



## HRIC Urges Immediate Release of Xu Zhiyong and Ding Jiayi

HRIC Statement

June 24, 2022

Human Rights in China (HRIC) calls for the immediate release of leading reform advocates and rights lawyers **Xu Zhiyong** (许志永) and **Ding Jiayi** (丁家喜), and condemns in the strongest terms their closed-door trials for “subversion of state power.” This complete lack of transparency undermines accountability and the defendants’ due process rights. Xu and Ding were tried essentially for their efforts in engaging other citizens to promote an independent civil society, empowering participation in public affairs, and expressing their views on social justice and political reform. Their secret trials highlight the Chinese authorities’ absolute intolerance for the peaceful exercise of fundamental rights protected by international law and China’s international obligations to its citizens.

Xu and Ding were tried in the Linshu County People’s Court in Shandong Province on Wednesday, June 22 (Xu) and Friday, June 24 (Ding), following more than two years of detention. The court did not issue verdicts. Both were held incommunicado and denied visits from lawyers and families during much of that time. Later, they told their lawyers about the torture and abuse they suffered in detention.

According to recent messages posted on Twitter by Sophie Luo, Ding’s wife, Xu’s lawyer was not allowed to make copies of case files, and his sister was driven out of her lodging in Linshu and prevented from attending the trial; and the last time Ding was permitted to meet with his lawyer was in February this year.

“For a regime that is promoting its own ‘democratic’ model, the secret trials of Xu and Ding should be a warning to the world about the dangers this model poses for people inside China as well as beyond its borders under China’s aggressive influence campaigns,” said **Sharon Hom, Executive Director of Human Rights in China**. “It is a brand of ‘democracy’ that tolerates only fully-controlled citizen ‘participation’ in political affairs, and only individual views about governance that conform to the dogma of the Communist Party of China—a system where citizens simply gathering for dinner to discuss how to advance social justice are prosecuted for subversion of state power.”

Xu was a key founder of the [New Citizens Movement](#) in 2012, which emphasized civic engagement and citizens' rights *and* responsibility as the basis for pressing for a more open and accountable government. Ding, a well-known rights lawyer, joined Xu as a chief organizer of a street action campaign in 2012-2013 to press for asset transparency of high officials. Both served years-long sentences for “gathering a crowd to disrupt order in a public place.”

The current case against them arose from their continued activism since 2017 after leaving prison, in their renamed “Citizens Movement,” which focused on disseminating their views through writing, fostering an active citizenry through dialogue, and seeking peaceful means, including grassroots-level elections, to advance social reform. In early December 2019, Xu and Ding were involved in organizing a two-day private gathering in Xiamen, Fujian Province, where some 20 individuals, including lawyers and scholars, discussed current affairs and China’s future and shared experiences in promoting the construction of civil society. On December 26, 2019, authorities began hunting down the participants in what came to be known as the “[12.26 Citizen Case](#).” Ding was detained by police that day. Xu went into hiding and was captured in February 2020. The authorities took others into custody, including rights lawyer **Chang Weiping (常玮平)** and rights advocate **Li Qiaochu (李翘楚)**.

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.”

HRIC urges governments and concerned civil society groups around the world to closely monitor Xu and Ding's cases and continue to press for their release. All stakeholders must not again give a free pass to the Chinese government on yet another egregious instance of criminalization of the fundamental rights to freedom of thought and peaceful assembly—rights that the Chinese government is obligated to protect under international law.

#### 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.”

## Resources on Xu Zhiyong and Ding Jiaxi

- “[Cases of Human Rights Lawyers and Activists – Xu Zhiyong and Ding Jiaxi](#)” by Luo Shengchun (December 2021)

<https://www.hrichina.org/en/citizens-square/cases-human-rights-lawyers-and-activists-xu-zhiyong-and-ding-jiaxi>

- “[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)

<https://www.hrichina.org/en/citizens-square/resources-xu-zhiyong>

- “[Resources on Ding Jiaxi](#),” compiled by Human Rights in China (includes essays about Ding Jiaxi, Ding’s case documents, and HRIC press releases)

<https://www.hrichina.org/en/citizens-square/resources-ding-jiaxi>

- “[12.26 Citizen Case](#),” compiled by Human Rights in China

<https://www.hrichina.org/en/1226-citizen-case>