



## Jubilee Campaign Submission to the United Nations Special Rapporteur on the situation of human rights defenders

### *Crackdown on Anti-Corruption Lawyers and Human Rights Defenders in China*

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*Jubilee Campaign promotes the human rights and religious liberty of ethnic and religious minorities; advocates for the release of prisoners of conscience imprisoned on account of their faith; assists refugees fleeing religious-based persecution; and protects and promotes the dignity and safety of women and children from bodily harm and sexual exploitation. Jubilee Campaign holds special consultative status with ECOSOC at the United Nations.*

#### I. China's 'Crackdown on Corruption'

At China's 13<sup>th</sup> National People's Congress in March 2018, two important actions were taken: firstly, President Xi Jinping was elected for a second term; secondly, the National Supervisory Commission was established.<sup>1</sup> Since the Commission's inception, and even prior to it, President Xi has sought to purge the government and other state institutions of corrupt officials, and has deposed of numerous problematic authorities. For example: Bo Xilai, who oversaw the abduction and prolonged detention of a dissenting journalist and whose wife was under investigation for murder<sup>2</sup>; and Zhou Yongkang, who was convicted of bribery and leaking state secrets.<sup>3</sup> While on the surface it appeared to be the CCP's genuine action to tackle internal corruption, in reality it also served another, perhaps more valued, purpose of eliminating President Xi's political opponents and other officials he deemed a threat to his power; the aforementioned Bo and Zhou were both extremely influential authorities during their prime and had massive potential for leadership. It is also worth mentioning that Xi went beyond targeting just his opponents, but their families as well. Zhou Yongkang's son Zhou Bin and wife Jia Xiaoye have also been detained and charged for graft; Reuters reported in 2014 that at least a dozen of Zhou's relatives have since been arrested.<sup>4</sup> In essence, Xi's campaign to end corruption has simultaneously served as a form of corruption in itself as the president eliminated his rivals one by one and paved the path to supreme, uncontested leadership.

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<sup>1</sup> Alexandra Fiol-Mahon, "[Xi Jinping's Anti-Corruption Campaign: The Hidden Motives of a Modern-Day Mao](#)", *Foreign Policy Research Institute*, 17 August 2018.

<sup>2</sup> Michael Wines, "[In Rise and Fall of China's Bo Xilai, an Arc of Ruthlessness](#)", *The New York Times*, 6 May 2012.

<sup>3</sup> Yuwen Wu, "[Profile: China's fallen security chief Zhou Yongkang](#)", *BBC News*, 12 October 2015.

<sup>4</sup> Reuters, "[Son, wife of China's former domestic security tsar jailed for graft](#)", 15 June 2016.

There are some other major points to make about China's questionable 'crackdown on corruption'. For example, former justice minister and deputy police chief Fu Zhenghua, who Xi personally recruited to serve in the special anti-corruption unit which investigated Zhou Yongkang, has himself come under fire by human rights organizations for his corrupt and unjust activities. Fu was in charge overseeing the 2015 "709 Crackdown", which was the mass arbitrary arrest, prolonged detention, disappearance, torture, and even televised coerced confessions of nearly 300 human rights lawyers and activists who had committed no crimes other than criticizing the government and advocating for marginalized groups.<sup>5</sup> It is important to note that Fu Zhenghua has recently been investigated by the Commission for his own corrupt activities.<sup>6</sup> However, the fact that during Fu's time serving as a leader on anti-corruption, he himself was also embarking on a corrupt crackdown on civil society and human rights defenders, should serve as a testament to the hypocrisy of the CCP.

## II. China's Crackdown on Anti-Corruption Lawyers and Defenders

*"Soon after Xi started his anticorruption policies in 2012, he ordered a series of crackdowns on China's growing civil society. The CCP has put human rights lawyers in jail, suppressed internet freedom, closed unauthorized churches, arrested outspoken labour activists, and integrated party organizations into enterprises and universities. [...] An unofficial rule that allowed journalists to expose corrupt officials in provinces other than where the media organization was based has been abolished under Xi's administration. It was replaced with stricter media regulations and more severe censorship, making it difficult for civil society to monitor or expose corruption."<sup>7</sup>*

Ironically, while the CCP prides itself on weeding out corrupt officials, it simultaneously arbitrarily detains lawyers and human rights defenders known for their anti-corruption work. Last year in June 2020, authorities formally arrested civil rights legal scholar Xu Zhiyong for his work exposing CCP corruption and for publicly criticizing the government's inability to handle the COVID-19 pandemic<sup>8</sup>, and he was indicted in August 2021 for "subversion".<sup>9</sup> Xu has been subjected to numerous human rights violations during his incommunicado detention, which the Chinese government terms "residential surveillance under designated location" (RSDL); these abuses include denial of legal counsel, physical torture, hours-long restraint, and insufficient food.<sup>10</sup> Prior to his 2020 arrest, Xu had already served time in prison for his leadership of the anti-corruption campaign New Citizens' Movement.

