



HUMAN RIGHTS IN CHINA CONDEMNS CHINESE GOVERNMENT'S HEAVY SENTENCING OF XU ZHIYONG AND DING JIAXI, KEY FIGURES IN THE CHINESE NEW CITIZENS' MOVEMENT

HRIC Statement

April 10, 2023

On April 10, 2023, **Xu Zhiyong (许志永)** and **Ding Jiaxi (丁家喜)**, leaders of the Chinese New Citizens' Movement, received heavy sentences on charges of “**subversion of state power.**” Linyi Intermediate People's Court sentenced Xu to **14 years** in prison, plus 4 years of deprivation of political rights, and Ding to **12 years** in prison, plus 3 years of deprivation of political rights.

Xu's and Ding's lawyers were only permitted to inform the defendants' families of their sentencing, but were prohibited from showing the verdicts, according to Ding's wife **Luo Shengchun**, who now resides in America. A few days before the sentencing, Luo published Xu's and Ding's final statements to the court. Xu's statement is titled “[Beautiful China](#),” and Ding's statement is titled “[Death to Despotism](#).”

On December 7 and 8, 2019, Xu and Ding organized an informal gathering in Xiamen to discuss contemporary affairs and China's future. On December 26, the Chinese government began arresting participants of this event. Ding was detained on the same day, followed by many other participants. (This series of arrests was later named “The Dec 26 Case against Citizens”). Xu was arrested on February 15, 2020, after months on the run. During their detention, both Xu and Ding were subjected to torture, including sleep deprivation, a restricted diet, and, for Ding specifically, the “tiger bench.” In June 2022, Xu and Ding were charged with “subversion of state power” and tried behind closed doors in Linshu County Court, Linyi City.

The activities presented in Xu and Ding's indictments as “evidence” of subversion of state power include:

- Organizing “citizen meal gatherings” and “same-city meal gatherings” in different cities;
- Holding “regular color revolution trainings on ‘non-violence’” and teaching others “to subvert state power by means of ‘non-violent’ color revolution”;
- “Speaking [in a documentary film] about his experiences in prison and about ‘equal access to education’ among other topics to attack our country's judicial, educational, petitioning and other systems, and denigrate our country's political system . . .” (Xu only); and

- Holding the December 2019 gathering in Xiamen to discuss “organizational development, opposition to government, fundraising, and social transition” and “seeking to hold power on grassroots levels, and developing so-called ‘citizen community groups’ and ‘a national citizen community’ by means of ‘non-violent’ color revolution in order to eventually subvert state power.”

Both the International Bill of Human Rights and China’s Constitution recognize the right of peaceful assembly. Article 21 of the International Covenant on Civil and Political Rights (ICCPR) states: “The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.” Article 35 of the Constitution of the People’s Republic of China stipulates: “Citizens of the People’s Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.”

Xu and Ding merely exercised their basic rights protected by international law and the Chinese Constitution. With Xu’s and Ding’s heavy sentences, the Chinese authority aims to create a chilling effect and deter anyone who dares to voice dissenting opinions. Their sentencing is a mockery of China’s “Four Matters of Confidence” doctrine (“confidence in our chosen path, confidence in our guiding theories, confidence in our political system, and confidence in our culture”). Even the slightest rustle from the Chinese people can be seen as a challenge to China’s political power, which reveals the Chinese authority’s extreme “lack of confidence.”

Human Rights in China (HRIC) urges the Chinese government to abide by its obligations under international law and its constitution, and to immediately and unconditionally release Xu, Ding, and all other human rights activists imprisoned for exercising their basic rights to freedom of thought and peaceful assembly.

Background on Xu Zhiyong and Ding Jiayi

Xu Zhiyong

Xu is a leading rights activist in China, a founder of the Open Constitution Initiative (Gongmeng), and the key founder and iconic figure of the “New Citizens Movement.” Xu was one of the proponents of the abolition of the “custody and repatriation” system used by police to detain and return migrant workers to their hometowns, a system rife with police brutality. (The system was abolished in 2003, following the death that year of the migrant worker Sun Zhigang in Guangzhou, resulting from the savage beating he suffered in police custody.)

Xu received his doctorate degree from Peking University Law School and was a lecturer at the Beijing University of Posts and Telecommunications. He was elected as a deputy to the 13th and 14th People’s Congresses of Haidian District, Beijing. His activism—including promoting citizens’ use of non-violent means for rights defense and launching campaigns to demand citizens’ equal access to education and disclosure of assets of officials—led to his detention on July 16, 2013. On January 26, 2014, Xu was

sentenced to four years in prison for “gathering a crowd to disrupt order in a public place.” After his release on July 15, 2017, Xu wrote a number of articles on the rule of law and social transformation and continued to promote what he and others renamed as the “Citizens Movement.”

Ding Jiayi

Ding is a lawyer, human rights activist, and a main organizer and coordinator of the “New Citizens Movement” (known as “Citizens Movement” since 2017). Ding graduated from Beijing University of Aeronautics and Astronautics (Beihang University) with a bachelor's degree and a master's degree in engineering. He was a participant in the 1989 Democracy Movement. In 1996, he changed professions and began working as a lawyer full-time. He was recognized as one of the top ten intellectual property lawyers in Beijing in 2011.

On March 2, 2013, Ding and other New Citizens Movement activists mounted a series of street actions in Beijing's Chaoyang Park, Zhongguancun, and other places, where they held up banners demanding disclosure of officials' assets and equal access to education. Ding was detained by the authorities on April 17, 2013 and sentenced to 3 years and 6 months in prison on April 18, 2014, for “gathering a crowd to disrupt order in a public place.”

Related Resources

- [“HRIC Urges Immediate Release of Xu Zhiyong and Ding Jiayi,”](#) HRIC Statement (June 24, 2022)
- [“Cases of Human Rights Lawyers and Activists – Xu Zhiyong and Ding Jiayi”](#) by Luo Shengchun (December 2021)
- [“Resources on Xu Zhiyong,”](#) compiled by Human Rights in China (includes essays by and about Xu Zhiyong, Xu's case documents, and HRIC press releases and special features)
- [“Resources on Ding Jiayi,”](#) compiled by Human Rights in China (includes essays about Ding Jiayi, Ding's case documents, and HRIC press releases)
- [“12.26 Citizen Case,”](#) compiled by Human Rights in China