

18 March 2020

China: one-year detention of labour rights defenders

20 March 2020 marks the one year anniversary of the detention of Guangzhou-based labour rights defenders **Ke Chengbing** (柯成兵) and **Wei Zhili** (危志立), while their colleague **Yang Zhengjun** (杨郑君) has been in incommunicado detention since 8 January 2019. They are held in the Shenzhen Municipal No. 2 Detention Centre in the southern province of Guangdong under the charge of “picking quarrels and provoking trouble”, which carries a maximum sentence of ten years’ imprisonment.

In 2013, [Ke Chengbing](#), [Wei Zhili](#) and [Yang Zhengjun](#) co-founded and co-edited the independent online news and advocacy platform iLabour (*Xinshengdai* 新生代), with a mission to “promote economic democracy, safeguard labour values, and build a just society”. The platform published articles about labour rights under Chinese law, incidents of labour rights violations, and workers’ own experience in labour rights advocacy. iLabour also provided consultation to workers on how to submit petitions to government officials and claim their rights under Chinese labour law and regulations. Prior to their detention, Ke Chengbing, Wei Zhili and Yang Zhengjun had been reporting on and supporting the efforts of migrant workers from Hunan province who were seeking redress for pneumoconiosis, an occupational lung disease they contracted while working on construction sites in Shenzhen.

On 8 January 2019, police detained Yang Zhengjun in Guangzhou on the charge of “picking quarrels and provoking trouble”. A day before his detention, about 50 Hunan migrant workers with pneumoconiosis arrived in Shenzhen to seek official responses to their previous petitions, but the police intercepted them and forcibly sent them back. Ke Chengbing and Wei Zhili continued to report on and provide support to the Hunan workers. On 20 March 2019, police detained Ke Chengbing and Wei Zhili in Guangzhou on the same charge as Yang Zhengjun. After the initial 37-day detention period, the three labour rights defenders were placed under “residential surveillance in a designated location” (RSDL). Under China’s Criminal Procedure Law, the police can detain those suspected of committing a “national security” offence incommunicado for up to six months. However, the charge for which the three human rights defenders are arrested is a “public order” rather than a “national security” offence under the Criminal Law. RSDL has been [widely criticised](#) as de facto enforced disappearance.

During the initial detention period, lawyers hired by Ke Chengbing’s and Wei Zhili’s families were able to meet the two defenders, but no meetings were allowed after they were placed under RSDL around late April 2019. Yang Zhengjun’s lawyer was never allowed to meet his client. In August 2019, police informed the families of all three human rights defenders that they had been formally arrested on the charge of “picking quarrels and provoking trouble” and detained in the Shenzhen Municipal No. 2 Detention Centre. The police also informed the families that Ke Chengbing, Wei Zhili, and Yang Zhengjun had “dismissed” their family-appointed lawyers and that all three defenders have now “voluntarily hired” new lawyers.

In July 2019, four independent UN human rights experts sent an [urgent appeal](#) to the Chinese government expressing “serious concerns regarding the alleged arbitrary detention and enforced disappearance” of the three labour rights defenders, as well as the obstacles preventing them from having sufficient meetings with their lawyers and from meeting with their family. The Chinese government rejected their concerns outright in its [reply](#).

Front Line Defenders is deeply concerned about the arbitrary and pro-longed detention of Ke Chengbing, Wei Zhili, and Yang Zhengjun , and the dismissals of their lawyers. Front Line Defenders believes that their detention is solely motivated by their peaceful and legitimate work in the defence of labour rights.

Front Line Defenders urges the relevant authorities in China to:

1. Immediately and unconditionally release Ke Chengbing, Wei Zhili, and Yang Zhengjun, and end all investigative and judicial actions against them;
2. Ensure that, pending their release, Ke Chengbing, Wei Zhili, and Yang Zhengjun receive adequate protection of their physical and psychological health, especially in light of the on-going coronavirus outbreak, and that they are not subjected to any form of torture or other ill-treatment, in strict adherence to the conditions set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by UN General Assembly resolution 43/173 of 9 December 1988. Ensure as well that they have immediate, regular and unrestricted access to legal counsel of their choice, and are able to communicate with family members, without undue interference;
3. Guarantee in all circumstances that all human rights defenders in China, including workers petitioning government officials regarding labour rights violations, are able to carry out their human rights activities without fear of reprisals and free of all restrictions, in line with China's international human rights obligations and commitments;
4. Initiate a comprehensive legal reform process, in genuine consultation with independent civil society and human rights defenders, to review existing laws, regulations, policies and practices, including the measure of residential surveillance in a designated location, that have been used to target human rights defenders, with a view to align them with China's obligations under international human rights law and standards.

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