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## **China: Dark times for lawyers as repression intensifies**

The Chinese government has unleashed an uncompromising series of measures intended to rein in the legal profession and suppress lawyers pursuing human rights cases, Amnesty International said today.

*Against the Law – Crackdown on China’s Human Rights Lawyers Deepens* details how state efforts to control lawyers have intensified over the last two years – and particularly in recent months.

“Human rights lawyers are subject to escalating silencing tactics - from suspension or revoking of licences, to harassment, enforced disappearance or even torture,” said Catherine Baber, Amnesty International’s Asia Pacific Deputy Director.

Government fears of a “Jasmine Revolution” inspired by the Arab Spring have led to the detention of scores of government critics, activists and netizens since February.

As part of the crackdown, the government is rounding up lawyers associated with issues such as freedom of religion, freedom of expression and land rights.

“The Chinese state is attempting to wield and manipulate the law to crush those it perceives as a threat.” Catherine Baber said. “Human rights lawyers are being targeted as they try to use the law to protect citizens against the excesses of the state. The government must release all those detained or forcibly disappeared for exercising, or even protecting fundamental rights.” said Catherine Baber.

Every year members of the legal profession in China have to undergo an ‘Annual Assessment’ which many believe has no basis under Chinese law. Local authorities assess law firms, while individual lawyers are assessed by supposedly independent lawyers associations. Lawyers who dare to take up ‘sensitive’ cases, such as human rights cases, often fail this assessment, which leads to their licence being suspended or revoked.

When annual assessment or threats fail to deter lawyers taking on such cases, lawyers are silenced by the authorities in ways that violate international human rights standards, and even China’s own laws.

The pressure, intimidation and persecution faced by human rights lawyers have kept their numbers down. Out of more than 204,000 lawyers in China, only a brave few hundred risk taking on cases that deal with human rights.

New regulations introduced in 2009-2010 prohibit lawyers from defending certain clients, commenting on their work to the media or challenging court malpractice, and expand the basis for lawyers to be charged with the crime of “inciting subversion” when carrying out legal defence.

The measures have made legal representation more difficult to find for those who need it most.

These include people prosecuted for membership of unofficial religious groups including the Falun Gong spiritual movement, Tibetan and Uighur protestors, victims of forced evictions, or those who challenge

the government's response to natural disasters or food safety issues.

Individuals who have suffered violations such as torture and illegal detention by the state are particularly vulnerable to inadequate legal representation. Examples include individuals facing the death penalty, prosecuted largely on the basis of confessions extracted through torture.

“If lawyers fear taking on ‘sensitive cases’, especially those involving official misconduct, then the Chinese people cannot rely on the law for redress, and officials have carte blanche to act with impunity,” said Catherine Baber.

“This type of repression ultimately can only backfire and undermine public faith in its leaders.

“Amnesty International calls on the government to restore licences to practice to lawyers suspended or disbarred for defending human rights cases, and for the governance of lawyers to be left to genuinely independent lawyers' associations, as advocated by international standards and many people in China.

“Lawyers themselves must be protected - only then will they be able to exercise their full role in the protection of human rights and in the creation of a vibrant and, ultimately, just nation.” Catherine Baber said.