

China: Urgent case briefing

Human rights lawyer Chang Weiping 常玮平

Summary

Chang Weiping (常玮平) is a human rights defender and lawyer who was taken away by police officers in Baoji City, Shanxi Province, on 22 October 2020. He is being held on suspicion of 'subversion of state power', under 'Residential Surveillance in a Designated Location' (RSDL): this is essentially a form of enforced disappearance.

Chang Weiping has been arbitrarily detained for his peaceful defence of human rights. He is at high risk of severe torture and ill-treatment. If convicted, he faces a lengthy prison sentence up to life imprisonment.

We request that you raise this case urgently with the Chinese authorities in order to secure Chang Weiping's immediate and unconditional release.

Background

Chang is a courageous and active human rights defender who specialised in defending the rights of some of the most vulnerable people in China, including victims of sexual harassment and discrimination, as well as people living with HIV and AIDS. On the eve of World Aids Day, a group of people living with HIV wrote a letter to the police, expressing their concern about the case and their appreciation for Chang's work.¹ The letter is a testament to the importance of Chang's work as a lawyer and his dedication to the defence of human dignity.

Chang has also defended communities and individuals facing arbitrary restrictions or discrimination in connection with their right to freedom of religion or belief (FoRB), including members of the banned spiritual movement Falun Gong, and Christians from unregistered 'house' churches.

Human rights lawyers are frequently subject to harassment, intimidation, arbitrary detention, torture and ill-treatment, enforced disappearance and imprisonment by the authorities in retaliation for their peaceful defence of human rights. As CSW has previously documented, FoRB cases are particularly sensitive in China.²



Facebook/Free Chang Weiping

Like many lawyers and activists, Chang Weiping has also suffered from harassment, detention and torture in relation for his human rights work. In January 2020 he was detained under RSDL for ten days, during which time he was tied up and forced to sit in a 'tiger chair', causing intense pain and swelling in his legs; he also endured sleep deprivation and denial of adequate food. As a result of torture Chang lost the use of two of his fingers, which he has not regained since.

Current circumstances

Chang was detained on 22 October 2020, shortly after he released a video with details about the torture he experienced during the ten days in detention in January 2020. Since his arrest, neither his lawyer nor his wife have been allowed to meet with him.

On 25 November 2020 Chang's father was allowed to see him at a police station for approximately ten minutes, supervised by security officers. According to his father, Chang looked thin and very tired, and his speech was slower than usual. He asked his father and his wife not to post news about his case, to 'stay low'. It is likely police had directed him to say this, very possibly under torture. At the end of the visit when his father had just left the room, Chang cried out to his father in a desperate voice asking his mother and father to take care of themselves.

1 Civil Rights and Livelihood Watch, 1 December 2020 (Chinese) <https://msguancha.com/a/lanmu9/2020/1201/20475.html>

2 CSW, 'Repressed, Removed, Re-Educated: The stranglehold on religious life in China', 2020 www.csw.org.uk/2020-china-report

His father said of the visit: ‘I was terrified because it felt like my son was using his last breath to say goodbye.’³

In March 2021 it emerged that the charges against Chang Weiping have been changed from ‘inciting subversion’ to ‘subversion’. This is an extremely serious charge which carries even heavier punishments, up to a life sentence. Subversion-related charges are frequently used by the authorities to target lawyers, activists, religious leaders and critics of the Chinese Communist Party.

Throughout Chang’s detention, police and security agents have relentlessly harassed his family, including his wife and young son, as well as his elderly parents. On 5 February Chang’s wife, Chen Zijuan, released a statement with details of the case and its impact on their family.⁴ The statement records the authorities’ attempts to silence the family by placing his parents under house arrest and confiscating their mobile phones. His extended family members are also closely monitored by police and cameras have been installed around their homes.

Police have threatened Chen Zijuan at least nine times, warning her not to speak out for her husband or she would lose her job. As a result of frequent, late-night visits to her home, Chen’s seven-year-old son is ‘scared to the point of insomnia, constantly tossing and turning at night, unable to sleep... He even asks what he would do if the police hold a gun to his head.’

Recommendations

To the government of the People’s Republic of China

- Unconditionally and immediately release Chang Weiping and drop all charges against him.
- Guarantee and protect Chang’s right to legal assistance, the right to be presumed innocent until proven guilty, and the right to a fair and public hearing, as well as protection from torture and mistreatment.
- Unconditionally and immediately release all prisoners of conscience arrested or arbitrarily detained in connection with their peaceful defence of freedom of religion or belief and other human rights.
- Provide a safe and enabling environment for human rights lawyers, civil society actors and other human rights defenders.

To the international community

- At every possible opportunity, in public and in private, urge the Chinese government to release lawyer Chang Weiping immediately and unconditionally.
- Closely follow developments in this case and condemn attempts to prevent access to legal counsel, and state harassment of family members.
- For embassies and representatives in China, make every effort to attend and observe Chang’s trial.
- At every possible opportunity, in public and in private, condemn the use of all forms of extra-legal detention, enforced disappearance and arbitrary detention.

3 South China Morning Post, ‘Father of detained Chinese human rights lawyer speaks out about ‘inhumane’ treatment’, 2 December 2020 www.scmp.com/news/china/society/article/3112169/father-detained-chinese-human-rights-lawyer-speaks-out-about

4 Facebook, Free Chang Weiping, 5 February 2021 www.facebook.com/permalink.php?story_fbid=172156144685131&id=107416584492421

Further information

CSW, 'Charges against human rights lawyer changed to subversion', 29 March 2021 www.csw.org.uk/2021/03/29/press/5212/article.htm

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