



General Assembly

Distr.
GENERAL

A/HRC/13/22/Add.1
24 February 2010

ENGLISH/FRENCH/SPANISH
ONLY

HUMAN RIGHTS COUNCIL
Thirteenth session
Agenda item 3

**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
INCLUDING THE RIGHT TO DEVELOPMENT**

**Report of the Special Rapporteur on the situation of
human rights defenders, Margaret Sekaggya**

Addendum

Summary of cases transmitted to Governments and replies received*

* The present document is being circulated in the languages of submission only, as it greatly exceeds the word limitations currently imposed by the relevant General Assembly resolutions.

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Urgent appeal

325. On 31 March 2009, the Special Rapporteur, together with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, sent an urgent appeal regarding **Wei Liangyue**, director of the Harbin-based Jiaodian Law Firm and a human rights lawyer, and his wife, **Du Yongjing**. According to the information received, on 28 February 2009, Wei Liangyue and his wife Du Yongjing were arrested by public security officers in the city of Harbin, Heilongjiang Province, while attending a Falun Gong meeting. Subsequently, Wei Liangyue and Du Yongjing were reportedly held in Nangang District Detention Center and in the Harbin City Women's No. 2 Detention Center, respectively.

326. While Wei Liangyue was detained on suspicion of “gathering a crowd to disturb social order” and reportedly received one and a half years of re-education through labour, his wife is suspected of “using heretical organization to obstruct the implementation of the law” and might face criminal prosecution under article 300 of the Criminal Law.

327. Both were reportedly warned by the authorities not to discuss the case publicly and not to hire a lawyer to represent them.

328. During over 20 years of his law practice, Wei Liangyue has provided legal aid to local people facing human rights violations, including Falun Gong practitioners who have been detained for their beliefs.

329. Concern was expressed for the physical and psychological integrity of Wei Liangyue and Du Yongjing while in detention.

Response from the Government

330. At the time this report was finalized, the reply of the Government of 22 May 2009 had not been translated.

Urgent appeal

331. On 19 May 2009, the Special Rapporteur, together with the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, sent an urgent appeal regarding two lawyers, Mr. **Zhang Kai** and Mr. **Li Chunfu**. According to the information received:

332. Zhang Kai and Li Chunfu were hired by the family of Jiang Xiqing, a Falun Gong practitioner who died in the Chongqing Xishanping Reeducation Center on 28 January 2009. Authorities stated that he died of a heart attack, but the family, suspicious of the cause of death, decided to hire a lawyer for legal support. A first lawyer was hired from Chongqing, but he declined to be retained by the family after having formally inquired with the police. Zhang Kai, from a Beijing Yijia Law Firm, and Li Chunfu, from the Beijing Globe Law Firm, were hired afterwards.

333. On 13 May 2009, they met with their clients at their home in the Jiangjin District, Chongqing, to discuss the case. At around 4 p.m., four policemen went to the home claiming that they were delivering materials from the public security bureau's judicial administrative office. They then started to interrogate the two lawyers and their clients. Subsequently, about 20 more individuals from the state security unit of the Jiangjin District Public Security Bureau and the Jijiang Police Substation also came to the house. When the police asked the two lawyers to show their identity cards, Li Chunfu presented his lawyer's license and Zhang Kai his passport, which were, however, not accepted by the police. Subsequently, the police officers began pulling their hair, twisting their arms and beating them while pinning them on the ground. Afterwards, the two lawyers were handcuffed and taken to the police station.

334. At the police station, Zhang Kai was hung up with handcuffs in an iron cage and Li Chunfu was slapped in the face by a police officer. During their interrogation they were both threatened not to defend any Falun Gong cases. They were released at 12:40 a.m., on 14 May 2009. Their hands were covered with bruises and scars; Zhang Kai's hands were also numb and swollen and Li Chunfu had troubled hearing in one ear. They are currently being examined at the Jiangjin District People's Hospital.

335. We urge your Government to take all necessary measures to guarantee that the rights of the aforementioned persons are respected and that accountability of any person guilty of the alleged violations is ensured.

Response from the Government

336. At the time this report was finalized, the reply of the Government of 9 June 2009 had not been translated.

Letter of allegations

337. On 2 June 2009, the Special Rapporteur, together with the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, sent a letter of allegations concerning **Jiang Cunde**, sentenced to life in prison in 1987. According to the information received:

338. Jiang Cunde was active in the democracy movement that began in China in December 1986. In late 1986, he was arrested after giving a speech supporting the students at Shanghai's People's Square. He was charged with plotting to hijack an aircraft and sentenced to life in prison for the crime of counterrevolutionary sabotage and related offenses.

339. In early 1993, he received parole on the grounds of mental illness. It is believed that this illness developed while he was in prison, since he would not have been given that sentence if he had been diagnosed as mentally ill at the time of his conviction.

340. After his release, Jiang Cunde returned to his previous activities. In June 1999, he was arrested and returned to Tilanqiao Prison to continue serving his sentence. However, the reasons given for his re-incarceration do not include the cure of his mental illness.

341. In 2004, Jiang Cunde's life sentence was commuted to a fixed term of 20 years. The latest information reportedly provided by the Government in late 2007 indicated that Jiang is

application and several new provisions of the amended Law on Lawyers. The Special Rapporteurs regret that no reply has been received so far from the Government to that communication. According to the information received:

348. Jiang Tianyong, Li Heping, Li Xiongbing, Li Chunfu, Wang Yajun, Cheng Hai, Tang Jitian, Yang Huiwen, Xie Yanyi, Li Dunyong, Wen Haibo, Liu Wei, Zhang Lihui, Li Jinglin, Wei Liangyue, Yang Zaixin and Sun Wenbing had applied for the renewal of their lawyers' licenses in the 'Annual Inspection and Registration' procedure, which was concluded on 31 May 2009. The above-mentioned individuals have not been granted re-registration by early June 2009 and thus are in effect disbarred from carrying out their professional functions. As a consequence, they will not be able to proceed in the cases they are currently representing.

349. Most of the aforementioned lawyers have worked on a number of human rights related cases. They represented parents in the melamine milk-powder affair and parents of children killed during the Sichuan earthquake who are pressing for an investigation into the causes of the disproportionately high rate of school collapses. Others have been involved in representing HIV/AIDS patients, victims of police abuses, farmers evicted from their land, and Falun Gong practitioners. In addition, many of those lawyers supported the call for direct elections of representatives of the Lawyers Association.

350. Many law firms have received instructions by their judicial and administrative departments and lawyers associations of their localities to either 'fail' those lawyers in their annual performance evaluation (a pre-requisite for successful re-licensing) who take on sensitive cases or to immediately terminate their contracts.

351. Furthermore, at least three law firms, i.e. Anhui, Gongxin and Shunhe in Beijing, were also denied the approval by local lawyers associations in the 'Annual Inspection and Registration' exercise. This rejection affects at least 30 more lawyers employed by those firms. On 17 February 2009, Beijing's Yitong Law Firm was forced to close for six months. It is alleged that this closure was in retaliation for the advocating of some of the firm's lawyers in the direct election of the representatives of the Lawyers Association.

352. Concern was expressed that the rejection to re-register the above-mentioned lawyers and the law firms is related to their activities in representing victims of alleged human rights violations and their families in their capacity as defense lawyers.

Response from the Government

353. At the time this report was finalized, the reply of the Government of 21 August 2009 had not been translated.

Urgent appeal

354. On 30 July 2009, the Special Rapporteur, together with the Chairperson-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment,