

To:

People's Republic of China Delegation to the UNAIDS Programme Coordinating Board (PCB)

Mr. Mingzhu Li, Commissioner, Beijing
Ms. Juan Li, Deputy Director, Geneva
Mr. Gang Xia, Deputy Director-General, Beijing
Mr. Yiyun Hu, Deputy Director, Center for STIs and AIDS, Beijing
Ms. Ying Shi, Director, Beijing
Mr. Dahai Qi, Counselor, Geneva
Mr. Xiaochen Yang, Second Secretary, Geneva

CC:

Ms. Gunilla Carlsson, Executive Director a.i., UNAIDS
Ms. Phumzile Mlambo-Ngcuka, Executive Director, UNWOMEN
Ms. Nazneen Damji, Senior Policy Advisor, Gender Equality, HIV, and Health, UNWOMEN
Ms. Mandeep Dhaliwal, Director, HIV, Health and Development, UNDP
Mr. Rico Gustav, Executive Director, Global Network of People Living with HIV (GNP+)
Ms. Michelle Bachelet Jeria, UN High Commissioner for Human Rights
Mr. Dainius Puras, UN Special Rapporteur on the Right to Health
Ms. Elina Steinerte, UN Working Group on Arbitrary Detention
Mr. Saad Alfaragi, UN Special Rapporteur on the Right to Development
Ms. Catalina Devandas Aguilar, UN Special Rapporteur on Rights of Persons with Disabilities
Mr. Michel Forst, UN Special Rapporteur on Human Rights Defenders
Mr. Luciano Hazan, UN Working Group on Enforced and Arbitrary Disappearances
Nicolas Chapuis, Ambassador of the European Union to China
Amakobe Sande, UNAIDS Country Director
Ambassador Deborah Birx, U.S. Global AIDS Coordinator
Mr. Peter Sands, Executive Director, The Global Fund
Ms. Lucica Ditiu, Executive Director, Stop TB Partnership
Rt. Hon. Rory Stewart, M.P., UK Secretary of State for International Development

30 July 2019

Dear Mr. Li and colleagues,

We write to call on China to immediately release three prominent anti-discrimination lawyers and activists who are believed to be wrongly detained. Cheng Yuan, Liu Yongze and Xiao Wu of Changsha Funeng have done important work to end discrimination against people living with HIV and to advance the right to health and rights of persons with disabilities in China. As chair of the Programme Coordinating Board (PCB), which has set a goal of zero HIV-related discrimination by 2030, China should release these three legal activists.

Cheng Yuan has led over a decade of ground-breaking impact litigation on rights of people living with HIV and other health rights -- first at Tianxiagong, and later as co-founder of Changsha Funeng. Two of his landmark cases, in 2013 and 2016, won damages for teachers who lost their jobs due to their HIV status. Cheng Yuan has also led work on hepatitis B discrimination litigation, advocated forcefully for the rights of persons with disabilities and for an end to China's One Child Policy, and worked to promote freedom of information and rule of law, and more.

Last week, Cheng Yuan traveled to Hong Kong on personal and organizational business. On Monday, 22 July, Cheng and two colleagues, Liu Yongze and Xiao Wu, disappeared. Local police stated that they did not know their whereabouts, but CCTV recordings showed them being seized by a group of people. State Security then contacted a lawyer representing Liu Yongze, and said that Liu was facing charges of subverting state power. Cheng Yuan's wife, Shi Minglei, has nothing to do with his NGO, but she was also detained and interrogated, and placed under residential surveillance under suspicion of subverting state power.

As chair of the governance board of UNAIDS, China plays a critical leadership role in the global HIV response. As you know, UN member states committed to the 2030 Agenda for Sustainable Development in 2015, and in doing so committed to ending HIV by 2030, to combating hepatitis, to promoting peaceful and inclusive societies for sustainable development, and to achieving "zero discrimination" against people living with HIV. UNAIDS, the Global Network of People Living with HIV (GNP+), UNDP and UN WOMEN jointly launched the Global Partnership for Action to Eliminate All Forms of HIV-Related Stigma and Discrimination. To achieve this, UNAIDS recommends countries finance and support HIV-related legal services to reduce stigma and discrimination, and the Global Fund has committed to scaling up this work in numerous countries -- it is exactly the kind of work in which Changsha Funeng has expertise.

China has ratified the *International Covenant on Economic, Social and Cultural Rights*, which upholds the right to health, as well as the *Convention Against Torture*, and has committed to many other human rights standards.

As chair of the UNAIDS PCB, China must not only uphold, but set a positive example to the world, of promoting UN commitments to end HIV and end discrimination. China should be rewarding and showcasing the work of Changsha Funeng as a good practice to the international community, not punishing it. **We respectfully urge China to immediately release Cheng Yuan, Liu Yongze and Xiao Wu and drop all charges against them.**

Sincerely,

Organizations

ABAC/ONG

ABIA

Action Against AIDS Germany

African Network of Adolescents and Young Persons Development (ANAYD)
Afrihealth Optonet Association (Nigeria)
AIDS Action Baltimore
Alliance for Public Health (Ukraine)
Arianna's Center
Asia-Pacific Council of AIDS Service Organizations (APCASO)
ASPTMR
Associazione Luca Coscioni
Canadian HIV/AIDS Legal Network
Caribbean Vulnerable Communities Coalition (CVC)
Club des Amis Damien (CAD)
Coalition des OSC du Bénin pour la Couverture Universelle en Santé (COBCUS)
dru≈°tvo AREAL
End AIDS Now
FEMME PLUS
FixHepC
Global Action for Trans* Equality (GATE)
Global Justice Clinic
Guyana Sex Work Coalition
Health GAP
HepC BC Hepatitis C Education and Prevention Society
Housing Works
Human Rights in China
Human Rights Watch
Interfaith Center on Corporate Responsibility
International Council of AIDS Service Organizations (ICASO)
International Network of People who Use Drugs (INPUD)
KANCO
KELIN
Lambeth Service User Council (LSUC)
Lawyers Collective, India
LHL International
Malawi Network of People living with HIV
MANGO Network
MPact Global Action for Gay Men's Health & Rights
NAP+N
Nelson Mandela TB HIV Community Information and Resource Center
PeerNUPS
PLUS, Coalition Internationale Sida
Positive Malaysian Treatment Access & Advocacy Group (MTAAG+)

PREKURSOR Foundation for Social Policy
ProActividad Para La Cooperacion y el Desarrollo
PT Foundation
Radanar Ayar Association
Science for Democracy
Suruwat
Synergycare Development Initiative
TB Proof
The Global Network of People Living with Hiv (GNP+)
The Malaysian Alliance for Drug Policy Reform
The Rights Practice
Treatment Action Group
Victory Post Test Group
WEDNET-AFRICA (Welfare Development Network)
Women for Health
Women's Coalition Against Cancer - Malawi
Wote Youth Development Projects
Young Lawyers Association of Niger

Individuals

Abdul Jalil, Ahmad Kamar Pilos	Chen, Yan
Abdullaev, Timur	Chernykh, Sergey
Abramovska, Krystyna	Chiu, Yi-chi
Acharya, Ganesh	Citro, Brian
Ahmar, Morgane	Choedon, Tsering
Alaniz, Guillermina	Colorado, Alberto
Amoa Larby, Jerry	Craig, Tom
Amon, Joseph	Dang, Gisa
Angelina, Namiba	Daniels, Colleen
Anna, Anna	Davis, Meg
Anthony, Maria Theresa	de Jesus, Beto
Atissime, Siname Armel	Dell, Chris
Bartlett, Sofia	Demeria, Jessica
Basri, Ahmad Yasin	Deva, Edona
Bhusan, Bista	Dussart, Jade
Bosire, Stellah	Dutfield, Graham
Butler, Martyn	Eco, BJ
Caiveau, Herve	Elias, Egha
Carter, Caitlin	Franceschini, Ivan
Carter, Michael	Friedman, Samuel
Charing, Gaby	Gelula, Mark

Gexha Bunjaku, Dafina
Golichenko, Mikhail
Gomes, J Carolyn
Gonsalves, Gregg
Green, Valerie
Grover, Anand
Gunthorp, Jonathan
Hansch, Gabriele
Hauser, Janika
Ho, Sik Ying Petula
Ho, Jennifer
Hussein, Hisham
Ibragimova, Oxana
Isaieva, Nataliia
Ivanov, Valery
Jiang, Tianyong
Kavanagh, Matthew
Kilicaslan, Zeki
Klepikov, Andriy
Ko, Marie
Kohlbrenner, Verena
Kozak, Igor
Kseniia, Shchenina
Kuzmenko, Igor
Laird, Douglas
Leung, Brian
Lombardo, Marc
Londeix, Pauline
Lunceford-Stevens, AlanTimothy
Lyon, Emmanuelle
Maher, Lisa
Mahesh, Prabha
Mahesh, Ananya
Marina, Avramenko
McKenna, Lindsay
Mckenzie, Jomain
Metzner, Karl
Meyer, Salome
Misharvili, Nikoloz
Morrison, Clare
Mugo, Wariara
Nibogora, Berry Didier
Nichols, Valerie
Njenga, Lucy Wanjiku

Odendal, Lesley
Okioma, Erick
Omurov, Nurbek
Orsekov, Daniyar
Owiti, Peter
Petaev, Sergey
Peter, Owiti
Petgrave, Fay
Rahman, Fifa
Ramanaidu, Tilak
Reid, Gavin
Reitz, Cheryl
Rivera, Krystyna
Ruiz, Miriam
Saavedra, Jorge
Sanderson, Emily
Sandhu, Och
Santiago, Luis
Satterthwaite, Margaret
Sembereka, MacDonald
Sesay, Abdulai Abubakarr
Shant, Joshi
Sharma, Aditi
Sitnik, Volha
Solomon, Wambua
Stulikova, Alexandra
Swan, Tracy
Talkmore Taurai, Mazorodze
Thangvanglal, Kipgen
Tkachuk, Vitalii
Tsang, Shirley
Tumasov, Mikhail
von Schoen-Angerer, Dr. Tido
Vyirva, Valeriya
Wang, Qingming
White, Tish
Wiessner, Peter
Wong, Loretta
Wood, Penny
Yang, Zhanqing
Zeng, Yong
Zhang, Yihan
Zhao, Mengyang