

Dear Sir or Madam,

I am a former management staff member of Yirenping (see Annex for our history and the effect of crackdown on our organization), and I have been working for grassroots NGOs in China for over 8 years. Based on these experiences, I would like to share my knowledge and impressions of the severe repression of civil society, and especially NGOs working to advance human rights in China. For security reasons, I prefer to keep my name anonymous.

Since 2014, NGO workers and human rights defenders in China face nearly insurmountable challenges. Over 300 human rights lawyers and their assistant were targeted since last July. A wide range of NGOs have been cracked down upon and some of their staff were interrogated and detained. Even the most basic rights of the accused – for example, to be presumed innocent until found guilty – are violated by such trends as pre-trial televised confessions and systematic refusals to allow detained defenders to meet their lawyers or their families. This has a ripple effect, discouraging dissent and defaming those who protect human rights.

The International Service for Human Rights said it clearly in a statement given at the Human Rights Council on 15 March of this year, to which myself and other Chinese defenders contributed: ‘The Chinese government and its public security apparatus is behind an unprecedented, systematic, and ongoing assault on civil society’.

Such an assault requires an extraordinary response from the international community and especially from countries who have cultivated strong bilateral trade and commercial relationships with China. The UK government’s relationship gives you a unique responsibility to match partnerships with the Chinese with pressure when the government violates its own domestic – as well as international law -in its pursuit of ‘the China dream’, which in reality is the dream of the Chinese Communist Party to tighten its grip on the country and silence dissenting voices.

I urge you to seek concrete changes from China in two areas, which I believe will make a real difference in the lives of civil society actors working towards the fulfillment of a range of civil, political, economic, social and cultural rights in the country.

- First, China must halt its crackdown on human rights defenders; the the government of the United Kingdom should continue to publically call for release of those detained and arrested. The UK can use its position as a member of the Human Rights Council to draw more attention on the human rights violations in the crackdown, such as prolonged pretrial detention, residential surveillance in police designated place, and the use of black jails, in many cases amounting to enforced disappearance. Even when released, defenders are often treated as criminal suspects – placed under surveillance, prevented from traveling within and outside the country, and pressured to self-censor. The UK government may even consider withholding visas to the

UK for Chinese government officials implicated in human rights abuses and the crackdown on civil society

- Second, China must commit to withdrawing, re-drafting, or amending legislation that severely limits the space for civil society or criminalizes their legitimate activities in the pursuit of respect for human rights. The draft Foreign NGO Management Law and the newly passed Charities Law permit Chinese officials to impose strict regulations on the operations a wide range of organizations; this includes side effects that would effectively prevent independent domestic NGOs from obtaining funding. The newly passed National Security Law and Counterterrorism Law have far-reaching provisions that violate fundamental rights to association and expression, and that legitimize the actions of public security authorities to silence defenders. The UK government should continue to use its position as a member of a Human Rights Council to publically call on China to ensure that its legislation is in compliance with international human rights law.

Thanks for all your effort to promote human rights in China.

Sincerely,  
Betty Tse (anonymous)

### **Annex**

#### **About Yirenping:**

Yirenping is an independent NGO with the main mission of using legal means to fight against discrimination and promote equality. Since its establishment in 2006, Yirenping has launched hundreds of high-impact lawsuits and policy advocacy activities on a diverse range of issues, including hepatitis and HIV/AIDS discrimination, rights of persons with disabilities, women's rights and LGBT rights. Yirenping has an office in Beijing and six partner organizations in five other cities that were initiated by its staff members.

#### **Direct impact of the crackdown on Yirenping:**

On 28 May 2014, human rights lawyer Chang Boyang, co-founder and legal representative of Yirenping's member organization in Zhengzhou, was detained on charges of "gathering in a public place to disturb public order". Afterwards, the charges were changed to "picking quarrels" and then "conducting illegal business operations". He was later released on bail after months in detention.

In June and July 2014, police searched the office of Yirenping's member organization in Zhengzhou. Office directors and some staff were interrogated, computers and financial document were confiscated. The member organization had to close its doors after the searches.

On 6 and 7 March 2015, police detained five feminist activists across the country; their case was widely publicized, and they have become known as 'the Feminist Five'. Three of the five are Yirenping staff members. Although they were all released on bail on 13 April 2015, after the maximum 37 days of pre-trial detention allowable by law, the charges against them still remain and they were monitored and harassed by their local PSB officers after their release.

Also on 7 March 2015, Yirenping's partner organization the Hangzhou Women's Center (Weizhiming) was searched by local PSB officers. A staff member was interrogated, computers and financial document were confiscated.

On 24 March 2015, Yirenping's office was search by police. Computers and financial documents were confiscated. A staff member was interrogated, computers and financial were confiscated.

On 14 April 2015, Hong Lei, the Spokesman for China's Ministry of Foreign Affairs (MOFA), stated publicly that, Beijing Yirenping Center, "has allegedly violated the law, and will be punished."<sup>1</sup>

In part as a result of their treatment by authorities, Weizhiming (Hangzhou) announced its closure on 29 May 2015.

On 2 June 2015, Wang Hui, spokeswoman for the Beijing Winter Olympics 2022 bid committee, when asked how the anti-discrimination pledge was compatible with the crackdown on Yirenping, said she had never heard of Feminist Five or Yirenping.<sup>2</sup>

On 12 June 2015, two well-known anti-discrimination activists, Guo Bin and Yang Zhanqing, were criminally detained by police. Both are former directors of Yirenping and Guo Bin is currently the executive director of Yirenping's partner organization in Guangzhou. The two were kept in a police detention center without formal charges for 29 days.

On 15 June 2015, when asked to comment on the detentions Chinese Foreign Ministry spokesman Lu Kang said he was not aware of the detentions.<sup>3</sup>

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<sup>1</sup> 'China Accuses Prominent NGO of "Breaking the Law"' (*Reuters*, 14 April 2015) <<http://uk.mobile.reuters.com/article/idUKKBN0N41WI20150414?irpc=932>> accessed 8 April 2016.

<sup>2</sup> 'Beijing Says Takes Anti-Discrimination Pledge Seriously' (*Reuters*, 2 June 2015) <<http://www.reuters.com/article/us-china-olympics-idUSKBN0OI14320150602>> accessed 8 April 2016.

<sup>3</sup> 'Chinese Police Detain Two Activists Linked to Prominent NGO' (*Mail Online*, 15 June 2015) <<http://www.dailymail.co.uk/wires/reuters/article-3124386/Chinese-police-detain-two-activists-linked-prominent-NGO.html>> accessed 8 April 2016.

On 30 July 2015, Yirenping's partner organization in Guangzhou, the Pingji (Equal Opportunity) Center, was searched by local tax bureau and all financial records were copied by officials. It's still harassment of an NGO that was likely forced to register as a business due to government restrictions.

On 14 August 2015, Yirenping's partner organization in Nanjing, Tianxiagong (Justice for All), announced the suspension of its work to provide legal aid to people living with HIV/AIDS because of pressure from government.

On 3 March 2016, Internal Security police, the branch of the Public Security Bureau focused on internal political threats, sought out the defense lawyers of the feminist activists. They said that they knew that five lawyers had sent a legal opinion to the authorities recommending that the case against the the Feminist Five be withdrawn.

On 8 March 2016, Just before International Women's Day on March 8, the Feminist Five activists in China, as well as their defense counsel, have been threatened by police and put under pressure by police to not speak publically, according to friends and lawyers of the activists, communicating via social media.