in early August, and the deceptive propaganda in state media that accompanied them, China’s own public began to wonder whether we were even living in a modern country.

In China, the protection of human rights has been written into the constitution, but what’s written on paper is no more than dressed-up formality: intellectuals don’t dare to speak up, and victims are

ignorant of their rights. When we look toward the future, we will have to face the following problems:

In 2015, the United Nations' Committee against Torture provided concluding remarks about China in its quinquennial report, describing the battle against torture in China as particularly severe, with enormous work still left to be done. China executes the greatest number of people of any country in the world, while 150 countries in the world have already abandoned the extremely cruel death penalty. The Chinese government signed the United Nations' International Covenant on Civil and Political Rights in 1998, but 16 years later to the day, the Standing Committee of the National People's Congress has still not ratified it. Instead, the authorities have passed or implemented the "Foreign NGO Law," the "Charity Law," the "State Security Law," and the "Cybersecurity Law" that is currently available for public feedback. Clearly, the effect of all these laws is to suppress rights imperiously.

While this has happened, offenses like "picking quarrels," endangering state security, and other "pocket crimes" [so named because, like a pocket, one can put anything in them] have been given a broad interpretation and been widely abused to target political offenders. Freedom of expression has thus been severely muzzled, the public has been left with no channels to vent its frustration, and their creativity is fading. State media have been delivering pre-trial guilty verdicts on human rights cases, while clagues of Communist Party boosters online and the "internet army" have been more active than ever before, with a "small bunch of people" [as the Party names its perceived opponents] having their Weibo and Weixin accounts shut down on the slightest pretext. All this has made the absence of free speech more obvious than even before.

Law enforcement agencies are abusing the law, making regular people live in anxiety and dread. Incidents like "Taiyuan police beating a peasant woman to death," and the "Lei Yang incident" are cases in point. There are also numerous instances of extralegal restrictions on the rights of citizens, including abuses like "shuanggui" and "residential surveillance at a designated place."

When it comes to worker rights, the enforcement agencies are hopelessly bureaucratic, the worker unions sit by and do nothing, the arbitral awards system exists in name only, and judicial channels of redress are tedious and complex, exhausting enough to wear out workers who would use them to protect their rights. A number of legal service NGOs that helped workers defend their rights became targets for attack, after their work fell afoul of vested interests. Social insurance fees are far too high; there are countless obstacles for unemployment relief; the retirement age is too high — all of which leads the youth of society to feel that they're being crushed into dregs.

With an unjust judiciary, the absence of civil and political rights, economic growth flagging, an imbalanced distribution of educational resources, unreasonable budget allocations, discrimination against certain social groups for all manner of reasons, and a range of other phenomena, we're not optimistic about the current human rights situation in China. There are many more issues than we can list here.

Therefore —

We will pour our efforts into calling for judicial transparency and independent trials, and strongly demand that judicial organs guarantee the visitation rights and rights to legal representation of those detained during the "709 incident." We also demand that they be given the right to a transparent and fair trial.

We will continue to demand the truthful disclosure of all public incidents, for limitations on police power, and for the guarantee of personal liberties.

We will continue, as we always have, to provide legal representation to citizens who simply pursue their fundamental human rights. We believe deeply that the individual awakening of each citizen shows that the value of human rights has become deeply rooted in the hearts of the people.

We call on the legislative organs to ratify a series of international human rights conventions: these conventions are civilization's distillation of lessons hard won through suffering, slaughter, war, and religious persecution. Refusing to do so is like refusing sunlight and air. We demand that the process of creating legislation be democratic. We can't accept that the law be a tool for a few to repress the rest of the population.

Our love for this country is so deep that our hopes are all the more earnest, and our censure all the more severe. We demand that those who trample on human rights and disregard the rule of law be investigated and held responsible. But we will not blame any specific political party, class, interest group, government official, and even less be angry at the common folk for not fighting back in the face of it all. Every single person in China has an unshirkable responsibility for the progress of human rights. We'll begin little by little, and change the future with concrete actions.

We make our appeal again: We need a society where people can express themselves. We need a society where people can live openly and freely, with basic human dignity. In order to realize these ideals we'll walk this tortuous road without letup for as long as it takes. History will bear witness to our suffering and tears, and in the future, our country will remember the sacrifices its human rights lawyers have made for it. This we believe, truly and deeply.

Friends: may human rights abide forever, and that we all come to share them. As the Mid Autumn Festival approaches, good things come in pairs. Let's begin our journey with the cry: "Human rights are paramount, and freedom is forever!"

### **Chinese Human Rights Lawyers Group**

September 13, 2016

*Editor's note: The Chinese Human Rights Lawyers Group has 315 members currently.*

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**P.S.**

\* SEPTEMBER 13, 2016 10:24 PM. China Change:  
<https://chinachange.org/tag/709-crackdown/>