

Law Council of Australia urges DFAT to redouble efforts with Chinese Government to release detained lawyers

The Law Council of Australia is urging the Department of Foreign Affairs and Trade (DFAT) to redouble its efforts with the Chinese Government, with the goal of: securing the release of the [23 lawyers and activists still in detention](#), ending torture and ill-treatment of those detained, removing [travel bans against 39](#), and stopping the harassment of the families of lawyers. At [least 319](#) lawyers, law firm staff, activists and their family members have been targeted since the '709' crackdown commenced.

The Law Council is joining with the International Bar Association in marking the one year anniversary of the crackdown, expressing its continued concerns with China's respect for the rule of law and a rules-based international order.

Many of the lawyers caught up in the crackdown, which commenced on 9 July 2015 are still missing, with no access to their family, let alone a lawyer. For example, a partner at Beijing Global Law Firm, Li Heping (李和平), has not been seen since 10 July 2015. Of further concern are [reports suggesting](#) that some of the detained have been tortured or have suffered sexual abuse.

Since the crackdown commenced, the Law Council of Australia has met with senior DFAT officials and senior advisers to the Prime Minister. The Law Council appreciates the Australian Government's advocacy to date. In particular, a [joint statement](#) with 11 other countries at the 31st Session of the Human Rights Council on 10 March 2016 expressing concerns about China's deteriorating human rights record, which referred to the arrests and detention of lawyers.

The Law Council encourages further multilateral efforts and calls for a joint statement by like-minded governments condemning the attacks on the legal profession in China and requesting the release of those still detained. The 1 July 2016 [joint statement](#) on the disturbing abduction and murder of Kenyan lawyer Willie Kimani, his client and driver, demonstrates the positive force foreign governments can play in supporting the rule of law through their missions overseas.

Law Council of Australia President Stuart Clark AM said the crackdown was deeply troubling to the Australian legal profession.

"The 709 crackdown is a clear violation of human rights and the Law Council of Australia will continue to be active in international efforts to redress the situation," Mr Clark said.

"The scale of this crackdown is larger than any other targeting the legal profession in China in recent years. Consistent with the [Basic Principles on the Role of the Lawyers](#), it is vital for every nation to have an independent legal profession which can practice without fear of reprisal.

"China is Australia's top bilateral trading partner. The crackdown raises concerns that sudden and arbitrary retribution exists for lawyers practicing in China. Adherence to a rules-based international order is essential for retaining confidence in the service sector, which in turn sustains robust trade relations. Attacking lawyers, regardless of what field they practice in, creates uncertainty and threatens those relationships

"Both the Australian legal profession and the Australian community as a whole has an interest in ensuring that the Chinese legal system is robust, fair and impartial."

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