
CHINA: AUTHORITIES MUST RELEASE ARBITRARILY DETAINED HUMAN RIGHTS LAWYER YU WENSHENG AT THE END OF HIS SENTENCE AND ENSURE HIS FULL FREEDOM

Human rights lawyer Yu Wensheng is expected to be released on 13 April after completing a three-year sentence following his baseless conviction for “inciting subversion of state power”.

We, the undersigned civil society organizations, are deeply concerned about his wellbeing. We urge Chinese authorities to ensure that Yu Wensheng is immediately released after serving his sentence and is allowed to reunite with his family in Beijing and to freely exercise his human rights.

Yu Wensheng and his wife Xu Yan are prominent advocates for rule of law and human rights in China. As a result, they have faced government harassment for many years; this is the second time since 2018 that Yu has been arbitrarily deprived of his liberty.

As a human rights lawyer, Yu represented victims in many sensitive human rights cases, including representing [709 Crackdown](#) lawyers, and publicly called for constitutional reforms aimed at strengthening checks on state power. His efforts to defend victims of human rights violations, challenge government overreach and promote meaningful legal reforms have been met with harsh retaliation.

The authorities should investigate the targeting, ill-treatment and arbitrary detention of Yu Wensheng and bring to justice in fair trial those suspected of being responsible. Authorities should provide Yu Wensheng and his family with access to justice and effective remedies in line with China’s own laws and their human rights obligations and commitments.

Yu and Xu were taken into police custody while on their way to meet European Union officials in Beijing on 13 April 2023. They were initially held at Beijing Shijingshan Detention Centre, where they were deprived of prompt access to counsel of their choosing and charged by the local procuratorate with “picking quarrels and provoking trouble”. Authorities added new charges of “inciting subversion of state power” around June 2023. UN experts have repeatedly raised concerns about how the authorities have used both of those crimes to target human rights defenders, have noted their noncompliance with international human rights standards and have called for their repeal.

During the first roughly six months of detention in Beijing, Xu Yan reportedly lost 14kg. She was also subjected to ill-treatment, including being intimidated by police who threatened to arrest her son if he undertook advocacy on behalf of her and Yu’s case. The conditions of her detention may have amounted to torture and other ill-treatment.

In January 2024, Xu and Yu were transferred to Suzhou Detention Centre in Jiangsu province, some 1000km away from their regular place of residence in Beijing. UN experts [raised concerns in April 2024](#) about their detentions, and the impact on their son. In [August 2024](#), their cases were heard at the Suzhou Intermediate People's Court. Diplomats from several foreign missions and activists had planned to attend the trial but were reportedly denied entry to the courtroom to observe the proceedings.

On 29 October 2024, Suzhou Intermediate Court sentenced Yu Wensheng to three years in prison and Xu Yan to one year and nine months in prison for “inciting subversion of state power”.

Their son, who turned 18 just before their detention, has faced a serious deterioration of his mental health since Yu's first arrest in 2018; this was exacerbated by his isolation during the time both his parents were imprisoned.

Xu Yan was released in January 2025, but has said that she and her son still [face unlawful surveillance and harassment by the authorities](#), a common extralegal tactic used against human rights defenders and their families. She has spent over a decade studying to pass her legal professional qualifications and has completed all the necessary requirements. Ten days after her detention in 2023, Xu was notified that she had passed; however, to this day the authorities have not yet issued Xu her formal certificate. This has hampered her ability to continue her human rights advocacy, and to earn an income for the family.

Conditions at Zhenjiang Prison for Yu Wensheng are reportedly harsh and may constitute ill-treatment. According to sources close to him, prison authorities have not provided adequate heat or nutrition and have refused to facilitate his purchase of daily necessities. Additionally, Xu Yan's repeated requests that the authorities transfer Yu back to a Beijing prison to facilitate visits were ignored by the authorities. As a result, they had no choice but to travel some 1,000 km each way, each month, to visit him.

