

The 6th China Human Rights Lawyers Day

July 9, 2022

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Section 1: Video Messages

0. Yaxue Cao(曹雅學) - Founder and Editor of China Change

Ladies and gentlemen, speakers in the room and viewers on YouTube live streaming from around the world, greetings from Washington DC. I'm Yaxue Cao, the director of China Change. I will be moderating today's event. Today we gather together to mark the 7th anniversary of the mass crackdown on human rights lawyers in China, and the 6th China Human Rights Lawyers Day.

Our participants come from Europe, the US, Taiwan, Japan, Hong Kong, and China, and they are mostly lawyers who have been supporting Chinese lawyers over the years. I understand that many of them may have been on summer vacation, and on top of that, today is a Saturday, so the organizers deeply appreciate that you take the time to attend today's event.

Someone asked me a couple of weeks ago, since it's been seven years, shouldn't 709 be fading away? I said, it's been 33 years since the 1989 Tiananmen democracy movement, it not only hasn't faded away, it is becoming more relevant than ever with a renewed insistence. The same is true with the remembrance of the 709 Crackdown on lawyers. Whether it's 1989 or 709, the

issues they pose are fundamental not only for China, but for the world.

We need to look no further than Hong Kong where the commemoration of the 1989 movement and the 709 are no longer possible. For years the rule of law in Hong Kong has ranked in the top 20 in the world, but the assault on the legal profession has begun, and lawyers are being intimidated and put under investigation for doing their job as we speak. Lights are going out in Hong Kong, and the speed with which the Communist Party is destroying Hong Kong should wake up everyone who cares about the fate of the liberal order that we know, and spur us into action.

Before we get started, I want to mention in particular two Hong Kong lawyers who are behind bars and who have been long-time supporters of human rights lawyers and human rights defenders in mainland China, Mr. Albert Ho and Ms. Chow Hang-tung. We look forward to them being freed, but Hong Kong is no longer free.

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1. Jeff Merkley - CECC Chair, U.S. Senator

Without further ado, let's get started. We will watch the opening remarks of U.S. Senator Jeff Merkley. Senator Merkley is also the Chair of the Congressional-Executive Commission on China.

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Greeting to all the lawyers, advocates, academic leaders, policymakers, and more participating in the 6th Annual China Human Rights Lawyer Day. I'm United States Senator Jeff Merkley, and as the Chair of the Congressional-Executive Commission on China, it's my privilege to provide some brief, opening remarks for this great event, and to help pay tribute to the brave men and women working every day, against incredible odds and undeniable oppression, to uphold the most basic rights of the Chinese people.

I know that this day, July 9th, is a significant one for Chinese human rights lawyers. It's the anniversary of the July 9th, 2015, crackdown that saw some 300 lawyers and defenders detained or summoned for questioning, with many ultimately being sentenced to prison. I respect and honor their struggle and sacrifice, just as I honor the brave Chinese and Hong Kong lawyers risking the Communist Party's wrath every day by standing up and protesting against injustice, protesting against harassment and intimidation, protesting against long, unlawful detentions, and closed-door trials without the chance to mount a real defense, even standing up against forced cultural assimilation and against genocide.

Being a human rights lawyer in China is a tough and thankless, dangerous job, and many – far too many – have paid a terrible price for their pursuit of justice. Like those they defend, many Chinese lawyers have been harassed, arrested, tortured by Chinese authorities. Yet, even in the face of these horrors, these champions of human rights continue coming forward and doing more than their fair share in the fight for justice.

The international community, the U.S. Congress, and the Biden Administration know that Chinese human rights lawyers and defenders have put their careers and lives at risk to defend the most vulnerable in Chinese society, and you do it because you believe in the rule of law, not rule by law. You believe in the intrinsic dignity of each person to peacefully exercise universal human rights, whether it is freedom of expression, freedom of religious belief, or freedom of assembly.

Indeed, you are part of a long civil rights movement in China. **Yu Wensheng** is part of that movement. A human rights lawyer based in Beijing, Yu wasn't afraid to criticize the Party, support causes he believed in like the Yellow Umbrella Movement, or to take on politically sensitive cases, so Chinese authorities destroyed his legal career, and made it impossible for him to practice law. Then, in January of 2018, they arrested him while walking his son to school for daring to publish an open letter calling for political reforms. Since then, he's been beaten, he's been tortured, he's been secretly tried without access to any defense lawyers. He was sentenced to four years in prison over 600 miles – or 1,000 kilometers from his family, until finally being released on March 1st. The Congressional-Executive Commission on China continues to monitor his condition, and we realize that authorities continue to use "non-release release" to restrict the lives of lawyers even after they have technically been released from detention.

65 year-old **Li Yuhan** is another part of that long fight for Chinese civil and human rights. Many in this community know her as "big sister." She spent four years in custody for "picking quarrels and provoking trouble" after taking on a number of politically sensitive cases before finally getting a trial last October. Li Yuhan has been mistreated in custody on top of already being in poor health with heart disease, hypertension, and hyperthyroidism, conditions that have only grown worse, and noticeably so since an ambulance was waiting on standby while her trial was underway.

And then there's lawyer **Zhou Shifeng**, who was detained seven years ago and later sentenced to seven years in prison for the "crime" of defending others. He is expected to be released today. We will be monitoring his well being and we will speak out if he continues to be subjected to surveillance or disguised detention.

These are the dangers that human rights lawyers face each and every day for their bravery and commitment to justice. But I don't believe that, given the chance, **Yu Wensheng**, **Li Yuhan**,

Zhou Shifeng, Tang Jitian, Gao Zhisheng, or any of the others who have suffered at the hands of the Chinese government and Chinese Communist Party would have made any different choices. They already knew the challenges and dangers they faced, the limits on their freedom of expression, freedom of information, and the commitment of the government to total control over the lives of Chinese citizens. They chose to stand for justice anyways, which is why, as Chair of the Congressional-Executive Commission on China, I've made it a priority to honor them and their work by making sure that they and their efforts to uphold universal freedoms and the rule of law are not forgotten. Through social media campaigns, speeches, and written reports, I've tried to tell their stories and to bring the weight of the world's attention to bear on the Chinese government's flaunting of international laws and standards, and I am determined to keep doing it. Because we need to do everything possible to hold the Chinese government to living up to and honoring international legal standards. We need to hold the Chinese government to respecting the basic human rights of every Chinese man, woman, and child.

I know that all of you celebrating China Human Rights Lawyers Day share that vision and that goal, and although it won't happen easily or overnight, I do believe that we can bring about that change that we want to see. I believe it because of the passion that all of you have shown and continue to show. So let's keep at it, let's make sure we support all of the human rights lawyers and advocates languishing in detention, and all those still out there fighting for justice. Together let's work to build a better world.

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2. Bert-Jan Ruissen - Dutch Member of the European Parliament

Mr. Bert-Jan Ruissen is a member of the European Parliament and a member of the parliament's foreign relations committee. He's from the Netherlands. While he can't join us online today, he hopes to acknowledge the Chinese human rights lawyers and send a message to the Chinese government. Let's play his message.

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Dear ladies and gentlemen,

I would like to thank the organizers for inviting me to speak on this sixth annual China Human Rights Lawyers Day. It is an honour and pleasure for me, as a Member of the European Parliament, to participate in this important event.

The developments in China fill me with deep concern.

• The atrocities committed to the Uyghurs,

- the increasing pressure put on religious communities,
- the widespread crackdown on dissenting voices all over the country
- the rapid demolition of democracy in Hong Kong...

It is clear that human rights are being violated on a large scale in China.

Victims have names. I am thinking of people like lawyer Gao Zhisheng, who has been missing for nearly four years. And of pastors Wang Yi and John Cao, who are serving long prison sentences. And of Cardinal Joseph Zen who did great work in Hong Kong but who was recently arrested.

A month ago we commemorated the anniversary of the Tiananmen Square massacre. Back in those days many hoped for a positive change. Thirty-three years later we still have the same communist party in power. The same power with the same lack of respect for human dignity and human liberty.

The EU in March 2021 issued sanctions on Chinese individuals and entities related to the atrocities in Xinjiang province. You may know that China immediately responded with unjustified counter-sanctions on several of my colleagues and on the European Parliament's Human Rights Committee. Now, over a year later, I can say that these counter sanctions brought us even closer together. Instead of discouraging us, these counter sanctions motivated us to increase the pressure on the Chinese authorities. Pressure that is much needed.

During the past year, the European Parliament adopted six resolutions critical on China. We took a clear position on the suppression of Uyghurs and other minorities. But also on the practices of organ harvesting,

on the situation in Hong Kong and on the need to support Taiwan.

The parliament calls regularly on the EU Institutions and the EU Member States to fully apply their Guidelines. Their guidelines on Human Rights Defenders, but also the Guidelines on the promotion and protection of Freedom of religion and belief. We requested prison visits and observing trials. We released public statements and raised cases with the authorities at all levels. We do what we can to improve the situation.

Today we express our support and commitment to all victims of the Chinese repression, and their relatives, inside and outside China. Be assured that the human rights situation is, and will remain, high on the agenda of the European Parliament.

