

IV. Rule of Law in the Justice System

CRIMINAL JUSTICE

Findings

- The criminal justice system remained a political instrument used for maintaining social order in furtherance of the Chinese Communist Party's autocratic rule. In addition to combating criminal conduct, the government also targeted individuals who pursue universal human rights, such as exercising free speech and seeking remedies within the legal system.
- Government officials arbitrarily detained political activists, religious practitioners, ethnic minorities, and rights advocates, including through extralegal means such as "black jails" and psychiatric facilities, or through criminal prosecution under offenses such as "picking quarrels and provoking trouble" or crimes endangering state security. Some detainees, particularly those held incommunicado, reported being mistreated or tortured. After entering the formal legal process, defendants sometimes faced prolonged pretrial detention, closed trials, and delayed sentencing.
- Legal mechanisms such as administrative detention, "residential surveillance at a designated location" (RSDL), and "retention in custody" were frequently employed with minimal oversight. Amendments to the *PRC Supervision Law* in late 2024 further expanded state power, introducing new coercive measures and extending permissible detention periods.

CRIMINAL JUSTICE

Introduction

During the Commission’s 2025 reporting year, PRC officials continued to use the criminal justice system and extrajudicial forms of detention to arbitrarily detain individuals. According to the database maintained by Chinese Human Rights Defenders (CHRD), PRC authorities sentenced 1,422 prisoners of conscience between January 1, 2019, and December 31, 2024, with a six-year average prison term, which increased to a seven-year average if the case involved state security charges.¹ As highlighted by a group of United Nations experts in a letter dated November 14, 2024, there continued to be “recurring patterns of repression, including incommunicado detention and enforced disappearance, aimed at restricting artistic, cultural and religious expressions, and silencing human rights defenders and dissenting or opposing views critical of the Government.”² [For more information on arbitrary detention of ethnic minorities, the full extent of which is not reflected by the 1,422 figure above, see Chapter 6—Ethnic Minority Rights, Chapter 14—Tibet, and Chapter 15—Xinjiang Uyghur Autonomous Region.]

Arbitrary Detention

Authorities’ use of arbitrary detention, including through extra-legal or extrajudicial means, did not abate during this reporting year. The U.N. Working Group on Arbitrary Detention considers a detention arbitrary if 1) it has no legal basis, 2) it is used to suppress the exercise of universal human rights, 3) the detainee’s due process rights are violated, 4) asylum seekers or refugees are subjected to prolonged detention, or 5) the detention is discriminatory on grounds such as religion, ethnicity, sexual orientation, and political opinion.³ Arbitrary detention violates international human rights standards⁴ and China’s Constitution as regards the unlawful deprivation or restriction of a person’s liberty.⁵ All forms of arbitrary detention violate international law, including “detention within the framework of criminal justice, administrative detention, detention in the context of migration and detention in . . . health-care settings.”⁶

United States Citizens Arbitrarily Detained in China

At a hearing held in September 2024, the Commission received testimony on the issue of U.S. citizens being wrongfully detained in China and laid out measures to raise awareness and to secure their release.⁷ Some of these wrongful detentions were part of a campaign around 2013 to clean up “foreign trash”; some were connected to economic disputes; and some were the result of the PRC government’s effort to suppress fundamental freedoms.⁸ Sources indicate that at least 20 Americans were wrongfully detained in China and many more were prevented from leaving China (i.e., exit ban) without any legally prescribed time limitation or method of remediation.⁹ In November 2024, the PRC government released three of the wrongfully detained Americans.¹⁰

Extrajudicial Detention

ENFORCED DISAPPEARANCE

Reports of enforced disappearance continued to emerge this past year.¹¹ Enforced disappearance is any form of deprivation of a person's liberty carried out by the government or with its acquiescence, followed by a refusal to acknowledge the detention or to disclose the detainee's whereabouts.¹² The U.N. Working Group on Enforced or Involuntary Disappearances reported that there were 144 outstanding cases of enforced disappearance as of May 2024, and CHRD documented 33 such cases in its database, 9 of which took place between January and August 2024.¹³ Rights lawyer **Gao Zhisheng**, for example, remained missing for over seven years as of April 2025.¹⁴

BLACK JAILS

The informal term “black jail” refers to buildings such as hotels and training centers that government officials or their agents use to detain people.¹⁵ These extralegal detention facilities operate under different names, including “assistance and service centers” and “legal education centers.”¹⁶ Their existence and use have no legal basis, and people detained in such sites—many of whom are petitioners¹⁷ and Falun Gong practitioners¹⁸—do not know when they will be released and do not have any procedural protection.¹⁹ A former government official reported that almost all grievances brought by petitioners remained unresolved, and that petitioners ran the risk of being detained in “black jails.”²⁰ Of the many instances of black jail detentions documented in Shanghai municipality during this reporting year, only two petitioners received acknowledgement from police that the detention that they had experienced was illegal.²¹

PSYCHIATRIC FACILITIES

Forcibly committing individuals without mental illness to psychiatric facilities (*bei jingshenbing*, 被精神病) for acts such as expressing political opinions or grievances against the government continued during this past year,²² despite domestic legal provisions prohibiting such abuse.²³ In particular, the nonbinding “U.N. Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care” provides that a “determination that a person has a mental illness shall be made in accordance with internationally accepted medical standards” and must not be based on “political . . . or any other reason not directly relevant to mental health status.”²⁴ Human rights organization Civil Rights & Livelihood Watch documented nine cases of forcible commitment to psychiatric facilities in 2024 across China, although the actual number could not be discerned due to authorities’ efforts to suppress this type of information.²⁵ Most of the documented cases involved longtime petitioners who tried to expose corruption or other misconduct by local officials.²⁶

ADMINISTRATIVE DETENTION

Chinese authorities continued to suppress freedoms—such as protest,²⁷ movement,²⁸ and religion²⁹—through administrative de-

tention,³⁰ which is among several types of administrative penalties authorized by the *PRC Public Security Administration Punishment Law* and the *PRC Administrative Penalty Law*³¹ and which is referenced in about 90 domestic laws and regulations.³² Some political detainees are further subjected to criminal detention and prosecution after completion of administrative detention.³³

In June 2025, the National People's Congress Standing Committee (NPCSC) revised the *PRC Public Security Administration Punishment Law* to provide for additional offenses that do not rise to the level of crimes and that are punishable administratively outside of the judicial system.³⁴ These new offenses include school bullying, abuse of vulnerable individuals, pyramid schemes, unlawful sale of personal data, and disrupting the operation of public transportation.³⁵ In particular, the new offense of disparaging heroes and martyrs, including through one's attire, sparked public discourse, with many people expressing concern because the offense is vaguely defined.³⁶ Tracking the language in the *PRC Criminal Procedure Law*, the revision added a provision authorizing public security officials to collect biometric samples of a person under investigation.³⁷ In addition to Party leadership, the revision also codifies the “comprehensive management” principle,³⁸ which may suggest the extent of the law's application given authorities' emphasis on this governance approach. [For information on the “comprehensive management center” system, see Chapter 5—Governance and Rule of Law.]

RETENTION IN CUSTODY

The *PRC Supervision Law* (Supervision Law)³⁹ authorizes the National Supervisory Commission (NSC) and its local branches to investigate suspected official misconduct using methods including “retention in custody” (*liuzhi*, 留置), which allows the NSC and its local branches to hold individuals for up to six months without legal representation.⁴⁰ The law applies to “Communist Party members or public sector personnel—virtually anyone working directly or indirectly for the government.”⁴¹

Between 2017 and November 2024, “at least 218 *liuzhi* centers have been built, renovated or expanded across China to accommodate the new detention system . . .,” as shown by tender notices reviewed by *CNN*.⁴² In 2023 alone, authorities held over 26,000 individuals under retention in custody, during which allegations of torture and mistreatment continued to emerge.⁴³

In December 2024, the NPCSC amended the *PRC Supervision Law*.⁴⁴ The amended law, which took effect in June 2025, created new types of compulsory measures that restrict people's liberty for periods shorter than retention in custody; these are—compulsory appearance (*qiangzhi dao'an*, 强制到案), confinement (*jinbi*, 禁闭), and protective care (*guanhu*, 管护).⁴⁵ The amendment also lengthened the potential period of retention in custody by adding a two-month extension for offenses that carry a minimum of 10 years' imprisonment and by resetting the clock for calculating maximum length of retention in custody if new offenses are discovered.⁴⁶ [For more information on the use of retention in custody by local government officials to extract money from entrepreneurs, see Chapter 5—Governance and Rule of Law.]

Residential Surveillance at a Designated Location

Chinese authorities continued to abuse the form of detention known as “residential surveillance at a designated location” (RSDL, *zhiding jushuo jianshi juzhu*, 指定居所监视居住), which the *PRC Criminal Procedure Law* reserves for situations where the detainee does not have a permanent residence or if the case involves state security or terrorism.⁴⁷ The law does not provide for the right to family visits or the disclosure of the detention location, requiring only that the family be notified of the fact of the detention within 24 hours if possible.⁴⁸ The law further subjects counsel visits to approval by the investigation unit.⁴⁹ A group of U.N. experts deemed RSDL “analogous to incommunicado and secret detention and tantamount to enforced disappearance,” all of which heighten the risk of torture and abuse.⁵⁰ Given the measure’s lack of effective oversight and legal certainty, some experts have called for it to be abolished.⁵¹

In one instance, the government displayed a lack of commitment to investigating allegations of abuse that took place during RSDL. Testimony given at a court hearing revealed that between September 2023 and January 2024, police detained over 20 company employees suspected of fraud in a villa complex in Zhengzhou municipality, Henan province.⁵² The male detainees were shackled in groups of about 10, including at night, when they slept on mattresses on the floor while still being bound.⁵³ Some defendants said police ordered them to crawl on the floor and kicked them in the chin.⁵⁴ The shackles caused lacerations, and the accumulation of rust necessitated firefighters’ assistance to unbind.⁵⁵ The prosecutor, however, declined to confirm the allegations, claiming that the police officers responsible for the detention could not recall which detainees were shackled.⁵⁶ The prosecutor also said that footage from surveillance cameras had all been overwritten.⁵⁷ A Beijing-based lawyer commenting on the case explained that detention under RSDL should provide for normal living conditions and that the use of shackles was subject to a strict approval process, the violation of which could constitute abuse of power, a criminal offense.⁵⁸

Torture and Abuse

China has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which mandates that each State Party take effective measures to prevent acts of torture within its territory.⁵⁹ Reports of torture, mistreatment, and custodial death, however, continued to emerge this past year, as illustrated in some of the cases listed at the end of this chapter.⁶⁰

In some cases, police officers who perpetrated torture faced criminal prosecution.⁶¹ For example, on February 13, 2025, a court in Baoding municipality, Hebei province, tried eight officers on the charges of “intentional injury” and “extracting confession through torture.”⁶² In 2022, the officers involved held 10 individuals under RSDL in a guesthouse, the northwest quarter of which was reserved for holding detainees.⁶³ The interrogators struck the detainees in the face and beat them using belts, pipes, pickaxe handles, and electric batons.⁶⁴ One detainee died after 13 days, and another suffered broken ribs.⁶⁵ When the detainees were not being interrogated, se-

curity guards would shackle them, order them to sit on metal chairs, and deprive them of adequate food.⁶⁶ Most of the defendants were young police officers who had received interrogation training from a co-defendant who lacked proper police credentials.⁶⁷ The court had not made a ruling as of February 2025.⁶⁸

Denial of Counsel and Family Visits

The Commission observed cases in which Chinese authorities denied detainees the right to counsel and family visits in violation of international law.⁶⁹ While domestic legal provisions permit counsel and family visits, they do not describe such visits as rights.⁷⁰ In particular, the *PRC Criminal Procedure Law* does not provide for family visits per se but permits visitation only if the family member is acting as a defense representative.⁷¹ The law likewise circumscribes counsel visits during the investigation phase in cases of endangering state security or terrorist activities, requiring prior permission from relevant authorities.⁷²

For example, authorities prevented **Xu Guang's** family from visiting him since May 2022, when he was detained.⁷³ In 2023, the Xihu District People's Court in Hangzhou municipality, Zhejiang province, sentenced Xu to four years in prison for "picking quarrels and provoking trouble" in connection with his call for rectifying the violent suppression of the 1989 Tiananmen protests.⁷⁴ Authorities denied Xu's family members' request to attend the trial and their subsequent attempt to deliver personal use items to him at the Hangzhou Bejjiao Prison, where he was serving his sentence.⁷⁵

In another case, the mother of **Niu Tengyu** recounted how authorities threatened and harassed multiple lawyers to prevent them from providing legal representation.⁷⁶ Based on allegations that Niu had disclosed information about Xi Jinping's relatives, authorities detained Niu in 2019, holding him under RSDL, and sentenced him in 2020 to a total of 14 years in prison.⁷⁷ Government officials in Maoming municipality, Guangdong province, on different occasions demanded that the lawyers withdraw from the case, threatening them with detention and license revocation.⁷⁸ Officials also harassed some of them through telephone calls, texts, and personal visits and in one instance denied access to the case file.⁷⁹

Selected Cases of Arbitrary Detention

Name PPD Record No.	Case Summary (as of June 30, 2025)
Cao Kexiong 曹可雄 2025-00093	Issue: Involuntary commitment to a psychiatric hospital for political speech Summary: In December 2024, police forcibly committed Cao Kexiong to the Zigong Mental Health Center in Zigong municipality, Sichuan province. ⁸⁰ Cao’s detention reportedly was related to his social media posts in which he criticized government policies and voiced support for vulnerable groups. ⁸¹ Authorities previously detained Cao on multiple occasions. ⁸² In May 2024, for example, authorities administratively detained Cao on the charge of “falsifying facts to disrupt public order”; they later transferred him to the same psychiatric hospital. ⁸³ During this detention, Cao was subjected to electroconvulsive therapy and was forced to take medication before being released in July. ⁸⁴
Gao Zhen 高甄 2024-00161	Issue: Sculptor charged with “injuring the reputation of a hero or martyr” for political artwork Summary: In August 2024, police officers took into custody artist Gao Zhen at his residence and studio in Sanhe city, Langfang municipality, Hebei province. ⁸⁵ Police searched his studio, installed surveillance cameras, and seized artwork, books, and computer hard drives. ⁸⁶ Authorities held Gao at the Sanhe PSB Detention Center on suspicion of “insulting or slandering heroes and martyrs,” reportedly in connection with his artwork, including art with the theme of reassessing Mao Zedong’s rule. ⁸⁷ Authorities denied Gao visits from his family and lawyer. ⁸⁸ Gao is a lawful permanent resident of the United States, and his minor son is an American citizen. ⁸⁹
He Zongwang 何宗旺 2017-00403	Issue: Rights defender detained for “assaulting a police officer” Summary: In December 2023, police summoned He Zongwang and demanded that he surrender his phone. ⁹⁰ When He asked to see a notice of summons, one of the police officers present began shouting. ⁹¹ Police administratively detained He and later criminally charged him with “assaulting a police officer,” citing an officer’s minor injury caused by He’s attempt to resist being handcuffed. ⁹² Authorities sentenced He to one year and three months in prison, releasing him in March 2025. ⁹³ A commentary noted an uptick in people being criminally charged for minor scuffles or verbal altercations with police—a trend implicitly addressed by a January 2025 Supreme People’s Court interpretation, which requires that violent acts toward police officers be weighed in light of any police misconduct. ⁹⁴
Tang Gaofeng and five others 唐高峰 2025-00009	Issue: Democracy advocates sentenced for “subversion” Summary: On December 2, 2024, the Sichuan High People’s Court affirmed the convictions of six individuals, namely, Tang Gaofeng, Wang Wei, Wang Yifei, Zhou Dan, Liu Zhengang, and Dai Lu, who had been sentenced to terms of imprisonment ranging from 3 to 12 years. ⁹⁵ On April 24, 2024, the Luzhou Intermediate People’s Court convicted them of “subversion of state power” based on their participation in a political group called “China Democratic Victory Party,” which Tang founded in 2008. ⁹⁶ The court found that the group held its first meeting in October 2011, during which the group passed governing documents declaring their purpose to be toppling the Chinese Communist Party’s leadership and changing the socialist system. ⁹⁷

Criminal Justice

Name PPD Record No.	Case Summary (as of June 30, 2025)
Wang Yu 王宇 2015-00252	Issue: Rights lawyer mistreated during administrative detention Summary: In October 2024, while representing her client in Handan municipality, Hebei province, lawyer Wang Yu was falsely accused by police of “disrupting a workplace” and ordered to serve nine days of administrative detention. ⁹⁸ Wang went on a hunger strike to protest her wrongful detention and mistreatment, which included deprivation of adequate food and potable water. ⁹⁹
Xie Yang 谢阳 2015-00295	Issue: Prolonged pretrial detention and degrading treatment suffered by rights lawyer Summary: After over three years of detention beginning in January 2022, rights lawyer Xie Yang continued to await trial on the charge of “inciting subversion of state power” in connection with his voicing support for a victim of forcible commitment to a psychiatric hospital and other rights advocacy activities. ¹⁰⁰ Xie experienced degrading treatment, including being subjected to a strip search and cavity search as a condition to meet with his lawyer, and being ordered to perform a recorded strip dance in front of police officers. ¹⁰¹ His lawyer also reported unlawful interruption and obstruction of a meeting with Xie by police at the detention center. ¹⁰² Authorities previously detained Xie on the same charge during a nationwide and coordinated crackdown on legal professionals around July 2015. ¹⁰³
Yang Chih-yuan 楊智淵 2024-00169	Issue: Crime of “separatism” expanded to cover Taiwan citizen Summary: Effective June 21, 2024, the <i>Opinion on Lawfully Punishing Obstinate “Taiwan Independence” Offenders for Committing or Inciting Separatism (22 Guidelines)</i> was jointly issued by five official bodies of the PRC, namely, the Supreme People’s Court, the Supreme People’s Procuratorate, the Ministry of Public Security, the Ministry of State Security, and the Ministry of Justice. ¹⁰⁴ The document lays out circumstances under which activities promoting “Taiwan independence” may constitute the crime of “separatism” under Article 103 of the <i>PRC Criminal Law</i> , as well as factors relevant to sentencing. ¹⁰⁵ In terms of procedure, the guidelines provide that the statute of limitations may be extended indefinitely for people who avoid investigation or trial and that they may be tried in absentia. ¹⁰⁶ The guidelines further specify that the death penalty may be imposed for crimes with undefined attendant circumstances that are especially serious. ¹⁰⁷ Following the issuance of the 22 <i>Guidelines</i> , activist Yang Chih-yuan was sentenced to nine years in prison for “separatism,” the first Taiwanese national to be convicted on this charge. ¹⁰⁸
Yao Xilin and nine others 姚西林 2025-00026	Issue: Christians in Tibet indicted as cult members Summary: In December 2024, authorities in Linzhi (Nyingtri) municipality, Tibet Autonomous Region, indicted Yao Xilin and nine other Christians on the charge of “organizing and using a cult to undermine implementation of the law” because they publicly talked about the Christian doctrine of original sin. ¹⁰⁹ Contemporaneously, similar cases were reported in Hubei and Henan provinces. ¹¹⁰

Name PPD Record No.	Case Summary (as of June 30, 2025)
Zhang Wenpeng 张文鹏 2025-00071	Issue: Lawyer punished for speaking out against official corruption Summary: In September 2024, police in Sanya municipality, Hainan province, detained intern lawyer Zhang Wenpeng on suspicion of “picking quarrels and provoking trouble” after he advocated for his corporate client online. ¹¹¹ Detention center officials restrained him with leg cuffs for at least seven days, causing lacerations and unhealed wounds on his ankles. ¹¹² Zhang’s lawyer wrote a complaint about authorities unlawfully preventing her client from reviewing the evidence against him. ¹¹³ In March 2024, authorities in Shenzhen municipality detained Zhang, stripped him naked and subjected him to interrogation for eight hours. ¹¹⁴ The detention was requested by authorities in Qingdao municipality, Shandong province, after Zhang publicly accused the head of the Qingdao Justice Bureau in 2022 of corruption and dereliction of duty. ¹¹⁵ Although Zhang had fulfilled his internship requirements, authorities refused to approve his law license application because of his activism. ¹¹⁶ In a separate case, the Beijing Justice Bureau revoked lawyer Zhang Qingfang’s law license in September 2024, accusing him of “hyping up” cases online. ¹¹⁷ Zhang Qingfang previously represented detained democracy advocate Xu Zhiyong and had made complaints about corrupt practices by officials in the judicial and procuratorate bodies. ¹¹⁸
Zhang Zhan 张展 2020-00175	Issue: Use of “picking quarrels and provoking trouble” offense to suppress information and rights advocacy Summary: About three months after completing her four-year sentence for reporting on the COVID-19 outbreak, citizen journalist and disbarred lawyer Zhang Zhan was detained again in August 2024 in Xianyang municipality, Shaanxi province. ¹¹⁹ The detention took place after Zhang received written consent to serve as a representative to help secure the release of detained activist Zhang Pancheng. ¹²⁰ According to the indictment, the procuratorate recommended sentencing in the range of four to five years for the charge of “picking quarrels and provoking trouble.” ¹²¹
Zhu Hengpeng 朱恒鹏 2025-00070	Issue: Enforced disappearance following critical comments on China’s economy Summary: Zhu Hengpeng, an economist at a state-run think tank, was reportedly detained in spring 2024, and his whereabouts remained unknown as of September. ¹²² His detention was believed to be related to his comments made in a private chat group about China’s sluggish economy or comments about Xi Jinping’s mortality. ¹²³

Notes to Chapter 4—Criminal Justice

¹In a Prison Cell Waiting for Daybreak,” *Chinese Human Rights Defenders*, March 2025, 3, 5.

²Gabriella Citroni et al., “Letter,” *U.N. Office of the High Commissioner for Human Rights*, AL CHN 15/2024, November 14, 2024, 1.

³See, e.g., Working Group on Arbitrary Detention, U.N. Human Rights Council, “Opinions Adopted by the Working Group on Arbitrary Detention at Its 78th session, 19–27 April 2017,” *United Nations*, A/HRC/WGAD/2017/5, July 28, 2017, 1.

⁴“International Covenant on Civil and Political Rights,” *United Nations*, adopted December 16, 1966, entry into force March 23, 1976, art. 9. “International Covenant on Civil and Political Rights,” *United Nations Treaty Collections*, Chapter IV Human Rights. The PRC signed the International Covenant on Civil and Political Rights (1966) on October 5, 1998, but has not yet ratified it, despite stating repeatedly its intent to ratify including in the National Human Rights Action Plan for 2016–2020. The U.S.-China Relations Act of 2000, Pub. L. No. 106-286, §§301–309 requires the CECC to use the ICCPR’s provisions to monitor compliance with human rights standards in the PRC. “Universal Declaration of Human Rights,” *United Nations*, December 10, 1948, art. 9.

⁵“中华人民共和国宪法” [PRC Constitution], passed December 4, 1982, amended March 11, 2018, art. 37.

⁶Working Group on Arbitrary Detention, U.N. Human Rights Council, “Deliberation No. 11 on Prevention of Arbitrary Deprivation of Liberty in the Context of Public Health Emergencies,” *United Nations*, advance edited version, May 8, 2020, para. 7.

⁷“Bringing Home Americans Detained in China,” hearing before the Congressional-Executive Commission on China, 118th Cong., September 18, 2024. “Bringing Home Americans Detained in China” hearing before the Congressional-Executive Commission on China, 118th Cong. (opening statement of Representative Christopher Smith), September 18, 2024.

⁸“Bringing Home Americans Detained in China” hearing before the Congressional-Executive Commission on China, 118th Cong. (opening statement of Representative Christopher Smith), September 18, 2024; “Bringing Home Americans Detained in China” hearing before the Congressional-Executive Commission on China, 118th Cong. (statement of Peter Humphrey), September 18, 2024, 5, 10.

⁹“Bringing Home Americans Detained in China” hearing before the Congressional-Executive Commission on China, 118th Cong. (written submission of Foley Foundation), September 18, 2024; “Trapped: China’s Expanding Use of Exit Bans,” *Safeguard Defenders*, April 2023, 5.

¹⁰Phelim Kine and Robbie Gramer, “US Exchanges Chinese Detainees for 3 Imprisoned Americans,” *Politico*, November 27, 2024.

¹¹See, e.g., “湖北访民尹登珍遭强迫失踪至今一个月仍未失联” [Hubei petitioner Yin Dengzhen was forcibly disappeared; contact not established after one month], *Rights Defense Network*, February 15, 2025.

¹²“Declaration on the Protection of All Persons from Enforced Disappearance,” adopted by U.N. General Assembly, A/RES/47/133, December 18, 1992; “Report of the Working Group on Enforced or Involuntary Disappearances, Addendum, Best Practices on Enforced Disappearances in Domestic Criminal Legislation,” *U.N. Human Rights Council*, A/HRC/16/48/Add.3, December 28, 2010.

