



**Statement of U.S. Senator Marco Rubio,  
Cochairman of the Congressional-  
Executive Commission on China (CECC)**

**CECC Hearing on “China’s Pervasive Use  
of Torture”  
Thursday, April 14, 2016**

As prepared for delivery.

Despite government pledges to reform, torture remains a systemic problem in the Chinese criminal justice system. These abuses are well documented and they demand our attention.

The State Department’s 2015 Annual Human Rights Report, released just yesterday, found that in China, “Numerous former prisoners and detainees reported they were beaten, subjected to electric shock, forced to sit on stools for hours on end, deprived of sleep, and otherwise subjected to physical and psychological abuse. Although ordinary prisoners were abused, prison authorities reportedly singled out political and religious dissidents for particularly harsh treatment. In some instances close relatives of dissidents also were singled out for abuse.”

As the Department’s Report makes clear, the victims of this horrific treatment are as diverse as the Chinese government’s means of denying them justice.

In May 2015, the non-governmental organization (NGO) Human Rights Watch issued a sobering report titled “*Tiger Chairs and Cell Bosses*” which explored police torture of criminal suspects in China. The report found that interrogation, or “tiger,” chairs are routinely used to restrain detainees. Several of those interviewed indicated that they were strapped into these metal chairs for hours and in some cases days at a time. They also reported physical and psychological torture during police interrogations, including being hung by the wrists, being beaten with police batons or other objects, and deprived of sleep for prolonged periods of time. One convicted prisoner awaiting review of his death sentence had been handcuffed and shackled for eight years.

While the Human Rights Watch report focused on the deplorable treatment of ordinary criminal suspects, torture is often employed in cases involving political prisoners as the State Department noted.

Today’s hearing Record will include a letter from Geng He, the wife of noted rights lawyer and political prisoner Gao Zhisheng who has suffered unimaginable abuse at the

hands of the Chinese authorities. Geng He fled China with their two children in 2009 just one month before Gao was again kidnapped and disappeared. She writes movingly of the sacrifices her husband has made saying, “Even though he lost his own freedom and suffered unspeakable torture, he never lost his belief in freedom and human rights.”

Unfortunately, disappearances of the sort Gao experienced are all too commonplace. Extralegal detention facilities such as “black jails” are routinely used as is “residential surveillance at a designated location” whereby people are held for up to six months for undefined crimes of endangering state security. This was true for several of the human rights lawyers and activists rounded up last July during a nationwide sweep, some of whom have been held incommunicado for nearly nine months making them especially vulnerable to mistreatment or even torture.

In March, the NGO China Human Rights Defenders (CHRD) reported that a significant number of the detained lawyers and advocates have apparently “dismissed” their lawyers or allegedly “hired” other lawyers to represent them. But when family members and family-authorized lawyers have requested to meet the detainees to confirm such “decisions,” police have rejected the requests outright raising alarms about coercion. CHRD further reported that “Most of the individuals who have allegedly ‘fired’ their lawyers have been arrested for ‘subversion,’ a political crime for which a conviction carries a minimum of three years, and up to life imprisonment.” They also noted that police-appointed lawyers are not likely to challenge “evidence” obtained through torture or coercion.

The phenomenon of televised confessions has also been on the rise with most legal experts inferring that such “confessions” are obtained through force or coercion of suspects. The Chinese government has for years acknowledged the problem of wrongful convictions, including the use of torture to extract confessions, as documented in the Congressional-Executive Commission on China’s (CECC) 2015 Annual Report.

The overreliance on confessions in the criminal justice system perpetuates this practice. Notably the airing of confessions on state television, in violation of Chinese law, has become more common since President Xi Jinping’s ascent to power.

Several such confessions— including that of Christian rights lawyer Zhang Kai, Hong Kong bookseller Gui Minhai, veteran dissident and journalist Gao Yu and Swedish national and NGO worker Peter Dahlin—have rightly garnered international attention.

As with so many other areas the CECC monitors, there is little evidence of progress and in many cases continued erosion when it comes to mistreatment in China’s criminal justice system. China will never be viewed as a responsible global stakeholder as long as it persists in subjecting its own people to torture and denying them basic human rights and legal protections.