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3. Andrew J. Nathan - Professor of Political Science at Columbia University

Anyone who studies or watches China knows our next speaker. Dr. Andrew Nathan is a professor

of Political Science at Columbia University. He and professor Perry Link have been barred from visiting China ever since the two published The Tiananmen Papers in 1989. For decades, people have sought after Professor Nathan's insights and we are no exception on this special occasion. Let's play his message.

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I'm very happy to be here for this 6th Chinese Human Rights Lawyers Day. Even though I can't be here in person because I'll be away, it's a privilege to be able to speak to you in a recorded form and I want to thank Cao Yaxue for inviting me to do so.

So this is the 7th anniversary of the big crackdown on lawyers in 2015 and Xu Zhiyong and Ding Jiaxi were just subjected to secret trials, so the injustice that started out 7 years ago is still continuing. And it's now about 12 years after the beginning of the Weiquan movement—the Weiquan lawyers movement that was kicked off by the Sun Zhigang event.

I've known some of these Weiquan lawyers personally, Teng Biao for example, and others whom I've met and some with whom I've corresponded and some like Xu Zhiyong whom I've never met but I've studied his work, his writings and his career.

And it strikes me that these Weiquan lawyers are really ordinary people. They're very very ordinary, kind of simple people who studied the law because the Chinese regime built a legal system in the reform period because it wanted to have an easier way to govern society and be able to communicate with international society. And these were the small number of Chinese lawyers who took the law seriously and believed in law, believed in rule of law.

But the regime has a different concept of the law, that the law is essentially political and it's a kind of Marxist concept of law as an instrument of the ruling class. And the Weiquan lawyers, besides being simple people who believed in law, had been people of extraordinary courage and principle, people who just couldn't bend their personal integrity because they saw that the system itself was corrupt. They had the hope that the Chinese system would obey law and it hasn't done so.

So I so much admire these people. If I were in their shoes, I would not have the courage to do what they've done. I'm sorry about that and I'm sort of ashamed of it but I'm just admitting that it's true.

But why has the regime cracked down on them so, so harshly? What is the regime afraid of? And I wanted to say something about—in that connection, the Xi Jinping regime's relation to the world, China in the world under Xi Jinping. Because the Xi Jinping regime is pushing out as well as pushing in. It's been pushing in against not only the Weiquan lawyers but the Uyghurs, the Tibetans, the Hong Kong people, the Falun Gong believers, Christians and their house churches, the feminists. The Xi Jinping regime has a passion for absolute control. Domestically, they're afraid of chaos, they're afraid of people speaking their minds. Internationally, the Xi Jinping regime also is pushing back against the United States, against all of its neighbors actually, Japan,

South Korea, Australia, Vietnam, India, the Asian countries.

It is afraid of their... We must admit that China is surrounded by neighbors and the United States is definitely very up close against China with our navy and with our alliance system. And the Chinese government under Xi Jinping doesn't feel safe in that community of neighbors. It feels that it needs to be in control. There's this control pathology, I would almost say, on the part of the Chinese regime. I want to use the English word "control freak," which is a term that we have for people who want to exercise excessive control. Xi Jinping wants to control his neighborhood.

And what we find that's quite interesting is pushback. So most of Xi Jinping's neighbors are pushing back. Now there are some exceptions to that, like Cambodia, Laos, which really don't have the power to push back, but Japan has now mentioned that so-called "stability in the Taiwan Strait" is part of its security. Australia has joined the AUKUS—the Australia UK US group. India has joined, along with Japan and Australia, the Quad. Vietnam is maneuvering in between but doesn't want to be dominated by China. There's a lot of pushback, and not only in the immediate neighborhood but actually in Europe, where NATO, for example, is just meeting and adopting a new strategic concept that mentions China for the first time as a threat to NATO. For a long time, the Europeans didn't view China as a threat. I think "threat" is not the exact word they're going to use, I think "challenge." But the idea is the same: pushing back.

And the United States of course, with its pivot to strategic competition, is also pushing back. So I think the inside and the outside, there's a certain pattern of China under Xi Jinping seeking to crack down and to control. Maybe Hong Kong and Xinjiang are the most crystallized examples of that kind of passion for control that has no limit and its methods that it uses and the degree of control that it wants. And outside there's pushback.

Inside, it seems like resistance has really been stifled. The Weiquan lawyers are in exile, they're in prison, they're silenced. I know of actually one independent lawyer, whose name I don't want to mention right now because it's so dangerous, who seems to manage to take some unpopular cases and to survive as a lawyer. But it's deadly quiet inside of China and it's important for us on the outside to continue, as you are doing in this meeting, to celebrate the courage of the Weiquan lawyers, to celebrate the prospect, the potential for the legal community in China to do what it does, even at a great price, which is to stand up for actual rule of law.

So again I want to thank Cao Yaxue and the organizing groups for this session to allow me an opportunity to think about this problem and to say these few words. Thank you very much.

4. Reginald Turner - President of American Bar Association

Our next message is from Mr. Reginald Turner, the President of American Bar Association. In 2016, the ABA awarded its inaugural human rights award to Chinese lawyer Wang Yu. The Chinese government tried to stop it, sending a cease and desist letter to the ABA. What the

Chinese government does not want to see is Chinese human rights lawyers getting moral support and advocacy from the international community and their colleagues outside China. But that's precisely what we must do. Please play Mr. Turner's message.

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The American Bar Association joins the world to commemorate the seventh anniversary of the 709 Crackdown, a campaign to control and silence human rights lawyers and others who advocate for human rights and politically sensitive clients and causes in China.

The ABA is committed to preserving the independence of the legal profession and promoting access to justice and rule of law at home and abroad. We recognize the United Nations' basic principles on the role of lawyers, which uphold the fundamental role of an independent, diverse, and inclusive legal profession and organized bar.

This independence ensures fair adjudication for all, competent and ethical representation of clients, equal access to criminal and civil justice, and dedication to human rights. Achieving justice for all depends on having independent judges and courts that are not compromised by political attempts to undermine their impartiality. An independent judiciary issues decisions that are respected and enforced by the executive and legislative branches of government.

Judicial independence also enables judges to protect the rights of people and oppose corruption without fear of reprisal by giving them the power to strike down laws and actions of government and others with power.

Of equal importance is the independence of lawyers. It is essential that as advocates for our clients, we are unencumbered by political pressures or physical threats.

Independent professional bodies are an important means by which we can ensure this independence. It is only when lawyers are free to conduct their work, to zealously represent their clients within the bounds of the law, that access to justice and rule of law can be achieved.

Human rights and states' obligations to protect them are enshrined in international law.

China is a signatory of the International Covenant on Civil and Political Rights, which guarantees the right to counsel, including that of everyone charged with a criminal offense, to communicate with counsel of his or her own choosing.

Lawyers cannot fully represent their clients when they are subject to interference from others, especially those in power.

The UN basic principles direct governments to ensure that lawyers are able to perform all of

their professional functions without intimidation, hindrance, harassment, or improper interference, and that lawyers shall not suffer or be threatened with prosecution or administrative, economic, or other sanctions for any action taken in accordance with recognized professional duties, standards, and ethics.

Detaining and disbarring lawyers for their work and representing clients is a clear violation of those principles.

We mark with grave concern the detention and arrest of more than 300 Chinese lawyers and rights defenders, as part of the initial crackdown along with continued efforts to silence and intimidate lawyers and their family members.

We also recognize the important role that non-lawyer human rights defenders, journalists, and others play in protecting justice and the rule of law. We deplore attacks on those professions and individuals that silence or intimidate human rights voices.

We must be vigilant against efforts to erode legal systems that form the foundation of our practice and way of life. We must be vigilant against efforts to redefine the rule of law from a system where everyone, including government, are held accountable to the same laws to one where the law is subservient to the ruling party and political actors are above the law.

The ABA stands in solidarity with all members of the legal profession and our allies who endeavor to carry out their work without undue interference in accordance with international standards.

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Section 2: China

5. Li Fangping (李方平) - Human Rights Lawyers from China

Next we move onto our first panel. Speakers from this panel come from China and Hong Kong. First we will hear from Mr. Li Fangping. Mr. Li started practicing in the mid-1990s, and over the years since the onset of the rights defense movement in the early 2000s, he has defended nearly all types of clients in human rights cases and public interest cases, including political prisoners, activists, rights defenders, victims of food contamination, including Uyghur scholar Ilham Tohti and Tibetan Buddha Buramna Rinpoche.

I was in a messaging group with Mr. Li a few years ago and remembered to this day what he said once. He said, "The police have visited my parents more times than I have." He and his family

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Ladies and gentlemen, guests and viewers, it is an honor to take part in this year's Human Rights Lawyers Day. As a Chinese lawyer with nearly 30 years of experience, I am pleased to share with you the evolution of the legal scene in contemporary China, and discuss the future of China's human rights lawyers.

By nature, the bar is a system designed to respect rule of law, limit government power, and protect civil rights. Following the establishment of the People's Republic of China in 1949, the new regime was antagonistically disposed to lawyers who continued to practice as they had during the republican era.

In December 1950, the Ministry of Justice announced the termination of the old lawyer system. The 1954 Constitution stipulated the right of defendants to legal defense, setting up the new regime's own lawyer system.

However, less than three years later, the "Anti-Rightist Movement" of 1957 once again threatened China's lawyers with a full-scale crackdown.

