

SOCIETY OF AMERICAN LAW TEACHERS—SALT— STATEMENT CONDEMNING HARASSMENT, INTIMIDATION, AND DISBARMENT OF CHINESE HUMAN RIGHTS LAWYERS

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In early June 2008, China revoked the licenses of two prominent human rights lawyers because they volunteered to defend Tibetans charged with participating in protests against China's policies in Tibet. Teng Biao and Jiang Tanyong were two of eighteen prominent civil rights lawyers who signed a public letter volunteering free legal services to Tibetans arrested and detained during the protests that began in March. The Chinese Ministry of Justice warned lawyers that if they persisted, they would face disciplinary sanctions and risk losing their licenses. The Ministry also contacted the law firms where these lawyers worked, threatening disciplinary action, and urging the firms to terminate the lawyers. The decision to revoke Mr. Teng's and Mr. Jiang's licenses was based solely on their willingness to handle "sensitive cases."

The Chinese government's action is part of a larger campaign of intimidation, harassment, and physical abuse waged against lawyers who take cases it regards as politically sensitive or potentially embarrassing. In a recently released 142 page report, Human Rights Watch documents consistent patterns of abuse that China has directed at other lawyers taking politically unpopular cases. Government abuses have ranged from intimidation, harassment, suspension of professional licenses, and disbarment, to physical assaults, arrest, and prosecution. The Human Rights Watch report draws on interviews with lawyers, activists, and legal experts, and concludes that the pattern of abuse is far more pervasive than the number of publicly reported cases indicates. As a spokesperson for Human Rights said, "Abuses of lawyers compound human rights violations, undermine citizens' rights, and exacerbate social unrest. Without due process and genuine defense rights, law remains little more than an instrument of state repression."

SALT condemns China's attack on lawyers who are doing nothing more than defending the rule of law. In Mr. Jiang's own words, "As a lawyer, I only care about whether the case can be legally defended. I will follow the right rules within the law. I don't know how to judge whether a case is sensitive or not." No legal system can be considered a system of justice if it denies representation to politically unpopular groups or individuals and sanctions lawyers who dare to represent them.

SALT is committed to training law students to represent the powerless and the politically unpopular. What makes law a noble profession is the ethical obligation of every lawyer to protect the rule of law by ensuring that all persons have access to justice. We commend the efforts of Teng Biao and Jiang Tanyong to put this ideal into practice, even in the face of repressive and punitive actions by the Chinese government.

SALT calls on the government of China to restore the law licenses of Mr. Teng Biao and Mr. Jiang Tanyong and to desist from intimidating, harassing, and sanctioning lawyers who represent clients or causes disfavored by the government or threatening action against the law firms who employ them.

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