



中华人民共和国常驻联合国日内瓦办事处和瑞士其他国际组织代表团

**THE PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF CHINA  
TO THE UNITED NATIONS OFFICE AT GENEVA AND OTHER  
INTERNATIONAL ORGANIZATIONS IN SWITZERLAND**

11 Chemin de Surville, 1213 Petit-Lancy  
Tel: +41(0)22 879 56 78 Fax: +41(0)22 793 70 14  
Email: chinamission\_gva@mfa.gov.cn Website: www.china-un.ch

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The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the latter's communication [AL CHN 3/2025], has the honor to transmit herewith the reply of the Chinese Government.

The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Office of the High Commissioner for Human Rights  
**GENEVA**

Receipt is hereby acknowledged of communication AL CHN 3/2025 from special procedure mandate holders of the United Nations Human Rights Council, to which the Government of China submits the following reply:

1. Chinese citizen Ekpar Asat was lawfully sentenced to 15 years' imprisonment and deprived of political rights for 5 years, with the confiscation of all his personal property, for the commission of criminal offences. Ekpar Asat is currently serving his sentence in prison. He is in good health, all his rights are ensured in accordance with the law and he has regular phone calls, video calls and in-person meetings with his relatives.

2. China has always attached importance to the lawful protection of lawyers' right to practise their profession. In addition to a series of provisions on the protection of lawyers' right to practise, the Criminal Procedure Law and the Law on Lawyers contain clear provisions on lawyers' duty to defend and represent their clients, including the duty "to present, according to the facts and the law, materials and opinions to prove the innocence of the criminal suspect or defendant, the pettiness of the crime and the need for a mitigated punishment or exemption from criminal responsibility, thus safeguarding the procedural and other lawful rights and interests of the criminal suspect or the defendant". In China, lawyers act as defenders in criminal proceedings, and the lawful performance of their defence duties is protected by law. No organization or individual may infringe upon the legitimate rights and interests of lawyers.

According to the Constitution, the Organic Law of the People's Courts, the Criminal Procedure Law, the Civil Procedure Law and the Administrative Procedure Law of the People's Republic of China, the people's courts exercise judicial power independently in accordance with the law and are not subject to interference by administrative organs, social organizations or individuals. The Law on Judges provides that judges are officials who exercise State judicial power in accordance with the law, perform their duties in accordance with the law, are protected by law and are not subject to interference by administrative organs, social organizations or individuals. Judges must faithfully implement the Constitution and laws, safeguard social fairness and justice, serve the people wholeheartedly, treat the parties and other participants in legal proceedings fairly and apply the law equally to all individuals and organizations. Judges take facts as the basis and laws as the criterion when trying cases, ensuring that their decisions are objective and impartial. The people's courts ensure sound mechanisms of trial supervision and management, on the principle "let the adjudicator judge, but hold those who adjudicate responsible". The people's courts are promoting reform of the trial-centred criminal procedure system to ensure the decisive role of court hearings in ascertaining the facts, determining the evidence, protecting procedural rights and making fair judgments. The people's courts ensure mechanisms to protect judges in the lawful performance of their duties, establish systems for recording any interference in cases and safeguard the lawful, independent and impartial exercise of judicial power.

The people's courts tried Ekpar Asat's case in strict accordance with the law, fully ensuring that he and his defence counsel enjoyed all of the procedural rights to which they are entitled by law. For the trial at first instance, Mr. Asat commissioned his own defence counsel. He and his defender fully expressed their views during the trial and

exercised the right to a defence. The people's courts also lawfully guaranteed Mr. Asat's right to use the spoken and written language of his own ethnic group in the proceedings.

3. Ekpar Asat is a Chinese citizen who has been lawfully punished for violating Chinese law. While he has been serving his sentence, all his rights have been guaranteed in accordance with the law. The allegations in this regard are completely unfounded and are nothing but an attack meant to discredit the country's human rights record and judicial work in Xinjiang. China firmly opposes them.

联合国人权理事会特别机制发送的AL CHN 3/2025号来文收悉，中国政府答复如下：

一、中国公民阿克拜尔·艾塞提，因违法犯罪被依法判处有期徒刑十五年，剥夺政治权利五年，没收个人全部财产。阿克拜尔·艾塞提目前在监狱服刑，其健康状况良好，各项权利得到依法保障，并定期与其亲属通话、视频会见和见面。

二、中方一贯重视依法保障律师执业权利。中国的刑事诉讼法、律师法除对保障律师执业权利作出系列规定外，还对律师的辩护代理职责作出明确规定，包括“根据事实和法律，提出犯罪嫌疑人、被告人无罪、罪轻或者减轻、免除其刑事责任的材料和意见，维护犯罪嫌疑人、被告人的诉讼权利和其他合法权益”。中国律师在刑事诉讼中担任辩护人，依法履行辩护职责受法律保护，任何组织和个人不得侵害律师的合法权益。

《中华人民共和国宪法》《中华人民共和国人民法院组织法》《中华人民共和国刑事诉讼法》《中华人民共和国民事诉讼法》《中华人民共和国行政诉讼法》规定，人民法院依法独立行使审判权，不受行政机关、社会团体和个人的干涉。

《中华人民共和国法官法》规定，法官是依法行使国家审判权的人员，依法履行职责，受法律保护，不受行政机关、社会团体和个人的干涉。法官必须忠实执行宪法和法律，维护社会公平正义，全心全意为人民服务，公正对待当事人和其他诉讼参与人，对一切个人和组织在适用法律上一律平等。法官审判案件，以事实为根据，以法律为准绳，秉持客观公正立场。人民法院健全审判监督管理机制，实现“让审理者裁判、由裁判者负责”。人民法院推行以审判为中心的刑事诉讼制度改革，保证庭审在查明事实、认定证据、保护诉权、公正裁判中发挥决定性作用。人民法院健全法官依法履行职责保护机制、建立案件干预过问记录制度，保障依法独立公

正行使审判权。

人民法院严格依法审理案件，充分保障了阿克拜尔·艾塞提及其辩护人依法享有的各项诉讼权利。一审期间，阿克拜尔·艾塞提自行委托了辩护人，阿克拜尔·艾塞提及其辩护人在庭审时充分发表了意见，行使了辩护权。人民法院还依法保障了阿克拜尔·艾塞提使用本民族语言文字进行诉讼的权利。

三、阿克拜尔·艾塞提是中国公民，因触犯中国法律，依法受到惩处。阿克拜尔·艾塞提服刑期间，其各项权利得到依法保障。有关指控毫无事实依据，完全是对中国新疆人权状况和司法工作的攻击抹黑，中方对此坚决反对。