¹³Working Group on Enforced or Involuntary Disappearances, “Enforced or Involuntary Disappearance: Report of the Working Group on Enforced or Involuntary Disappearances,” *U.N. Human Rights Council*, A/HRC/57/54, July 26, 2024, 1, 10; “Hundreds Forcibly Disappeared in China,” *Chinese Human Rights Defenders*, August 29, 2024.

¹⁴Geng He, “高智晟妻子：失踪近8年 愿他生日平安” [Gao Zhisheng’s wife: Missing for nearly eight years, hopes he is safe on his birthday], *Amnesty International*, April 17, 2025.

¹⁵“中国黑监狱大观” [Overview of black jails in China], *Radio Free Asia*, May 7, 2019.

¹⁶“中国黑监狱大观” [Overview of black jails in China], *Radio Free Asia*, May 7, 2019.

¹⁷See, e.g., “王蓉文进京上访被带回后关进黑监狱” [Wang Rongwen returned and detained in a black jail after going to Beijing for petitioning], *Civil Rights & Livelihood Watch*, February 22, 2024.

¹⁸See, e.g., “2023年山东至少1713名法轮功学员遭中共迫害” [In Shandong, over 1713 Falun Gong practitioners were persecuted by the Chinese Communist Party in 2023], February 17, 2024.

¹⁹“中国黑监狱大观” [Overview of black jails in China], *Radio Free Asia*, May 7, 2019.

²⁰“宋嘉鸿信访失败公布信访十二大诉求” [After failed petition attempt, Song Jiahong releases twelve major demands], *Civil Rights & Livelihood Watch*, February 19, 2025.

²¹Song Jiahong, “宋嘉鸿：中国上海黑监狱名录” [Song Jiahong: List of black jails in Shanghai, China], *Rights Defense Network*, October 8, 2024.

²²See, e.g., Kai Di, “从李宜雪案看中国‘被精神病’维稳黑幕” [Looking at the dark secret of “forcible commitment to psychiatric hospital” in China as exemplified by the case of Li Yixue], *Radio Free Asia*, January 14, 2025.

²³“中华人民共和国精神卫生法” [PRC Mental Health Law], passed October 26, 2012, effective May 1, 2013, arts. 27, 29, 30, 32, 75(5), 78(1); Supreme People’s Procuratorate, “人民检察院强制医疗执行检察办法(试行)” [Measures on the Examination of Implementation of Compulsory Medical Treatment by People’s Procuratorates (Trial)], issued May 13, 2016, effective June 2, 2016, arts. 9, 12.

²⁴“Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care,” adopted by U.N. General Assembly resolution 46/119 of December 17, 1991, principle 4(1), (2).

²⁵“2024年中国精神健康与人权(被精神病)年终报告” [2024 annual report on mental health and human rights (forcible commitment to psychiatric facilities) in China], *Civil Rights & Livelihood Watch*, April 25, 2025.

²⁶ “2024年中国精神健康与人权（被精神病）年终报告” [2024 annual report on mental health and human rights (forcible commitment to psychiatric facilities) in China], *Civil Rights & Livelihood Watch*, April 25, 2025.

²⁷ “因举牌声援张展女士遭行政拘留10天的湖南长沙姑娘段桃园今日获释” [Administratively detained for 10 days for holding up placard to show support for Zhang Zhan, Duan Taoyuan, lady from Changsha, Hunan, is released today], *Rights Defense Network*, September 18, 2024.

²⁸ “职工代表刘明雄进京举报后被带回当地拘留” [Worker representative Liu Mingxiang escorted back to place of origin and was detained after traveling to Beijing], *Civil Rights & Livelihood Watch*, February 24, 2025.

²⁹ Ning Meng, “宁夏银川基督徒聚会被冲击，4人被行政拘留，其中马彦拘留期满后被控‘组织非法聚集罪’转刑拘” [Christian gathering in Yinchuan, Ningxia, was raided; four people administratively detained; among them, Ma Yan was criminally detained after completing administrative detention, charged with “organizing unlawful gathering”], *ChinaAid*, August 24, 2024.

³⁰ “西藏维权人士才让措女士因揭露中共拒绝办理护照而遭行政拘留14天” [Tibetan rights activist Ms. Tsering Tsomo was placed under 14 days of administrative detention for exposing the Chinese Communist Party’s refusal to issue her a passport], *Rights Defense Network*, December 18, 2024.