According to a dataset published by the All China Lawyers Association, in 1957, at least 30 percent of lawyers were classified as "rightists," perhaps the highest percentage of any profession.

The reasons for so many lawyers being criticized as rightists can be broadly summarized as follows: First, they were accused of attacking the judicial system and judicial organs of the "people's regime"; second, their ideas that lawyers are supra-class and independent was a refusal to recognize that lawyers are part of the apparatus of the "people's dictatorship"; third, they insisted on a presumption of innocence; and fourth, they confronted and opposed the people's procuratorate.

So it's clear that, from the beginning of the PRC's establishment, the authorities regarded lawyers with hostility, whether lawyers from the republican era or those who began practicing under the new regime.

In 1979, with the launching of "reform and opening," China re-introduced the bar, the nation's lawyers entered this new era bearing an "original sin." First and foremost, the reintroduction of the lawyer profession was a matter of consensus among the authorities following 30 years of social disorder.

Deng Xiaoping and Peng Zhen, leading officials in the Communist Party who had both been severely persecuted during the Cultural Revolution, pointed out that, to prevent such a calamity from happening again, China needed to "improve the socialist rule of law."

In 1980, Deng Xiaoping took this further, saying, "The workforce of lawyers needs to be expanded; we have to implement rule of law." While rebuilding the bar, China promulgated and implemented the Criminal Law and the Criminal Procedure Law, beginning a process of normalized court defense.

But in 1983, China launched a "Strike Hard against Crime" campaign, dealing the first major

blow to court defense by an attorney.

The "Strike Hard" campaign required the legal system to crack down on crimes fast and hard, overwhelmed the intermediate courts, and resulted in the Supreme People's Court to delegate the power of capital punishment to the lower courts.

My maternal uncle worked as a lawyer at the local government's legal advisory office, and during the "Strike Hard" campaign, he was transferred to an intermediate court to be a judge to participate in the campaign.

This "strike hard" campaign model ended up becoming a perennial occurrence, causing Chinese lawyers great difficulties in defending their clients. In 1992, Deng Xiaoping's Southern Tour remarks brought some thaw to the frigid state of the society in post-1989. The legal profession joined the overall society with market-oriented reforms.

Prior to that, lawyers were state employees; in the 1990s, lawyers transitioned into partnership law firms, gradually gaining more autonomy.

Over the decade of 1990s, China promulgated the Administrative Procedure Law and the Civil Procedure Law. In 1996, the Criminal Procedure Law was implemented, which abolished the detention and review system, and allowed lawyers to defend their clients during the investigation phase.

In October 1998, the Chinese government signed the International Covenant on Civil and Political Rights. In March 1999, the term "governing the country according to law" ("依法治国") was enshrined in the PRC Constitution.

Exchanges with the international legal community were ushered in as Sino-Western relations improved, bringing with them the concepts of rule of law and human rights from the developed countries. These concepts were then introduced into China's criminal legislation.

In April 1999, China applied to host the 2008 Beijing Olympics, and in 2001, China joined the WTO.

Because of reform at home and external opening, and because of the calls to integrate China with the world, the call for rule of law also became louder. Legal education was greatly expanded, the number of lawyers rose substantially, and the whole society regained vitality.

Entering the 21st century, the internet arrived in Chinese cities, offering citizens unprecedented access to information and communication. Market-oriented media outlets had grown in number and influence.

In the spring of 2003, SARS swept across China, popularizing awareness of public health issues. The "Sun Zhigang Incident" in February 2003 activated people's awareness of civil rights, and legal practitioners began regularly getting involved in high-profile public affairs.

Soon after the new leadership of Hu Jintao and Wen Jiabao took office, it abolished the regulation on "Custody and Repatriation of Urban Homeless Beggars".

Following the success of the Beijing Olympic bid, in order to improve the regime's image at home and abroad, the authorities in March 2004 wrote the line "the state respects and protects

human rights" into the Constitution. On April 5, 2007, the State Council promulgated and implemented the Regulations on the Disclosure of Government Information.

In those years, newly emerged rights lawyers participated in many public events to defend people whose rights had been violated, such as villagers in the recall of village officials in Taishi Village, Guangdong; the private entrepreneurs in Northern Shaanxi Oilfield lawsuits; victims of brutal abortion in Linyi, Shandong; victims of the melamine-tainited milk powder;

the campaign to directly elect the Beijing Lawyers Association; the Deng Yujiao case; the Southern Weekly incident; Hepatitis B anti-discrimination campaign; the case of the three netizens of Fujian; Ai Weiwei's tax case; the abolition of the re-education through labor system; campaign for equal access to education for migrant children, and the like.

It is clear that the emergence of human rights lawyers during this period was neither a matter of coincidence, nor an import from overseas. It was a self-driven product of the times, brought about by legislative development, growing awareness about civil rights, implementation of more laws, and the state's promise to protect human rights by law.

But ever since the beginning, the government has kept guard against, and suppressed, lawyers who defend human rights. During the "Jasmine" arrests in 2011, more than a dozen rights lawyers across the country, including myself, were forcibly disappeared and subjected to torture.

In 2012, the director of the Institute of U.S. Studies, under the state-run China Institutes of Contemporary International Relations, published an article in the overseas edition of People's Daily, in which rights defense lawyers were singled out as the primary force endangering China's social stability.

In order to prevent rights lawyers from growing in number, the Beijing Municipal Justice Bureau expressly set prohibitive bureaucratic thresholds to prevent lawyers from other parts of the country from practicing in the capital.

Despite the variety of measures taken to guide public opinion and control legal practitioners, including disappearance and torture, human rights lawyers continued their activities, and more lawyers joined their ranks to defend clients in human rights cases.

Since 2013, however, all spheres of society have been subject to intensifying state control and surveillance, including the media, higher education, and online speech. It was in such a political environment that the "709 crackdown" unfolded; it amounted to a "Strike Hard" campaign against lawyers, but harsher and more brutal.

Immediately after 709, a large number of lawyers handling various human rights cases had their licenses revoked. Their everyday freedom of movement, including the freedom to travel outside China, was restricted.

Examining the 709 trials, you will see that the charges rolled out against human rights lawyers were much the same as the charges levied against lawyers during the Anti-Rightist Campaign in 1957. In essence, nothing has changed since the beginning of communist rule.

Following the 709 incident, the regime continues to tighten control across the society. Starting in 2017, the authorities have issued strict regulations to manage and crack down on various sectors,

from CCP cadres' online behavior and that of Chinese netizens generally, to school libraries and in the entertainment industry. This process continues to this day.

But we must not lose sight of the fact that more Chinese citizens are waking up to defend their rights, despite the draconian state repression that blankets society.

For example, during the Shanghai lockdown, residents made loud and clear calls for liberty, rights, and the rule of law. We are witnessing not only a growing awareness of rights among people from all walks of life, but also countless people taking action to defend their rights.

On the surface, the civil society in China today seems to have been beaten down and scattered, but just like a prairie fire cannot destroy the grass, it will grow back stronger when the spring breeze comes.

6. Dr. Chen Guiqiu (陳桂秋 博士) - Wife of Xie Yang

Our next speaker is Dr. Chen Guiqiu. Dr Chen is an environmental scientist and taught at Hunan University. Her husband Xie Yang was one of the human rights lawyers arrested on July 10th, 2015. Like all the 709 detainees, he was subjected to severe, prolonged torture.

This January he was arrested again after speaking up for a rural teacher who was sent to a mental health facility for criticizing China's rural education policy. 709 completely changed Dr Chen's understanding of China. She fled China in 2017 with her two daughters, and now lives in Texas. Please speak, Dr. Chen.

I counted the precise time difference every night to make sure that Xie Yang was not too busy when I called. We continued with our prayers. Such prayers suddenly ended on January 11, 2022. I could no longer reach him on the phone.

Xie Yang's second arrest was so sudden, and happened after he went to look for a country teacher named Ms. Li Tiantian, who the government claimed was mentally ill [after she criticized China's rural education policy].

I received a call from our friend Jiangang on my way to work. I still had to go to work calmly, and after work I calmly explained to my children why dad was detained again. I pretended to accept the fact calmly.

I know I have to come to terms with a lot of things. Since the 709 arrest in 2015, my life has been turned upside down. I did not give in to the legal authorities of Changsha City; I joined Xie Yang's defense lawyers and people who supported Xie Yang to expose the authorities' lawlessness and their evil. We fought a good fight.

But the devil did not leave me alone, and for several years the devil worked hard to destroy my family. I went through depression and the illnesses that came with it; my family disassociated themselves from me; I went through eight consecutive failures on the TOEFL test.

I tried my best to prove myself, and I still failed. I couldn't even restrain my tears, often bawling while I was cooking, and I couldn't wait to hide in the bathroom and cry silently.

Yes, the devil wants to destroy my life, my will, my hope. But I went out, in the coldest winter, against the biting wind, to church where my church sister was waiting for me. She read the Bible for me, prayed for me, and wiped away my tears. I finally got out of the devil's grip, and it is God who give me peace and joy.

I still pray daily that the Holy Spirit will protect Xie Yang; that God will give peace and joy to Xie Yang. Isn't my family's story a microcosm of our community of human rights lawyers?

Friends, the Chinese government has revoked our licenses, shut down our law firms, destroyed our close relationships with our families, and even used torture, illegal detention, and closed-door trials to persecute our lawyers. Are you afraid? Have you bowed down?

Their only purpose is to destroy. But what could they have destroyed? Can the confidentiality agreements that the lawyers in the Ding Jiaxi and Xu Zhiyong cases were forced to sign cover up the torture? Can it cover up the evil of the illegal court that tried them? Didn't lawyer Yu Wensheng write "freedom" with his left hand after his right hand was disabled by torture?

And wasn't eight years in prison the best interpretation of Wu Gan's pursuit of his ideals? Did not Chen Jiahong, who was just released after three years in prison, once again laugh sonorously? Isn't lawyer Gao Zhisheng, who has been missing for four years, the best satire on those in power in China?

Friends, we must not fall prey to despair; we must have a clear and discerning heart. The Creator is the ruler of the world, not those who torture us and deprive us of our visitation and communication rights; not the group that illegally declares this one is subverting state power and that one is inciting subversion; not the group that is enslaving us with calculated cruelty who have subjugated our parents, ourselves, and now our children.

Friends, we shall embrace the God who loves us; we also must beware of the many disguises of the devil, as money, power and sex, cunningly concealed in the details, so that we may fall into sin, be controlled by it, and be deprived of our inner freedom.

These things are not for us to worship, they keep us from the love of God. We are noble because God created us, we should be loved, we should be united by the love of God; we should not be tormented in sin, and it is God's love for us that is glorified on the cross.

God created us in His image and likeness, and we should have the honor, glory, and majesty of being human. We should be respected by the government. Lawyers should have the right to practice law and not have their licenses revoked at will; we should have the right to travel and not have our families blacklisted and restricted from leaving the country; we should have the right to education and not have our children turned away from school.

Our bodies should be respected, not tortured and beaten at will; our faith should be respected, not

having our priests imprisoned and our crosses burned; we have the right to choose who runs government to serve us, and we have the right to monitor the quality of government service to us

There is so much we want to do because we love our homeland. We have so much to be respected because we are honored, glorified, and majestic.

These are the human rights that I know. These, too, are the human rights we are seeking now. Thank you very much.

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7. Dennis W. H. Kwok (郭榮鏗) - Barrister & former Hong Kong lawmaker, Senior Research Fellow at Harvard Kennedy School

For years, Hong Kong lawyers have spoken up for their colleagues on the mainland. But over the last two years or so, they themselves have come under attack. The way in which Hong Kong lawyers are now being targeted sounds very familiar to our ears, because it's from the same playbook.

We are under no illusion that the rule of law in Hong Kong will get better. We have a message from Hong Kong barrister, former legislator Dennis Kwok. He's a senior fellow now at the Kennedy School of Government at Harvard University.

This year we mark the 7th anniversary of the 709 Crackdown on human rights lawyers in China that saw the arrest of hundreds of our professional colleagues in mainland China who work on human rights cases, defending the minority and the ordinary citizens.

I remember when I was a lawmaker in Hong Kong who was occupying the seat on behalf of the legal profession in Hong Kong, we would always openly comment on and commemorate the 709 Crackdown. Because we understood that our colleagues across the border in mainland were doing essentially what we lawyers were doing in Hong Kong and also in many parts of the world, which is we defend rights of our clients and we assert their defense, we assert their rights under the law, which is what lawyers do.

But our colleagues in the mainland who take on sensitive cases and pursue them to their rightful end in courts frequently face suppression, persecution, and even physical threats and imprisonment. Unfortunately, with the situation in Hong Kong and the imposition of the National Security Law by Beijing, this kind of commemoration by the Hong Kong legal profession is no longer possible.

I remember I used to serve on the board of the China Human Rights Lawyers Concern Group,

which provides a network of support and information about our colleagues in the mainland. Again, this kind of civil society activities that used to be perfectly lawful in Hong Kong are no longer possible.

But it doesn't mean that lawyers around the world should stop. On the contrary, I believe that the legal profession around the world has a duty to continue to speak out for our colleagues in the mainland, and now for our colleagues in Hong Kong who do human rights work, who take up defense of sensitive cases. They need our support. Not to do anything, but just to do the work of a lawyer. And that is a professional duty that they are exercising, no different from what we do outside of China.

With that same belief, the rule of law and human rights are universal concepts, and they should be applicable everywhere and anywhere. And lawyers who are now outside of China should continue to pay attention to what's happening there and speak up when needed to. Thank you.

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8. Video: Eight Human Rights Lawyers -- on Disbarment

In a very real sense, 709 is still ongoing. Following the initial campaign to arrest and torture human rights lawyers, China has disbarred over 40 lawyers for representing clients in human rights cases. As recently as 2021, for example, China disbarred 7 lawyers.

For this year's event, we recently interviewed 8 lawyers to talk about this issue. 5 of them were 709 detainees, and 3 of them 709 defense lawyers who took up the cases of their detained colleagues. We made a 20-minute video to be presented today.

We obviously could not have sent a film crew, it would be too dangerous to do so. So I apologize for the poor visual quality. But as always, we are grateful to see and hear from them in their own words. Let's play it.

Video

Video Description: In a very real sense, the 709 Crackdown is still ongoing. Over the years following the initial campaign to arrest and torture human rights lawyers, China has disbarred over 40 lawyers for representing clients in human rights cases. As recently as in 2021, for example, China disbarred seven lawyers. The 6th China Human Rights Lawyers Day interviewed eight lawyers (Heping Li 李和平、Yu Wang 王宇、Yanyi Xie 謝燕益、Muqing Sui 隋牧青、Quanniu Ren 任全牛、Siwei Lu 盧思位、Qilei Lin 藺其磊、Donghai Wen 文東海) about the issue -- five of them are 709 detainees, and three are lawyers who took up the defense of their

detained colleagues. We apologize for the poor visual quality for we couldn't have sent a film crew as it's too dangerous to do so. But as always, we are grateful to see them and hear them in their own words.

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Section 3: International

9. Garnett Genuis - Co-chair of the Inter-Parliamentary Alliance on China

Next, we start our second panel, the international panel. The speakers are mostly from the legal profession. Canadian MP Garnett Genuis could not be online with us today and instead sent us a brief video message. Let's hear it first.

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Hi there, I'm Garnett Genuis and I'm a member of Canada's parliament.

Today is the 6th China Human Rights Lawyers Day, a day where we remember and honor the victims of the mass arrest, detention, and torture of human rights lawyers in mainland China. Thank you for having me at this event. Defending human rights is core to my motivation for being involved in politics.

Human rights lawyers are on the front lines of the fight against the widespread state-sanctioned human rights abuses that are characteristic of any authoritarian regime. To advocate for the fundamental rights and liberties for others is always a noble act and to do so while risking one's own safety is particularly worthy of commendation. Lawyers bring technical arguments and accumulated expertise to this fight, but they also put their own security at risk alongside other fighters of all ages and backgrounds.

When accused of human rights violations, the Chinese Communist Party likes to point to its constitutional guarantees for freedom of religion, freedom of speech, freedom of the press, etc. Of course, anyone who has paid any attention to China since 1949 would know that these freedoms are not only unprotected in China, but they are also actively targeted and suppressed. We have seen this with the persecution of Uyghurs, Tibetans, Hong Kongers, Falun Gong practitioners, Christians, and many others.

I would like to raise the case of Dr. Wang Bingzhang. He is a permanent resident of Canada and a prominent leader for democracy in China. Dr. Wang spent time in Canada as a student of medicine in the 1980s, where he witnessed the Quebec Referendum, aka democracy up close. In 2002, he was kidnapped in Vietnam and forcibly extradited to China, where he has been ever since. He spent most of his time in solitary confinement, which has led to severe deterioration of

his mental and physical health.

Another activist I'd like to note in particular is the lawyer Gao Zhisheng, who has been missing for almost five years. He is one of the most respected human rights lawyers in China and he is known for his work for persecuted religious minorities like Christians and Falun Gong practitioners. He's also working to raise awareness for both torture and ill treatment of individuals detained in Chinese prisons.

In recent years, we have also seen a rapid deterioration of human rights in Hong Kong. We are seeing a mass exodus of human rights lawyers as a result of the crackdown, especially those who advocated on behalf of pro-democracy protestors. With a degradation of Hong Kong's rule of law tradition and its legal institutions, the safety of human rights lawyers continues to be at risk. This is a clear indication of the rapid pace at which the Chinese Communist Party is turning Hong Kong into a shell of its former self.

Persecution of various groups in China is something that I've talked about a lot as a parliamentarian in Canada. Countries around the world all have roles to play in standing against the Chinese Communist Party's transnational repression campaigns. As you know, harassment campaigns against human rights advocates by the CCP are extensive and far-reaching. In coming up with solutions to counteract these efforts by the CCP, legislators must take into account the unique threats faced by Chinese human rights lawyers. We must protect those who have put their lives and those of their families on the line in order to fight for the rights and freedoms of others.

This Chinese Human Rights Lawyers Day, I remember those who are persecuted for their pursuit of justice and the rule of law in China. I will continue to call for the release of those who are arbitrarily detained and for the protection of those who have fled overseas.

Thank you for this opportunity and I look forward to collaborating with you to continue raising awareness of this issue and advocating for real policy changes to address these challenges across all countries. Thank you and God bless.