One of the most prominent targets of China's repression of anti-corruption defenders is Wang Quanzhang, who was arrested during the aforementioned 709 Crackdown and remains detained. Though Wang is known primarily for his defense of persecuted faith minorities including Falun Gong practitioners, he has also been a leader in anti-corruption work. Wang worked alongside Xu Zhiyong for the New Citizens' Movement to promote government transparency and expose

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<sup>5</sup> William Nee, ["China's 709 Crackdown Is Still Going On"](#), *The Diplomat*, 9 July 2021.

<sup>6</sup> Nectar Gan & Jessie Yeung, ["He helped bring down one of China's most corrupt officials. So why is the country cheering his downfall?"](#), *CNN World*, 4 October 2021.

<sup>7</sup> Echo Hui, ["China's False War on Corruption"](#), *The Walrus*, 4 September 2019.

<sup>8</sup> Xue Xiaoshan & Luisetta Mudie, ["Chinese Police Formally Arrest Dissident Who Told President to Step Down"](#), *Radio Free Asia*, 23 June 2020.

<sup>9</sup> PEN America, ["Imprisoned Chinese Activist Xu Zhiyong Indicted for 'Subversion'"](#), 6 August 2021.

<sup>10</sup> Amnesty International, [China: Further information: Activist subjected to torture and charged with subversion: Xu Zhiyong](#), 26 February 2021.

corrupt officials<sup>11</sup>; he also defended villagers against “corrupt local officials”, took on cases of torture in police custody and violations of rule of law.<sup>12</sup> In 2019, Wang was found guilty of “subversion of state power”, sentenced to four years’ imprisonment and five years of deprivation of political rights, and has had his law license revoked.<sup>13</sup> Fortunately, authorities counted Wang’s time he already served in pre-trial detention – which amounted to approximately three years – towards his sentencing, and he was released in April 2020 after serving his sentence in full.<sup>14</sup> However, Wang has not been fully freed, as he is restricted from returning to his family home in Beijing and is instead forced to stay in the town of Ji’nan where he is being closely monitored and prevented from travel.<sup>15</sup>

In December 2019 in the southeastern city of Xiamen, tens of human rights lawyers and activists, the majority of whom were members of the aforementioned anti-corruption New Citizens Movement, met to discuss the current state of civil society in China; in the days and months since, Chinese authorities initiated a campaign to arrest participants of the meeting. One of the targeted lawyers was Ding Jiayi, who is renowned for his work advocating for migrant workers’ children and relentlessly demanding for the Chinese government to become transparent; Ding was arrested in June 2020 on charges of “inciting subversion of state power” and was warned that he could receive the maximum life imprisonment sentence if he was found to be the ‘ringleader’ of the December 2019 meeting. After approximately a year in RSDL, Ding was finally permitted to have a virtual meeting with his lawyer in which he revealed that he had been subjected to unhygienic conditions, physical torture with the ‘tiger chair’ device, and denied medical care, which has caused his dental health to deteriorate rapidly.<sup>16</sup>

### III. Conclusion and Recommendations

Jubilee Campaign recommends the Special Rapporteur on the situation of human rights defenders make the following recommendations to the People’s Republic of China

- (1) Cease the practice of arbitrary detention, prolonged imprisonment, and enforced disappearances of human rights lawyers and activists, especially those that are known for their work on anti-corruption.
- (2) Combat corruption in China’s judiciary by allowing for independent and impartial judicial decisions; providing equal opportunities for legal remedy to individuals whose rights have been violated; and eliminating obstacles to legal representation.
- (3) Ratify the United Nations Convention for the Protection of All Persons from Enforced Disappearance as well as the Optional Protocol of the Convention against Torture.

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<sup>11</sup> Amnesty International, “China: Wang Quanzhang’s freedom an ‘illusion’ until government lifts ruthless restrictions”, 5 April 2020.

<sup>12</sup> Michael Caster & Peter Dahlin, “China should be proud of Wang Quanzhang – instead it persecutes him”, *The Guardian*, 22 September 2016.

<sup>13</sup> Leanne Winkels, “China human rights lawyer Wang Quanzhang sentenced to 4 ½ years in prison”, *Jurist*, 28 January 2019.

<sup>14</sup> Laurie Chen, “Video: Released Chinese rights lawyer Wang Quanzhang finally reunites with family”, *Hong Kong Free Press*, 27 April 2020.

<sup>15</sup> Amnesty International, “China: Wang Quanzhang’s freedom an ‘illusion’ until government lifts ruthless restrictions”, 5 April 2020.

<sup>16</sup> Amnesty International, *China: Further details: Charged with subversion, torture details revealed: Ding Jiayi*, 10 February 2021.