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Ministry of Justice of the People's Republic of China
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February 7, 2011

Re: Recent Physical Attacks on Lawyers by Court Officers

Dear Minister Wu,

We write on behalf of the Committee to Support Chinese Lawyers, to express our deep concerns related to the recent physical attacks upon lawyers as they pursue their professional duties before the courts. We believe that turning a blind eye toward bodily harm inflicted on lawyers in court is so fundamentally at odds with an impartial system of justice as to undermine the rule of law. We ask that you investigate these beatings and act to ensure that the court system in China is safe for the professional practice of law.

We understand the facts to be as follows: On the morning of January 24, 2011, lawyers Wen Yongquan [文永泉] and Liu Guiying [刘桂英] of Jiayu Law Firm [佳旭律师事务所] came to the Daoli District People's Court in Harbin City, Heilongjiang Province, to defend a client accused of fraud. Rong Jingpeng [荣敬朋], Yuan Ziyi [苑紫毅], Li Hongjie [李宏杰], Zhang Shurui [章舒锐], Hao Shuang [郝爽], and Zheng Song [郑松], other lawyers and interns from the firm, also arrived; when they attempted to attend the hearing, a court officer told them there was no room. When Wen attempted to intervene and Rong began videotaping the proceedings with her phone, the court police attacked both of them. The court police proceeded to confiscate Rong's phone and Wen's legal license, beating the eight lawyers in the process and then detaining them.

Liu and Rong were both pregnant. As a result of the beatings, both were injured; Liu began to bleed and cramp, forcing her to end her pregnancy two days later.

While particularly repugnant, this is not the only such incident reported in recent months. We understand that on December 7, 2010, Beijing lawyers Dong Qianrong [董前勇] and Wang Quanzhang [王全章] were prevented from doing their work in court, and Dong was beaten, in Chang'an District People's Court in Xi'an City (Shaanxi Province). Dong and Wang were acting as criminal defense lawyers for a village leader who was challenging the local government. In another case, on September 2, 2010, Dong was pushed out of the courtroom and beaten severely by several court police officers, after he objected to a security check being carried out on his colleague Zhang Kai.

Physically attacking lawyers is contrary to the rule of law. It is a violation of Article 37 of the Lawyers' Law, stating that "the personal rights of a lawyer in practicing law shall not be infringed upon." Moreover, it runs afoul of fundamental human rights, set out in the Universal Declaration of Human Rights: the right to the security of one's person, and the right to be free of cruel, inhuman, or degrading treatment. The unlawful infliction of bodily

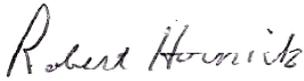
COMMITTEE TO SUPPORT
CHINESE LAWYERS 中国律师之友
AT THE LEITNER CENTER FOR INTERNATIONAL LAW AND JUSTICE

harm upon attorneys at court has absolutely no place within the courts of justice; failing to hold those responsible to account for it fatally undermines the purpose, validity, and impartiality of the court system.

The Committee to Support Chinese Lawyers is a group of independent lawyers from outside China whose goal is to support lawyers in China in their quest to strengthen the rule of law there. The Committee, which is housed at the Leitner Center for International Law and Justice at Fordham Law School in New York City, seeks to strengthen the role of lawyers and to promote their independence.

Thank you for your attention to this important matter.

Very truly yours,



Robert N. Hornick
Chair



Martin S. Flaherty
Vice Chair



R. Scott Greathead
Vice Chair

Cc: Meng Fanxu [孟繁旭], President, Heilongjiang Bar Association
HE Zhang Yesui [张业遂], Ambassador of the People's Republic of China to the United States of America
Zhang Xuebing [张学兵], President, Beijing Lawyers Association
The Hon. Jon M. Huntsman, Jr., U.S. Ambassador to China
Dr. Robert S. Wang, Deputy Chief of Mission, Embassy of the United States, Beijing, China
Michael H. Posner, Assistant Secretary of State, Bureau of Democracy, Human Rights and Labor, United States State Department