

**STATEMENT**

Paris, November 24, 2020

China

**UIA-IROL's Concern for Chang Weiping**

UIA-IROL is gravely concerned about the ongoing arbitrary and incommunicado detention of Mr. Chang Weiping, a prominent human rights lawyer known for taking on sensitive human rights cases and suing companies for discrimination in the workplace against women, LGBTQ+ persons, and individuals affected by HIV/AIDs.

According to the information received, on October 22, 2020, Mr. Chang Weiping was arrested at his home in Fengxiang County, Shaanxi Province, by police officers from Baoji City. Later the same day, Mr. Chang Weiping's wife received a phone call from a police officer who informed her that her husband had been placed under "residential surveillance in a designated location" (RSDL).

On October 26, 2020, the Baoji City Public Security Bureau denied two separate requests presented by Mr. Chang Weiping's lawyers to meet with their client. However, one of the lawyers was informed that Mr. Chang Weiping was suspected of "subversion of State power" and that the case involved "State secrets". At the time of publication of this statement, we understand that Mr. Chang Weiping has not been formally charged and his whereabouts remain unknown.

This is not the first time Mr. Chang Weiping has been arbitrarily detained. On January 12, 2020, he similarly was arbitrarily arrested by Shaanxi police and placed under RSDL in an unknown location on charges of "subversion of State power" (Article 105(1) of China's Criminal Law), in connection with a private meeting organised by academics, human rights lawyers and activists in December 2019 in Xiamen, Fujian Province, to discuss the situation of the rule of law and human rights in China.

Six days before his most recent arrest, on October 16, 2020, Mr. Chang Weiping published a video statement on social media denouncing the physical and psychological torture to which he had been subjected while in detention in January 2020.

UIA-IROL joins statements by numerous international organisations denouncing the violation of Chang Weiping's rights. We specifically support the Joint Statement issued on November 10, 2020 detailing the violations of domestic and internal law with respect to Chang Weiping's detention, as well as the deprivation of access to a lawyer and acts of torture committed against him<sup>1</sup> – including his forced disappearance, which is itself a form of torture.<sup>2</sup>

UIA-IROL also denounces the violations of rights which have been committed for years and on a permanent basis against Chang Weiping in his capacity as lawyer.

---

<sup>1</sup> See <https://www.chrlawyers.hk/en/content/joint-statement-chinese-authorities-placing-human-rights-lawyer-chang-weiping-under-0>

<sup>2</sup> Committee against Torture – Concluding observations on the fifth periodic report of China ([CAT/C/CHN/CO/5](#))

As a result of his professional work and his outspokenness, on October 14, 2018, Chang Weiping's licence to practice was suspended by the Baoji City Judicial Bureau. On November 22, 2018, his law firm's licence to practice was also invalidated. On January 14, 2019, Chang completed the 3 month suspension of his licence, but because of political pressure and government interference, he was unable to secure employment with any Shaanxi law firm. Finally, in January 2020, during his RSDL, local authorities officially announced the revocation of his law license. Nevertheless, Chang has continued working with the same dedication in his role as a public interest lawyer.

Harassment against human rights lawyers, including in the form of judicial harassment and disciplinary sanctions, constitutes grave attacks on the principles protecting the functions of a lawyer and the attendant rights.

The case of Chang Weiping is exemplary of the many violations of the [UN Basic Principles on the Role of Lawyers](#) ("the Basic principles") which are committed by China through its systemic, systematic and unrelenting persecution of human rights lawyers.

The Basic Principles were adopted in September 1990, during the Eighth UN Congress on the Prevention of Crime and the Treatment of Offenders at which China participated via its Minister of Justice and ten other high-profile delegates. Along with more than 120 other States which adopted the Principles unanimously, China adopted those principles, agreeing to recommend their implementation at the national and regional level and take into account those principles in their legislation and practice and to respect them<sup>3</sup>.

Very recently, the Human Rights Council recalled the importance of the Basic Principles in the application of the rule of law and, and adopted a resolution condemning

*"all acts of violence, intimidation or reprisal, from any quarter and for any reason, against judges, prosecutors and lawyers, and reminds States of their duty to uphold the integrity of judges, prosecutors and lawyers and to protect them, as well as their families and professional associates, against all forms of violence, threat, retaliation, intimidation and harassment, whether from State authorities or non-State actors, resulting from the discharging of their functions, and to condemn such acts and bring the perpetrators to justice"*<sup>4</sup>.

By its resolution, the UN reinforced the significance of the Basic Principles as customary international law.

Notwithstanding its stated commitment to the Basic Principles, China continuously fails to uphold those Principles in matters involving lawyers, especially human rights lawyers, including Chang Weiping.

By sanctioning Chang Weiping for raising rule of law and human rights issues, the Chinese authorities denied him the protection afforded by Principle n° 23, that provides that

*"Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession"*.

---

<sup>3</sup> See the Report from [the Secretariat of the Eighth Congress, A/CONF.114/28/Rev.1](#)

<sup>4</sup> [A/HRC/44/L.7](#), July 14, 2020

Moreover, according to the Basic Principles, China must be bound by its obligations to protect lawyers like Chang Weiping, rather than prosecute them, including under Principle n° 16, which explicitly provides:

*"Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics".*

UIA-IROL joins the international legal community in its call to release Chang Weiping immediately, without conditions, and to investigate and punish all perpetrators involved in the torture of Chang Weiping, in accordance with China's obligations under national and international law.

UIA-IROL further calls on the Chinese authorities to:

- guarantee that lawyers like Chang Weiping will not experience threats and obstruction from the State while carrying out their professional duties, and that their representations on behalf of clients not be used against them for prosecution or administrative penalty.
- immediately stop all forms of harassment, threats and assaults on human rights lawyers and their law firms

## **More about the UIA-IROL**

---

*The Institute for the Rule of Law of the International Association of Lawyers (UIA-IROL) promotes the Rule of Law and supports and defends, in particular, (1) lawyers, judges and human rights defenders who are harassed, threatened and/or persecuted in the exercise of their professions, (2) the independence of the legal and judicial professions, and (3) the UN Basic Principles on the Role of Lawyers, especially in defense of human rights.*

---

For more information go to: [www.uianet.org](http://www.uianet.org) - [uiacentre@uianet.org](mailto:uiacentre@uianet.org)  
**Press contact: Marie-Pierre LIENARD**, *Communication Officer* [mplienard@uianet.org](mailto:mplienard@uianet.org)