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11. Delissa A. Ridgway - Senior Judge, United States Court of International Trade

Our next speaker is Judge Delissa Ridgway, and I believe Judge Ridgway might be the first judge to address the event! Judge Ridgway is a Senior Judge of the United States Court of International Trade, which has exclusive nationwide jurisdiction over cases involving the customs and international trade laws of the U.S.

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Thank you very much for the very great honor of the invitation to participate in this Sixth Annual

International China Human Rights Lawyers Day. It is a great distinction to share the (virtual) dais with the legal luminaries who are speaking here today, as well as those who have graced this podium in the past.

Thank you to the organizers – the Judicial Reform Foundation, China Change, ChinaAid, Humanitarian China, the New School for Democracy, the Taiwan Support China Human Rights Lawyers Network, The 29 Principles, and the IBA Human Rights Institute – for including me among today's speakers.

But, of course, by far the greatest privilege is the opportunity to pay tribute to the many incredibly dedicated Chinese lawyers and human rights defenders whom we honor today.

I am told that anniversaries are important in Chinese culture. This, then, must be a very noteworthy month. Today we mark the Seventh Anniversary of the infamous "709 Crackdown." And just last Friday (1 July), we – the world – marked the 25th Anniversary of the handover of Hong Kong, and the second anniversary of Hong Kong's National Security Law.

As earlier speakers have recounted, seven years ago today General Secretary Xi Jinping launched the roundup that initially ensnared more than 320 human rights lawyers and activists throughout China. That roundup continues to this day – a methodical, systematic campaign by the Chinese Communist Party to control and silence lawyers and others who advocate for politically-sensitive clients and causes.

And now, since 2019, we mark the "1226 Crackdown" as well.

Since 2015, in what amounts to nothing less than a "war on law" that is unprecedented in its scale and severity, Chinese human rights lawyers and rights defenders have been subject to harassment and attempted intimidation; summoned for questioning; kidnapped ("disappeared") by secret police; detained incommunicado in "black jails" and other prisons;

and subjected to marathon interrogation sessions and other forms of primitive, medieval, sadistic psychological and physical torture (including sleep deprivation, forced medication, brutal beatings, electric shocks, prolonged submersion in water, death threats, and protracted periods of solitary confinement).

Many of these human rights lawyers and activists have been held for months (even years) without being charged and with no access to defense counsel. Those who are charged often have been tried, convicted, and sentenced to lengthy terms of imprisonment in sham, closed-door proceedings –

many without access to counsel of their choice – on vague, broad, trumped-up charges such as "picking quarrels," "stirring up troubles," "subversion of state power," or "inciting subversion."

A number of prominent figures have been paraded before cameras and forced into humiliating (often televised) confessions, ostensibly renouncing their life's work under coercion, as part of the biggest state media propaganda "smear campaign" in recent world history.

Some have been fortunate enough not to be sentenced to prison – but that often means forced labor. And even if their sentences are suspended, allowing them some semblance of freedom, they are – as a practical matter – typically subjected to what is euphemistically called

"Residential Surveillance at a Designated Location" (or some other form of intrusive state surveillance), severely restricting their actions and movement.

The latest draconian tactic is to penalize human rights lawyers by suspending or revoking their licenses to practice law.

Human rights defenders are by no means the only victims of the "709 Crackdown" and its aftermath. Chinese officials also have targeted the defenders' families, friends, and colleagues (including defenders' defense counsel – and even their counsel) with threats, intimidation, harassment, monitoring, surveillance, travel bans, and worse, reviving the "collective punishment" of China's past.

We may be tempted to lionize the Chinese lawyers and rights defenders we honor today – to view them as endowed with super-human vision, and bravery, and resilience. But the truth is much more complex. International human rights icon Nelson Mandela – who himself spent 27 years in prison for his activism – once observed that "courage [is] not the absence of fear, but the triumph over it."

The General Secretary may have intended the "709 Crackdown" and its aftermath to muzzle the Chinese human rights defenders. And, to some limited extent, the Crackdown has had some chilling effect on prospective activists.

But, in fact, the vast majority of those who have been targeted by the crackdown have refused to go quietly; and the repressive actions of the state have emboldened a new generation, who are taking up the mantle of advocacy and swelling the ranks of Chinese human rights defenders.

The "709 Crackdown" has steeled their resolve and has broadened their appeal. For every flower that the state plucks, a dozen more blossoms spring up to take its place.

The harassment, intimidation, disappearance, detention, prosecution, torture, and imprisonment of Chinese human rights lawyers undermine China's legal reform and deter the development of a professional and independent bar.

The "709 Crackdown" further violates international standards. For example, the Chinese government's actions violate Article 18 of the U.N. Basic Principles on the Role of Lawyers, which instructs that clients' positions and causes are not to be attributed to their counsel.

In addition, Article 16 of the U.N. Basic Principles provides that "[g]overnments shall ensure that lawyers . . . are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference."

And, "[w]here the security of lawyers is threatened as a result of discharging their functions," Article 17 of the U.N. Basic Principles specifically and expressly charges that the lawyers' physical security "shall be adequately safeguarded" by the state.

Moreover, the "709 Crackdown" on Chinese lawyers and rights defenders cannot be squared [reconciled] with the General Secretary's professed commitment to the establishment of the rule of law in China.

Article 37 of the Lawyers Law of the People's Republic of China specifically provides that "a

lawyer's right of the person is inviolable" and affirms that a lawyer is not legally liable for the opinions that the lawyer presents on behalf of clients.

The "709 Crackdown" and its aftermath violate each and every one of these laws, principles, and precepts, as well as the U.N. Convention Against Torture, the International Covenant on Civil and Political Rights, and the U.N. Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment, among others.

We have made demands on General Secretary Xi Jinping and the Chinese Communist Party authorities. As U.S. citizens, we also call on U.S. President Biden, Secretary of State Blinken, and Congress to exercise their powers and use their leverage to bring the Chinese government to heel. Most immediately, however, we must look to ourselves and what we can do.

It is all too easy for hope to dim after seven years. Yet we must resist the temptation to become numb, to succumb to "compassion fatigue." Instead, we must seize this occasion to re-dedicate ourselves to the cause of the Chinese lawyers and rights defenders.

I will close with one quick anecdote. Before I joined the U.S. Court of International Trade, I served as the President of a three-member international tribunal that adjudicated Holocaust claims against Germany brought by U.S. survivors of Nazi concentration camps.

And I read about a man who was the world's greatest forger of passports and visas, who saved the lives of tens of thousands of Jews by providing them with fake travel credentials so that they could escape the Nazis.

The article quoted the man as saying that he found it almost impossible to sleep. Because he knew exactly how many passports and visas he could produce in an hour, he was haunted by the knowledge that every hour that he spent asleep was certain to result in the deaths of a specific number of individuals.

I am haunted by that story.

We are in much the same position. Our Chinese "brothers and sisters in law" are being harassed and threatened, are subject to constant surveillance, are unable to speak out or to practice their profession, or are missing, or being tortured, or languishing in prison.

I ask you: How can we sleep while they suffer? In today's world, we are all human rights lawyers.

On this Seventh Anniversary of the "709 Crackdown," we stand united in solidarity with our "brothers and sisters in law," the human rights lawyers and rights defenders in China who serve and champion justice and the rule of law. You will not be forgotten. You shine like beacons of freedom. You are an inspiration to the world.

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12. Laurence Krief - Member of the Paris Bar Human Rights Committee

Our next speaker Ms. Laurence Krief is a member of the Paris Bar Human Rights Committee. Her law practice focuses on criminal law and family law. Lawyers from the Paris Bar have been showing great support for a long time for Chinese human rights lawyers. Last year we showed a set of photos of them demonstrating on the streets of Paris on behalf of Chinese lawyers. Please, Ms. Krief.

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Ladies and Gentlemen, Dear Colleagues, First of all, I would like to express my sincere thanks to the "29 Principles" for allowing me to speak at this conference to present the shelter programme of the Paris Bar

The COVID-19 epidemic has hit hard lawyers worldwide. Violations of the rule of law are increasingly frequent, and lawyers working on sensitive cases are now more exposed and isolated than ever. On the occasion of the international day for human rights, the Paris Bar has therefore decided to set up a hospitality and shelter programme for lawyers under threat throughout the world.

This innovative initiative seeks to give lawyers the opportunity to spend some time away from their respective countries and escape the stressful and difficult situations they operate in, and to keep those most at risk away from any immediate danger.

The lawyers may therefore find some respite and experience the stress-free environment provided by the French capital, whilst developing their professional networks and skills throughout their stay.

The first beneficiaries of the programme were welcomed in 2021 and the feedback is extremely positive.

This programme is a short-term one as we believe that it is more adapted to the professional life of our colleagues. Furthermore, the objective of this programme is not to encourage our colleagues to go into exile but to provide them with a breathing space in their difficult lives.

We are nevertheless aware that applications for refugee status once in France are quite possible, particularly if the level of risk is too high to envisage a return.

Thus, Lawyers benefiting from the scheme will be hosted for a fixed period of between two weeks and three months. The programme will cover all costs and make the necessary arrangements for the lawyer's stay, from departure to returning home (travel, accommodation, living etc. costs).