We believe that the authorities' use of the criminal justice system to harass Yu Wensheng and his family is intended to deter human rights defenders in China and discourage their legal and constructive interactions with civil society groups and diplomatic representatives in the country. Despite the authorities' heavy-handed response, many human rights defenders in China refuse to be silenced.

Ahead of Yu's release date, we call on the Chinese authorities to uphold their international human rights obligations, including under the Convention against Torture and the International Covenant for Economic, Social and Cultural Rights. We urge authorities to:

- Ensure Yu Wensheng is released and can reunite with his family in Beijing on time after serving his sentence and without any additional restrictions;
- Ensure Yu can freely exercise his human rights including his rights to freedom of movement and freedom of expression, and that he is able to communicate with any individual or institution he may choose; and
- End all forms of unlawful surveillance and harassment targeting Yu Wensheng, Xu Yan, their family or their friends, and ensure that their right to health is fully protected.

Background

Following his first arrest in January 2018, prominent human rights lawyer Yu Wensheng was in 2020 sentenced to four years' imprisonment and "deprivation of political rights", on the charge of "inciting subversion of state power", solely for peacefully exercising his right to freedom of expression.

Yu Wensheng is the winner of the [2018 Franco-German Prize for Human Rights and the Rule of Law](#) and the [2021 Martin Ennals Award](#), an annual prize for human rights defenders. This recognition honours not only his important role in the Chinese human rights community, but also the tireless efforts of his wife Xu Yan to call for the release of her husband. He was released from prison at the conclusion of his sentence on 1 March 2022.

The range of human rights violations in this case – from the criminalisation of human rights advocacy and the work of human rights lawyers to unfair trials, poor detention conditions, lack of access to counsel and alarming detrimental impacts on family members – paint a grim picture for respect for the rule of law and those who seek to defend it in China. This point was reiterated by the UN Special Rapporteur on the independence of judges and lawyers in [a letter to Chinese authorities in July 2025](#). She expressed "deep concerns about the allegations that

patterns of repression and criminalization of legal professionals, as previously outlined in communication [AL CHN 1/2024](#), have not ceased.”

Other UN experts have repeatedly called for the repeal of Article 105(2) of China's Criminal Law that provides for the crime of 'inciting subversion of state power.' In addition, in 2020, they asserted that the criminal provision of 'picking quarrels and provoking trouble' violates due process and the principle of legality underpinned in article 11 (2) of the Universal Declaration of Human Rights. In 2025, the UN High Commissioner for Human Rights explicitly called for the repeal of the vague and overly broad crime of “picking quarrels and provoking troubles”.

Research from civil society organizations monitoring the human rights situation in China, including many signatories to this letter, has shown that Chinese courts have consistently applied these provisions to cases of human rights defenders – like Yu Wensheng and Xu Yan – in ways that criminalize the exercise of human rights and fundamental freedoms. Furthermore, authorities have failed to act on recommendations to end the violations of fair trial rights and other rights, including the imposition of “supplemental” sentences under the Criminal Law which are incompatible with international human rights standards.

Undersigned, in alphabetical order:

Alliance for Citizens Rights

Amnesty international

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Asian Lawyers Network (ALN)

China Rights in Action

CIVICUS: World Alliance for Citizen Participation

Council of Bars and Law Societies of Europe (Conseil des Barreaux Européens, CCBE)

Deutscher Anwaltverein (German Bar Association)

Freedom House

Front Line Defenders

Human Rights Foundation (HRF)

Human Rights in China

Human Rights Watch

Independent Chinese PEN Center (ICPC)

International Bar Association’s Human Rights Institute (IBAHRI)

International Federation for Human Rights (FIDH), within the framework of the Observatory for the Protection of Human Rights Defenders

International Service for Human Rights (ISHR)

Judicial Reform Foundation

Lawyers for Lawyers

Lawyers' Rights Watch Canada

Network of Chinese Human Rights Defenders (CHRD)

PEN International

Safeguard Defenders

The Rights Practice

World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders