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Human Rights Now

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Statement

Xu Zhiyong was arrested and prosecuted: Call on Chinese Government to release him in accordance with international human right standards

1. Xu Zhiyong, a Chinese jurist who had been promoting The Chinese New Citizen's Movement, was detained in July 2013, formally arrested in August, and prosecuted on December 4th in accordance with an indictment (京公訴字 (2013) 99th). In response to this, Human Rights Now (HRN), a Tokyo-based international human rights NGO, expresses concern and calls on Chinese Government to release him with taking measures based on international human right standards.

He was prosecuted for disturbing public order. The reason of the prosecution mentioned in the indictment is that he put up banners on the street, handed out leaflets, and promoted movements with utilizing the Internet in order to realize government officials' property disclosure and rights for equal education, which resulted in attracting citizens' attention and pressuring the government. However, such activities cannot be crimes according to international standards or even the Chinese Constitution; therefore, he should be released immediately.

China has signed International Covenant on Civil and Political Rights in October 1998 and has obligations to respect the treaty. Also in the Chinese Constitution, freedom of speech is guaranteed by Article 35. "Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration" in Chapter II. "THE FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS."

Xu Zhiyong denies the crime that he was prosecuted for, and insists to his lawyer that his activities must be guaranteed by freedom of speech that the constitution prescribes, and that it is rational and legal for a citizen to state his opinion on social issues.

2. In this Xu Zhiyong's case, HRN expects that his insist will be fairly judged and that the judicial process was conducted justly. On the other hand, HRN expresses great concern about judicial processes with low transparency in China. Some lawyers and activists who are involved with the trials of Xu Zhiyong and the people concerned have been pressured by authorities making their blogs and mini blogs inaccessible.

3. China has been elected as a member of United Nations Human Rights Council in General Assembly on November 12th 2013. Therefore, it must keep the highest human right standards in its country to promote and protect human rights in cooperation with United Nations Human Rights Council, and should not take actions against international human right standards. HRN call on the government to face the case fairly, take measures according to international human right standards, and fulfill the obligations for protecting human rights as one of the members of United Nations Human Rights Council.

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