The scheme is open to lawyers of any country. We do not exclude any country from this programme. We are aware that the threats to the rule of law in some EU countries and the sensitivity of certain issues can lead to situations of threat and risk for our European colleagues.

The requirement for protection stays in Paris are as follows: The lawyer is threatened by

governmental and/or nongovernmental actors because of his/her activities. The lawyer is still active in his/her country of origin or has only recently left the country to escape danger. Beneficiaries will be chosen based on pre-defined criteria, including how high and imminent the risks are. A secure application and communication system is systematically offered to candidates and can be set up at their request.

The Paris bar shelter programme team reviews the application documents and the personal statement of the lawyer, contacts the reference persons and, if necessary, asks the applicant for further information. If all requirements are met, the Paris bar shelter programme informs the selection committee, consisting of key figures of the Paris bar. The selection committee will select the successful candidates.

The aim of this programme is not to welcome a very large number of beneficiaries but to welcome them in the best possible way within the framework of a stay specially adapted to their needs and wishes.

Confidentiality regarding their visit and the reasons for their visit can of course be respected throughout their stay. Every effort is made to allow them to continue to work and follow up on their cases if necessary.

They can benefit from a workplace separate from where they are staying, allowing them to keep abreast of their cases. The lawyers taking part in the programme will also be able to receive training and access various legal libraries and databases. Meetings can also be arranged with organisations, the media, NGOs, etc., depending on the lawyers' wishes. Medical and psychological support will be offered routinely, for this respite period. The Paris Bar Association has signed a partnership with the Primo Levi psychological care and support centre.

The beneficiaries of the programme can benefit from consultations with the support of an interpreter if necessary. This aspect seemed essential to us because we note that lawyers who work on difficult cases very often neglect to take care of themselves and their physical and psychological health.

The number of lawyers in danger is constantly growing and with them all the people subject to the law suffer. Because without the possibility of a defence, no one can live free. This is why the REPIT programme was born. A lawyer who finds refuge in Paris is a lawyer who pursues his commitment to the defence.

The Paris Bar is more determined than ever to support our foreign colleagues in their difficulties. By defending our colleagues, we are protecting the principle of the rule of law and making a commitment to sustainable development. The REPIT programme is a concrete proof of our determination. Thank You!

12-1. A Brief Response From Yaxue

It sounds like a great program for lawyers in danger. But the unique problem the Chinese human rights lawyers face is that the government bars them from leaving the country. Numerous lawyers

were blocked in airports and told that their traveling outside China endangers China national security, sometimes for a mere overseas vacation.

For last year's event, we did a tally, at least 47 lawyers have found out that they were barred from leaving China. At least 47. In 2019 and 2021 respectively, two human rights lawyers were barred from leaving China to attend the US State Department's global Humphrey Fellowship program.

In June 2021, lawyer Tang Jitian was barred from traveling to Japan to see his daughter who fell into a coma. In some cases, even children of lawyers have been barred from leaving China to study. I take this opportunity to lay these facts before our speakers and our audience.

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13. Jiang Zung-Shiang (江榮祥) - Chair of Taipei Bar Association Human Rights Committee

Next we ask Mr. Jiang Zung-Shiang to speak. Mr Jiang is the chair of Taipei Bar Association's Human Rights Committee. Mr Jiang specializes in administrative law, legislative process and techniques. For years he has taken part in Taiwanese government legal institutions' research and consultation regarding the rule of law. He has also been involved in the improvement of democracy in Taiwan, and human rights issues in China and Hong Kong.

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Good night, ladies, and gentlemen, it is a great honor to be invited to give a speech at the 6th China Human Rights Lawyers Day.

The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights proclaim several necessary protections including equality before the laws, the presumption of innocence, a fair and public hearing by an independent and impartial tribunal, and the defenses for every criminal accused.

On this basis, the United Nations continues to enrich several standards of international human rights, including the Basic Principles on the Role of Lawyers, which aim to promote and ensure that lawyers play a legitimate role in fully protecting people's enjoyment of fundamental human rights.

To perfect the lawyers' profession, maintain ethics, and protect individual lawyers from persecution and unjust restrictions, to achieve justice and the public interest, lawyers have the right to form and participate in autonomous professional organizations.

In other words, "lawyers' autonomy" is also an important part of protecting human rights. An autonomous organization formed by lawyers is a human rights protection agency. Individual lawyers who are fortunate enough to serve a position in autonomous organizations should expect themselves as "human rights workers"!

After China's reform and opening-up, the lawyer system was brought back in 1979. Since then, the lawyer industry has continued to grow, and its social influence has increased day by day. According to the Law of the People's Republic of China on Lawyers ("PRC Lawyer Law"), lawyers should join the "local lawyers association" and become a member of the "All-China Lawyers Association".

However, the Communist Party of China ("CPC", "Party") claims to "govern the country by law", and advocates that the people must manage social affairs under the leadership of the Party.

CPC not only controls the "All-China Lawyers Association" and local lawyers' associations but also deploys the Party's organization to nearly 10,000 law firms to realize "full coverage of the Party organization" in the legal industry, and to strengthen ideological and political construction (to regulate and to direct the behavior of the members of the Party with Party's rules and theories, guiding them to become qualified Party members). CPC claims that this will improve the "lawyers' system with the socialism with Chinese characteristics".

Chinese lawyers have played an active and positive role in safeguarding the rights and interests of the people and the correct implementation of the law; "rights protection lawyers" who resort to the law to protect the rights and interests of the people have also emerged.

However, the "govern the country by law", which is claimed by the CPC, is ultimately different from the "rule of law" in original Western thinking.

Although PRC Lawyer Law clearly states that "In legal practice, a lawyer's right of the person is inviolable," and "A lawyer shall not be legally liable for the opinions he presents as an agent ad litem or defender in court", it contains a proviso: "with the exception of the views he presents to endanger State security, maliciously slander another person, or seriously disrupt the court order.

Previously, the rights protection of Chinese people was still able to achieve a favorable result, was based on two conditions: first, public welfare or rights protection did not objectively hinder the Party's rule; second, the party was willing to wear a mask of an "enlightened leader" before its people.

When CPC tends to maintain the overall stability of the country and society, it becomes more and more intolerable for different opinions. Rights protection lawyers bear the brunt. On July 9, 2015, the authorities arrested hundreds of lawyers, civil rights defenders, and related people.

They were detained secretly, enforced disappearance, and forced confession by torture. Their conviction ranged from "picking quarrels and provoking trouble" to "subversion of state power". The practice certificates of those rights protection lawyers were frequently revoked by the authorities, and innocent families were also implicated.

Lawyers' associations and law firms have long been under the control of the Party, making "lawyers' autonomy" a tool for maintaining stability. It does nothing to protect its lawyers from persecution but instead becomes an accomplice to the suppression of rights protection lawyers. Before the law, it was difficult for lawyers to protect themselves, let alone ordinary citizens!

To resist authoritarianism and fight for freedom, there must be legal practitioners at the forefront. Legal practitioners also play an important role in the process of the disintegration of Taiwan's authoritarianism and the transition to democracy.

China should have a better understanding of the values and spirit insisted by the Taiwanese legal practitioners: the Judicial Reform Foundation and various human rights groups have been caring for the deteriorating human rights situation in China and Hong Kong for many years, showing solidarity with human rights lawyers suffering across the strait, and actively rescuing Taiwan citizens who were improperly detained by China.

The Taipei Bar Association has always been concerned about universal human rights. It has issued several statements condemning China's arrest of rights protection lawyers, condemning China's persecution of ethnic minorities, demanding that China acquit Taiwan citizens who have been improperly detained, calling on the Hong Kong government to withdraw and amend the extradition law, and support the parade initiated by the Hong Kong legal community, etc.

Given that we legal practitioners bear the obligation to protect human rights, realize social justice and promote democracy and the rule of law, in addition to issuing statements, we must take action!

We legal practitioners must be vigilant: in order to implement the Party's will, CPC can unilaterally declare that the Sino-British Joint Declaration is an outdated and invalid document without legal effect, ignore the level of regulation and jurisdiction, and allow civil society to announce the abolition of the regulations of the competent authority and deprivation of civil rights (e.g., the Association for Tourism Exchange Across the Taiwan Straits suspends the travel of PRC residents to Taiwan), it is sufficient to foresee that the signing of a peace agreement across the strait is unable to guarantee Taiwan's security, and the "integration of legal systems across the strait" will inevitably damage the rule of law in Taiwan. We shouldn't echo the CPC's proposition!

We legal practitioners must realize: discussing legal issues of China, we habitually use the rule of law thinking that limits government power to protect human rights under the "democratic constitutionalism", "separation of powers" and "judicial independence" that we are accustomed to, however, this won't hurt the CPC's rule in the slightest.

We must go straight to the core, completely dismantle the theory of "governing the country according to the law", and fundamentally deny the legitimacy of the CPC's "one-party dictatorship", "the Party is bigger than the law", and "the leader's lifelong dictatorship"!

The CPC threatens world peace and human existence. Now is the time for liberal democracy to fight totalitarian slavery in an all-out war, and legal practitioners should stand up and stand at the forefront!