³¹ “中华人民共和国治安管理处罚法” [PRC Public Security Administration Punishment Law], passed August 28, 2005, amended October 26, 2012, effective January 1, 2013, art. 10; “中华人民共和国行政处罚法” [PRC Administrative Penalty Law], passed March 17, 1996, amended January 22, 2021, effective July 15, 2021, art. 9.

³² Ministry of Public Security, “违反公安行政管理行为的名称及其适用意见” [Opinion on the Titles and Applicable Laws for Public Security Administrative Violations], issued August 6, 2020.

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¹⁰⁷ Supreme People's Court, Supreme People's Procuratorate, Ministry of Public Security, Ministry of State Security, and Ministry of Justice, “关于依法惩治‘台独’顽固分子分裂国家、煽动分裂国家犯罪的意见” [Opinion on Lawfully Punishing Obstinate “Taiwan Independence” Offenders for Committing or Inciting Separatism], issued May 26, 2024, effective June 21, 2024, art. 6.

¹⁰⁸ “大陸委員會嚴厲譴責中共以「分裂國家罪」秘密判處楊智淵9年徒刑，強烈要求中共應儘速公開說明，並再度提醒國人審慎思考赴陸必要性” [The Mainland Affairs Council sternly condemns the Chinese Communist Party for secretly sentencing Yang Chih-yuan to nine years in prison for “separatism,” and strongly demands the CCP to promptly give a public explanation, once again reminding Taiwanese citizens to carefully consider the necessity of traveling to mainland China], *ROC Mainland Affairs Council*, September 5, 2024; Brian Hioe, “In First, China Sentences a Taiwanese National to Prison on Separatism Charges,” *Diplomat*, October 2, 2024.

¹⁰⁹ Ning Meng, “中共西藏当局以邪教罪名起诉十位基督徒” [Chinese Communist authorities in Tibet indicted ten Christians on charges of cult-related crimes], *ChinaAid*, January 24, 2025.

¹¹⁰ Ning Meng, “中共西藏当局以邪教罪名起诉十位基督徒” [Chinese Communist authorities in Tibet indicted ten Christians on charges of cult-related crimes], *ChinaAid*, January 24, 2025.

¹¹¹ “张文鹏 Zhang Wenpeng,” *Chinese Human Rights Defenders*, April 3, 2025.

¹¹² “张文鹏 Zhang Wenpeng,” *Chinese Human Rights Defenders*, April 3, 2025.

¹¹³ “海南三亚二看：禁止张文鹏阅卷、核对证据” [Sanya No. 2 Detention Center in Hainan prohibits Zhang Wenpeng from reviewing case files and verifying evidence], *Rights Defense Network*, February 21, 2025.

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¹¹⁵ “张文鹏 Zhang Wenpeng,” *Chinese Human Rights Defenders*, April 3, 2025.

¹¹⁶ “张文鹏 Zhang Wenpeng,” *Chinese Human Rights Defenders*, April 3, 2025.

¹¹⁷ Chen Zifei, “许志永前代表律师张庆方被北京司法局吊销执业证” [Zhang Qingfang, former lawyer for Xu Zhiyong, had his legal license revoked by the Beijing Justice Bureau], *Radio Free Asia*, September 23, 2024.

¹¹⁸ Chen Zifei, “许志永前代表律师张庆方被北京司法局吊销执业证” [Zhang Qingfang, former lawyer for Xu Zhiyong, had his legal license revoked by the Beijing Justice Bureau], *Radio Free Asia*, September 23, 2024.

¹¹⁹ “获释不久的著名人权捍卫者张展女士因赴甘肃争取张盼成家委托书后在其老家咸阳失联” [Renowned human rights defender Zhang Zhan, recently released, went missing in her hometown of Xianyang after traveling to Gansu to secure a power of attorney from Zhang Pancheng’s family], *Rights Defense Network*, August 30, 2024.

¹²⁰ “获释不久的著名人权捍卫者张展女士因赴甘肃争取张盼成家委托书后在其老家咸阳失联” [Renowned human rights defender Zhang Zhan, recently released, went missing in her hometown of Xi’an after traveling to Gansu to secure a power of attorney from Zhang Pancheng’s family], *Rights Defense Network*, August 30, 2024.

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