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Human Rights Now

China must ensure basic rights of detained human rights defenders Cheng Yuan and Wu Gejianxiong

Ahead of July 22, the third anniversary of their arrest, we urge the Chinese authorities to respect the fundamental rights protected under international law of anti-discrimination activist Cheng Yuan, and to ensure his colleague Wu Gejianxiong is fully released from prison upon completion of his arbitrary sentence.

Cheng Yuan and Wu Gejianxiong are the founders of anti-discrimination NGO ‘Changsha Funeng’ (长沙富能), and fierce advocates for socio-economic rights, including the right to health, and the fight against discrimination on grounds of disability and health status. On July 22, 2019, they were arrested by State Security police alongside their colleague Liu Dazhi, accused of ‘subversion of State power.’ Cheng and Wu are currently detained in Chishan Prison (赤山监狱); Liu was released in July 2021.

We strongly condemn Cheng and Wu’s protracted detention, whose duration has now exceeded 1000 days. In a [legal opinion](#) from April 2020, the UN’s Working Group on Arbitrary Detention determined that their detention was arbitrary. The five UN experts considered that it lacked a plausible legal basis – pointing out that charges of ‘subversion of State power’ are ‘broadly-worded provisions’ –; that it ‘violated their rights to a fair trial and due process;’ and that it constituted a ‘violation of articles 2 and 7 of the Universal Declaration of Human Rights on the grounds of discrimination, based on political or other opinion as well as on their status as human rights defenders.’

The UN experts declared that Cheng and Wu should be released ‘immediately.’

We are alarmed that Cheng Yuan has been held in solitary confinement for three months, as he indicated in three letters received by his family on July 4. Based on the testimony of other detainees, Shi Minglei, Cheng’s wife, suspects that he is denied any communication with others, held in a small cell with room only for a single bed, no room to move around, no windows, and strong lights 24 hours a day. Under international standards (the Nelson Mandela Rules, or the UN Standard Minimum Rules for the Treatment of Prisoners), the imposition of solitary confinement [beyond 15 days](#) constitutes torture or ill-treatment.

We express grave concern that Cheng Yuan’s access to his family has been fully restricted since October 2021, and that he still faces severe restrictions by prison officials. He has not

yet been allowed in-person or online meetings with his loved ones, including Shi Minglei. Cheng has only recently been authorized short phone calls with his older sister in China, and a limited number of letters. Both Cheng Yuan and Wu Gejianxiong are represented by government-appointed lawyers, who have refused to provide required information on their cases to close relatives, including the court's verdict. These restrictions are contrary to international standards, and to China's own Criminal Procedure Law and Prison Law.

As early as December 11, 2019, six UN human rights experts had already raised concerns over Cheng and Wu's 'preclusion from contact with their families and their legal representation in order to mount their legal defence' in a joint [letter](#) to the Chinese government.

We also share Shi Minglei's deep concerns that prison officials are subjecting Cheng Yuan to forced labour and other forms of ill-treatment to obtain confessions. Taiwanese activist Lee Ming-che, also previously held in Chishan Prison, [reported](#) similar acts of forced labour and denial of contact with his family.

Wu Gejianxiong is expected to complete his sentence and be released on July 22, whereas Cheng Yuan will enter his last two years of arbitrary detention. **On this occasion, we urge the Chinese authorities to bring their practice in line with international human rights standards and ensure that:**

- **Cheng Yuan is able to communicate regularly with his wife, his daughter, and other close relatives, including through online or in-person visits, as well as letters and phone calls, without undue restrictions;**
- **Cheng Yuan is not subjected to any further torture or ill-treatment anymore, and that prison officials ensure that his conditions of detention comply with the Nelson Mandela Rules;**
- **Wu Gejianxiong is unconditionally released from prison and not subjected to any form of restriction or subsequent surveillance.**

Signatories (individuals):

Shi Minglei, wife of Cheng Yuan
Luo Shengchun, wife of Ding Jiayi

Signatories (organisations):

China Aid Association
Chinese Human Rights Defenders
Human Rights in China
Human Rights Now
International Tibet Network
International Service for Human Rights (ISHR)
Judicial Reform Foundation
The Rights Practice
Safeguard Defenders