This	concludes	my spe	ech. Th	ank you	, ladies	and g	gentlemen,	for your	attention

14. Jean-Jacques Martin - Geneva Bar Association

Our next speaker is Jean-Jacques Martin. Mr. Martin comes from the Geneva Bar and is a lawyer with over 30 years of practice. He has served on the Geneva Bar's human rights

committee since 2011 and also teaches constitutional law at the University of Geneva.

He also served as the protestant chaplain for the Carrefour Prison in Geneva and is currently the chair of the Founding Council of Geneva Protestant University Center. Mr. Martin has been a long-time supporter of human rights lawyers in China. Mr. Martin, the mic is yours.

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The Geneva Bar Association is an independent professional organization, without State intervention, which regulates the activities of its members, all of whom are registered with the Geneva Bar.

Within the framework of its numerous activities, the Bar Association has set up a human rights commission, made up of about thirty lawyers, who work on themes related to human rights, both inside and outside Switzerland.

A group called "defense of the defense" works to support lawyers around the world who are victims of repression by their government, simply because they seek to fulfill their mission in all independence.

One of the focuses of this group has been, since 2015, to support some of the many Chinese lawyers, in mainland China and Hong Kong, who have suffered repression from the Chinese state for defending cases for which the government does not intend to let the accused defend themselves in accordance with international standards, yet accepted by China.

We have also been concerned by the system of allocation and annual renewal of lawyers' licenses, which allows the government to ensure constant pressure on lawyers by threatening to deprive them of their right to practice, if they have the audacity to defend "sensitive" clients.

For us Swiss lawyers, the independence of lawyers and their right and duty to defend before the courts any person accused by the authorities, whatever the crime he is accused of, without fear and in complete freedom, is a sacred principle which is at the basis of the democratic organization of society.

In particular, the Bar Association has set up a hotline that allows any person arrested by the police to be assisted by a lawyer paid by the State, from the first interrogation, as provided for in the federal code of criminal procedure.

The situation of Chinese lawyers, human rights defenders, following the massive crackdown in July 2015, is very worrying and tragic. The Geneva Bar Association stands in solidarity with all these lawyers and will continue to do everything possible to try to support them.

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15. Tomas Klerks - Lawyers for Lawyers

Among the international supporters of lawyers in China, one of the loudest and most persistent

voices has come from Lawyers for Lawyers in the Netherlands.

Our next speaker is Mr. Tomas Klerks, who is the director of Lawyers for Lawyers' China Focus Group. His practice focuses on financial litigation and regulation. Please, Mr. Klerks.

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Good day everyone. I would like to thank the organizers of this conference for the invitation to participate in this session. Lawyers for Lawyers welcomes the opportunity to speak at the sixth annual China Human Rights Lawyers Day, seven years after the "709 Crackdown". Today I will speak about Lawyers for Lawyers' work to support human rights lawyers in China and the United Nations Basic Principles on the Role of Lawyers.

Before talking about specific solidarity and support actions, I would like to explain briefly the work of Lawyers for Lawyers and our solidarity initiatives. Lawyers for Lawyers is an independent, non-profit and non-political organization. We are based in the Netherlands, but we are operating globally.

We really are LAWYERS for Lawyers, because we are merely funded by donations of law firms, legal organizations and individual lawyers, and because a large part of our work is supported by 70 Dutch lawyer-volunteers, who dedicate their time and expertise to our organization on a probono basis.

These volunteers are all connected to our organization because they feel it is important for them to support their colleague lawyers all over the world. And because they realize that the rights of our colleagues abroad are their own rights as well. Our volunteers try to show as much solidarity with colleagues that face difficulties as they can.

Our mission is to promote and protect the independence of the legal profession through the support and empowerment of lawyers who face reprisals and improper interferences because of their work. At Lawyers for Lawyers we run different programs in support of lawyers at risk, namely our defend, empower and influence programs.

Unfortunately, Lawyers for Lawyers' group that is focused on China has been busier than ever in the last few years. The "709 Crackdown" proved to be only the first of many rounds of arrests of human rights lawyers in China. We have seen our Chinese colleagues disappear, be disbarred, imprisoned and flee their country out of fear for prosecution.

Lawyers for Lawyers has tried to bring a spotlight to their cases and has called upon the authorities numerous times to guarantee that lawyers can exercise their professional activities without harassment or intimidation. For example, by bringing attention to the long-term detention of Li Yuhan and Yu Wensheng and several statements detailing the cases of other Chinese Human Rights lawyers, like Ding Jiaxi, Xu Zhiyong and Chang Weiping.

We want to express our deep admiration for the human rights lawyers in mainland China and Hong Kong, who continue to do their work in spite of the difficulties that they face. With respect to all our activities, we want to be sure that what we do is useful, that we meet expressed needs of lawyers and that we choose for the most effective ways to achieve tangible impact and lasting progress in a given situation.

For this reason, we consult with the lawyers concerned or with their representatives, as well as with other stakeholders on an ongoing basis. Around the world, lawyers continue to tell us that two things are especially important: firstly, that governments are permanently made aware that the international community is watching and, secondly, that lawyers working in challenging environments, receive both moral and practical support.

Public recognition for the difficulties that they experience and public calls on (for example) governments to guarantee that reprisals against lawyers in connection to their professional activities are ended, mitigated, or prevented, are seen as most effective. Publicity creates awareness about the difficulties lawyers face, and creates more visibility for the lawyers, which in turn enhances their protection.

In our work, we refer to the UN Basic Principles on the Role of Lawyers. These principles provide a concise description of international norms relating to the key aspects of the right to independent counsel. Adherence to the Basic Principles is considered a fundamental pre-condition to ensure that all persons have effective access to independent legal assistance.

We have seen that the Chinese authorities do not uphold the necessary guarantees for the proper functioning of the legal profession as set out in the Basic Principles. Moreover, there has been an increase in cases where the rights to freedom of expression and freedom of assembly of lawyers, highlighted in the Basic Principles as well, are not guaranteed.

In the report on Guidelines for lawyers in support of peaceful assemblies, released in 2021, the UN Special Rapporteur on Freedom of Assembly highlights the important role that lawyers play in the protection of freedom of assembly. The Special Rapporteur states that lawyers ensure the legal literacy of the protesters and that they help to pursue remedies for those whose human rights have been violated in the context of assemblies.

The protests in Hong Kong in recent years underline the message of this report. Some lawyers in Hong Kong that have been at the forefront of providing support to arrested protesters, have been experiencing difficulties in connection to their professional activities. An example of this is the disbandment of the 612 Humanitarian Relief Fund, which helped represent arrested protesters.

Lawyers for Lawyers will continue to hold the actions of the governments of mainland China and Hong Kong against international human rights standards. We will also continue to actively engage with international human rights mechanisms to condemn the reprisals against Chinese human rights lawyers. As lawyers in the Netherlands, we are most proud to be able to support and show solidarity to our Chinese colleagues. Thank you.

16. Kazuko Ito(伊藤和子) - Vice President, Human Rights Now (ヒューマンライツ・ナウ)

The Japanese lawyers' group Human Rights Now is another organization that has provided extensive help to human rights lawyers in China. Next we will watch a video message from Ms.

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My name is Kazuko Ito, vice president of Human Rights Now, a Tokyo based human rights NGO and human rights lawyer in Japan. I would like to express grave concern about the status of human rights lawyers and activists in China.

Seven years after the 709 crackdown, human rights lawyers in China are still facing immense risks to their freedom and safety. As you all may know, more than 300 lawyers have been arrested, an estimated 50 have disbarred, and lots of law firms have been shut down.

Many are subject to arbitrary detention, torture, surveillance, harassment to themselves and their families. In most cases, lawyers are arrested under baseless charges of "inciting subversion of State power" due to the work to help marginalized people. The pattern of harassment and crackdowns on rights lawyers and activists has also spread to Hong Kong under the NSL.

Since the establishment in 2006, Human Rights Now has had wonderful opportunity to meet and discuss with Chinese human rights lawyers and activists. We fully respect their dedication and determination to advance human rights despite huge difficulty in China.

In 2019, Human Rights Now awarded Chinese human rights lawyers and their families, recognizing them as the most important human rights defenders in the region. One of the recipients was Tang Jitian. Due to his work defending vulnerable group, he was disbarred in 2010, detained in 2014 where he reported being tortured.

Last year, the Chinese authority rejected his request to come to Japan to see the daughter who came for study but fell into a coma due to TB in Japan. In December last year, he was disappeared in Beijing, and recent news said he remains in secret detention in Jilin province, and his health condition is very bad.

We have also been concerned about the arbitrary detentions of human rights lawyers Ding Jiaxi and Dr. Xu Zhiyong, the trials of whom were held a few weeks ago after arbitrary detention for more than two years. The disappearace of female activist Huang Xueqin and labour rights campaigner Wang Jianbing is also our grave concern.

We are very concerned of their conditions and urge the authority to release them immediately. The crackdown violates fundamental human rights guaranteed by the Universal declaration of Human Rights and violates UN Basic Principles on the Role of Lawyers.

The Chinese authority must stop all attacks against human rights defenders in their country. Human Rights Now is in solidarity with Chinese human rights defenders. We have continued to issue statements on behalf of them and conduct advocacy to protect lawyers in China. As an NGO with ECOSOC status, we explore more way to help. It is important to raise more awareness world wide, we want to be a larger part of civil society network in global level to support.

Let us work together and end attack against human rights defenders in China.

