

URGENT ACTION

LAWYER CHARGED FOR INCITING SUBVERSION

Former human rights lawyer Ding Jiayi, who has been held incommunicado for more than six months, has been formally arrested for “inciting subversion of state power”. Along with many human rights defenders, Ding was taken away by police on 26 December 2019 after joining a social gathering in Xiamen. Held in secret detention, Ding has had no access to his family and lawyers of his choice and is at imminent risk of torture and other ill-treatment.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*Director Li Dengquan
Linyi Shi Public Security Bureau
7 Shanghai Lu, Lanshan Qu
Linyi Shi, Shandong Sheng
People's Republic of China*

Dear Director Li:

I am writing to express my concern about former human rights lawyer **Ding Jiayi** (丁家喜) who has been charged with ‘inciting subversion of state power’ (颠覆国家政权罪) for peacefully exercising his right to freedom of association. Held incommunicado for more than six months, he has had no access to his family and lawyers of his choice.

Ding Jiayi, along with many human rights defenders, has been detained since being taken away by police on 26 December 2019 after joining an informal social gathering in Xiamen. While others who attended the same meeting were released on bail in late June, Ding was formally arrested only on 19 June.

The arrest of Ding Jiayi, as well as the detention of Ding and other human rights defenders who joined the Xiamen meeting, contravenes international human rights laws and standards, including the rights to liberty and to freedom of association. Furthermore, on 23 March 2020, United Nations human rights experts expressed their [grave concerns](#) for Ding Jiayi and two other human rights defenders who had been forcibly disappeared after joining the Xiamen meeting. The experts were dismayed that the Chinese government continues to use national security provisions to target human rights defenders who meet peacefully and solely for exercising their rights.

It is distressing to learn that Ding Jiayi continues to be held incommunicado, with no way for his family and lawyer to check his physical and mental wellbeing. Given the limited safeguards protecting those held incommunicado, I am very worried that Ding is at imminent risk of torture and other ill-treatment.

I therefore call on you to immediately:

- **Release Ding Jiayi immediately and unconditionally unless there is sufficient credible and admissible evidence that he has committed an internationally recognized offence and is granted a fair trial in line with international standards.**
- **Pending his release, ensure that Ding Jiayi has regular, unrestricted access to family and lawyers of his choice and is not subjected to torture and other ill-treatment.**
- **Stop harassing and arresting other human rights defenders who peacefully exercise their right to freedom of association and other human rights.**

Yours sincerely,

ADDITIONAL INFORMATION

Ding Jiayi, Dai Zhenya and Zhang Zhongshun were among the dozens of lawyers and activists who attended an informal gathering held in Xiamen, a city on China's southeast coast, in December 2019. Many who were present at this private gathering had been active in the New Citizens Movement, a loose network of activists who aimed to promote government transparency and expose corruption in the early 2010s. At the meeting, they discussed the situation of civil society and current affairs in China. Since 26 December 2019, police across the country have been summoning or detaining participants of the Xiamen gathering.

Dai Zhenya and Zhang Zhongshun were released on bail on 18 June 2020. On 19 June, Ding Jiayi's family received an arrest notice from police in Linyi, Shandong, confirming that Ding was formally arrested for "inciting subversion of state power". Ding is currently held in Linyi County Detention Centre. According to his wife, Ding Jiayi is not allowed to meet his lawyer after months of incommunicado detention as he is now in quarantine. It is unclear if Ding can meet his lawyer after the quarantine ends. .

Ding Jiayi is a Beijing-based former human-rights lawyer and a core member of the New Citizens Movement. His activism included advocating for rights of migrant workers' children and demanding transparent governance. In 2014 Ding was sentenced to three-and-a-half years' imprisonment for "gathering a crowd to disrupt order in a public place". In 2018, he was barred from boarding a flight to the United States, where his wife and daughter live. In 2019, authorities stopped him from travelling to Hong Kong as he "may endanger national security and interest".

In March 2020, apart from expressing concerns about the disappearance of Ding, Dai and Zhang, the United Nations human rights expert bodies also [expressed their alarm](#) at the ongoing use of RSDL in China, a detention system that enables criminal investigators to hold individuals for up to six months outside the formal detention system in what can amount to a form of secret incommunicado detention. This form of detention has been used to curb the activities of human rights defenders, including lawyers, activists and religious practitioners.

Since the massive crackdown on lawyers and activists in 2015, the Chinese authorities have been systematically using national security charges with extremely vague provisions, such as "subverting state power" and "inciting subversion of state power", to prosecute lawyers, scholars, journalists, activists and NGO workers.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Chinese
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 14 August 2020
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Ding Jiayi (He/Him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa17/1815/2020/en/>

And copies to:

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