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Section 4: Awards Ceremony

17. Fengsuo Zhou (周鋒鎖) – President of Humanitarian China

17-1. Introduction

This concludes our second panel today. As I listened to each of you, I was thinking about how we need this day to get together to know each other, inspire each other, and encourage each other. I can't stress enough the importance of doing so, and how much it means to lawyers and rights defenders in China. The government wants to isolate them, make them feel hopeless, and it's incumbent on us that we connect with them offering support. Again, thank you.

Each year, the China Human Rights Lawyers Day awards two lawyers for the China Human Rights Lawyer award. We ask Mr Zhou Fengsuo, the president of Humanitarian China to announce the two recipients of this year.

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Distinguished Guests and Lawyers, when authoritarian rule expands and goes beyond borders, and when the law becomes the utter tool for control and repression, the rule of law is bound to fail, in corrosion or with a flump. Hence we see China in decay and Hong Kong go in plummet. It does hurt, rather badly.

Yet, while on the verge of our collective sense of despair and powerlessness, we are blessed to find ourselves showered not only with support and solidarity from around the world, but also the encouragement and inspiration from our fellow lawyers.

As people lament the imminent demise of the rule of law in Hong Kong, veteran barrister Margaret Ng made herself heard loud and clear, "I believe that as long as the people have the will to fight, the rule of law will not die. The rule of law is not dead; because people's hearts are not dead."

Today, we present the "China Human Rights Lawyers Award" to two lawyers who, albeit the many torments endured, have vowed to embrace the principles of justice in carrying out their professional duties. They strived against all odds, even if it meant upsetting the authorities.

It is through their unparalleled perseverance and courage that we see the "undying hearts of people", and the hope and inspiration we most need in the pursuit of justice.

The "China Human Rights Lawyers Award" is held annually, with the awardees decided after an extensive nomination process, to be followed by careful deliberations among the organisers.

Ladies and gentlemen, it is my great honour to announce on behalf of the organisers the winners of the 2022 "China Human Rights Lawyers Award": Mr. Xie Yang and Mr Qin Yongpei.

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17-2. The Winners

17-2-1. Xie Yang (謝陽)

Mr. Xie Yang, 50, is a lawyer from Changsha in the Hunan Province. Since 2011, Mr. Xie has represented cases involving religious freedom, land rights, political dissidents, and victims of black jails, and thereby, being repeatedly harassed and suppressed by the Chinese authorities.

In the 709 Crackdown in 2015, Xie Yang was held under "residential surveillance at designated location" (RSDL) for allegedly "disrupting court order" and "inciting subversion of state power".

At the end of 2017, he was convicted of "incitement to subversion" and, despite being exempted from criminal punishment, was placed under long-term surveillance and monitoring.

Xie has resumed his human rights activism more recently. In 2021, he openly supported the people arrested for expressing dissent views, including Professor Yang Shaozheng in Guizhou, Hunan teacher Li Tiantian whom the local authorities branded "mentally ill", and fellow rights lawyer Qin Yongpei in Guangxi.

On 11 January 2022, Xie Yang was again detained allegedly for "inciting subversion of state power". He was formally arrested in February. He has not been seen by his family or lawyer by far.

Among all human rights lawyers released from the 709 Crackdown, Xie Yang is the first to be detained again for "inciting subversion". He is currently detained in the First Changsha City Detention Centre.

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17-2-2. Qin Yongpei(覃永沛)

Mr. Qin Yongpei, 53, is a lawyer from Guangxi. Mr. Qin has been practicing law for more than a decade. Long-time advocate for human rights, he hired a number of local human rights lawyers in the law firm he set up. His law firm assisted his fellow lawyers under suppression and provided legal services to disadvantaged groups. He represented numerous rights cases including those on unlawful administrative detentions, industrial pollution, wrongful convictions, and forced demolition and eviction. Qin subsequently became the target of suppression.

In May 2018, his practising licence was revoked. He was later forced to close the law firm he founded. Thereafter, together with other disbarred lawyers, he formed an informal China Disbarred Lawyers' Group to continue providing legal consultation to the public. Qin again became the authorities' target of suppression when he reported online cases of corruption and malfeasances involving local officials.

Qin was taken away in October 2019 and charged with "inciting subversion of state power" for criticizing the government on social media platforms including Weibo and Twitter. He was detained for almost 7 months before being allowed to meet his lawyer. He was indicted in June 2020 and tried on 31 December 2021 for "inciting subversion of state power", a charge he steadfastly denied.

Qin has been detained for 2 years and 8 months with no adjudication by far. He is currently detained in the Second Detention Centre of the Guangxi Autonomous Region.

18. Recipients

We regret that both Mr. Xie Yang and Mr. Qin Yongpei are currently in detention, and neither can join us here to share the honour and pleasure they most deserve.

Today Xie and Qin are represented by their spouses, respectively Ms. Chen Guijiu and Ms. Deng Xiaoyun, in accepting the award. May we first welcome Ms. Chen, wife of Mr. Xie Yang.

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19. Acceptance Speeches

19-1. Chen Guiqiu (陳桂秋) - Wife of Xie Yang

I'm not here to receive the award today. Lawyers have been barred from meeting Xie Yang, and as a result I couldn't get Xie Yang's authorization.

So I won't accept the award today. I'll leave it to Xie Yang to receive it himself or leave it to someone else who has his personal authorization. Let this award witness just for how long judicial authorities of Changsha City will continue to violate the law in Xie Yang's case.

I am very surprised that Xie Yang is being given this honor. I know he is brave, just as his colleagues are. But there is so little he could have done, also just like his colleagues. We can only watch as Ding Jiaxi and Xu Zhiyong are tried in secret behind closed doors, and their defense lawyers signed a non-disclosure agreement and cannot say anything about what they saw and

heard in the courtroom. There are too many secrets in this country, the kind of shady secrets that the perpetrators know all too well are lawless.

I don't know who participated in the selection of the recipients. Maybe because Xie Yang has lost his freedom again, he is receiving this honor on behalf of his colleagues of human rights lawyers. Indeed, I think that today's award should go to the entire community of human rights lawyers.

It is your perseverance, bravery, and fearless sacrifice that allow us to gather from around the world on July 9 every year to commemorate the 709 Crackdown in 2015, to commemorate what you have said and done, to remember the sufferings you have experienced, and to inspire more people to defend order in this world.

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19-2. Deng Xiaoyun (鄧曉雲) - Wife of Qin Yongpei

Greetings ladies and gentlemen, In China, the term "human rights lawyer" is often associated with negative terms such as arrest, enforced disappearance, torture, and revocation of lawyer's license, guilt by association, unemployment, and threats.

My husband Qin Yongpei is one of China's human rights lawyers, so this term has really brought me confusion, loss, fear, worries, powerlessness, and depression.

Until today, I suddenly realized that I should be proud of my husband. It turns out that in a place that is physically so far away, there is a group of dedicated people, who are paying attention to and documenting the situation of Qin Yongpei and the hardship that our family is facing, and offering support in ways they can. I am deeply grateful.

I sincerely thank the organizers and all the international friends who are concerned about human rights. You give me hope and confidence, your recognition has given value to all of my husband's ordeal, and because of it, our family's tribulations have taken on a higher meaning and become relevant to the cause of human rights in China and the world.

The ordeals that Chinese human rights lawyers have been going through serve as a warning to those who have not experienced it that the world is not all rosy and peaceful; if we are not vigilant, what we have been experiencing may become the new norms for everyone. I would also like to give special thanks for the support of the Chinese human rights lawyer community.

Some human rights lawyers, such as Xie Yang, Li Yuhan, Chang Weiping, Ding Jiaxi, Chen Wuquan, and Hao Jinsong, are also behind bars as Qin Yongpei, and Zhang Zhan in Shanghai is making a determined stand with her famished body.

Some human rights lawyers have had their licenses revoked, their daily life surveilled and threatened; and many more are being held hostage, controlled, and forced to submit. They are despondent, disillusioned, and helpless; but perseverance, expectation, and change are their common aspirations. Many of them are more deserving of this award, and I am deeply humbled. The honor belongs to the Chinese human rights lawyers as a whole.

I am just a traditional Chinese woman, and my husband's experiences and ideals have changed my life. Like many families of human rights lawyers, I will not give up fighting for Qin Yongpei's freedom, and I also look forward to your continued attention to Qin Yongpei. Thank you all.
20. Ending Remarks
Thank you Guiqiu, thank you Xiaoyun. In this severe political environment, the undying hearts of the people are the strongest weapons of the powerless.
History has repeatedly shown us that dictatorship would not last as it could never survive the scrutiny and resistance of the people. I believe every single endeavour we have made and are making will embark on the path to change. Let us stay united and resolute. Thank you.
Thank you Fengsuo. I believe that the participants and the audience share the same belief that every action we take, no matter how small, is a small step towards rule of law in China. That day may look far, but we do not believe dictators are as strong as they appear. Otherwise, why are they so afraid? I have never doubted for a moment that we will prevail.
On that note, we conclude the 6^{th} China Human Rights Lawyers Day. I want to thank our
speakers again for coming. I must give special thanks to all the organizers and volunteers who have worked behind the scenes tirelessly to make today a success. We thank the audience, wherever you are around the world, for your time and attention, and for your support. We will see you next year!

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