



## Hidden in Detention:

### How the CCP disappears its critics, even after arrest

This *brief paper* looks into how critics are effectively disappeared after arrest, while awaiting trial, by police's use of *false names* for those placed into pre-trial detention, done by police sometimes with, sometimes without, the detention centers' knowledge.

Chinese human rights lawyer Wang Quanzhang (王全璋) disappeared not once, not twice, but three times. First, at the start of the 709 crackdown, on July 9, 2015, in which hundreds of human rights defenders around the country were detained, Wang Quanzhang went into hiding. Close to a month later, he was caught and placed into 'residential surveillance at a designated location' (指定居所监视居住) (RSDL), his whereabouts unknown. But even after his RSDL ended six month later, after he was arrested and placed into pre-trial detention, he remained disappeared. For more than three years, while awaiting his trial and inevitable guilty verdict, which came abruptly in January 2019, there simply was no Wang Quanzhang in the records of the Chinese detention system. He had simply vanished, again.

Wang's story is not unique. In China, countless human rights defenders have been subjected to the same fate of ongoing disappearance after detention or arrest. Until now, the systematic refusal to acknowledge the fate or whereabouts of the detained person, from the arbitrary denial of access to a lawyer to the outright use of false names to hide the record of detention, has largely gone unnoticed. Based on research into some 25 cases, including interviews with victims, this brief demonstrates the increasingly sophisticated and planned nature of secret detention in China.

Enforced disappearances have seemingly exploded under Xi Jinping, through codified ("legalized") and wholly extrajudicial systems, such as in Xinjiang. The full scope of which is still unknown. In China's codified systems for disappearing people, RSDL under the 2013 Criminal Procedure Law and 'Liuzhi' (留置) under the 2018 National Supervision Commission (国家监察委员会), no figures are published and data related to most cases is kept unreported in the Supreme Court's database on legal proceedings in China.

Alongside these systems, a new form of disappearances has now been identified – suspects vanishing in detention centers after arrest.

## Vanishing Suspects

In almost all known cases of using false names when victims are placed under arrest and taken to detention centers to await prosecution and trial, it follows earlier placement into RSDL. In most of those cases, the victim has spent six months incommunicado and in solitary confinement, and with the six months' time-limit is up, the use of false names is primarily a system for denying them the rights that their arrest would otherwise afford them.

The use of false names in pre-trial detention is similar to forcing victims to fire their own lawyers – it's a step taken to keep them incommunicado, and it's coerced and not willfully agreed to, as all the victims spoken to have shown.

The reason given to the suspects themselves can vary wildly. When police told Zhai Yanmin (翟岩民) that he would from now on be called Zhai Tiancheng (翟天成) police said it was for his own good. For Tang Zhishun (唐志顺), who was named Tang Biao (唐彪), it was both for his own sake and for the good of the people he would be sharing a cell with. For Xie Yanyi (谢燕益) it was to prevent 'risk', which was never explained any further. For many people, no reason was given, and whether they had to be registered into their detention center with a false name or not up for debate, and many wouldn't even argue, realizing the futility of it.

Even though some rights defenders, such as Ni Yulan (倪玉兰), and Su Changlan (苏昌兰), and Jia Lingmin (贾灵敏), to mention a few, were arrested right away, for most known victims, the placement into detention centers with false names came after time inside RSDL. A difference may be that the above people were considered local activists, being persecuted by local authorities. This is different from the many victims to follow, most of which were part of the 709 crackdown, coordinated out of Tianjin, targeting lawyers and legal activists specifically. For these victims, related to 709, arrest almost always followed long-term placement into RSDL.

Ni Yulan	Xikan Yihao
Su Changlan	Su Erqi
Liu Diwei	Wang Wei
Jia Lingmin	Wu Hong
Xie Yanyi	Xie Zhengdong
Tang Zhishun	Tang Biao
Xing Qingxian	Xin Ping
Liu Sixin	Liu Shunli
Zhai Yanmin	Zhai Tiancheng
Wang Yu	Wang Ning
Bao Longjun	Bao Yuzhuo
Gou Hongguo	Gou Ping
Li Heping	Li Xiaochun
Hu Shigen	Hu Shi
Zhao Wei	Zhao Na
Wang Quanzhang	Wang Quan
Li Chunfu	Li Fuping
Wu Gan	Wu Ming
Liu Yongping	Liu Yongming
Zhou Shifeng	<i>Unknown</i>
Qin Yongmin	Wang Qiang
Zhen Jianghua	<i>Unknown</i>
Li Shuyun	Li Juan
Gao Yue	Gao Ming
Lin Bin	Lin Wangwen

For most of the victims in the table below, like with Wang Yu (王宇), who was named Wang Ning (王宁), the name was decided on by the head interrogator. For Dr Liu Sixin (刘四新), named Liu Shunli (刘顺利),

his name was told to him during the night before he was taken to the detention center and placed under arrest. Wang Yu was told just as they placed her into the car to take her to her detention center, just like with Xing Qingxian (幸清贤).

Other details vary from case to case, but one thing is clear, all the victims are told that their real name must be kept secret, they are instructed not to divulge their real names to the inmates with whom they shared their cell. For many, this would mean living with the false name for at least six months, for some much longer than that. For Wang Quanzhang, who despite being sentenced in January 2018 but still kept incommunicado, he has likely lived with his name for almost three years at the time of writing.

Dr Liu Sixin writes in [Trial By Media: China's new show trials, and the global expansion of Chinese media](#):

*...I was in the cell when the cell leader told someone to switch over to CCTV13 even though we were not allowed to watch the news. The guards outside were not paying much attention to us. The news reported that Zhai Yanmin had been given a three year suspended sentence. One of the other prisoners in my cell who had been transferred from the same detention center as Zhai said: "That's Zhai Tiancheng!"*

*Zhai had been given the name Tiancheng when he was locked up, to conceal his real identity. I'd been given a fake name too – Liu Shunli. We were given false names so no one could find us. Technically, there was no one called Liu Sixin in my cell. I was not allowed to disclose my real name even to my cellmates.*

Most victims, when analyzing how they were 'checked-in' into the detention centers, think that only the police in charge of their cases before arrest were aware, and that detention center staff were not informed or told that the name used was fake. They were all told to keep their real names from detention center staff. Almost everyone says they did at some point tell at least one other inmate their real name, but were cautious to discuss it if any detention center staff were nearby. When the guards found out that Su Erqi (苏二七) was actually Su Changlan, and that she had been placed into the Nanhai detention center in Foshan, Guangdong, under a false name, it became a joke for the guards, a way to ridicule Su.

The use of false names seems to be related to two issues, namely keeping the victims unable to be reached by his or her lawyer, and denying access or even knowledge of whereabouts to the victims' family. As such, the underlying purpose is to keep the victim incommunicado. Considering that the incommunicado and disappearance aspect seems to be key to the CPP, as can be seen in RSDL, in Liuzhi, and in mass disappearances in Xinjiang, and that the normal criminal procedure does not afford them the right to do this after people's arrest, it is likely this new method will appear more frequently in higher profile cases, especially when victims have first been placed into RSDL – as by using false names in detention center, police effectively get the same level of control of the victim that the RSDL system affords them.

With disappearance in detention centers, with the victims' whereabouts unknown to family, friends or for that matter, *anyone within the judicial system itself* except the police officers in charge of the suspects'

investigation, China has now launched yet another attack on law, and found a new system for disappearing rather than detaining its critics.

## Background: From RSDL to Liuzhi

Despite growing resistance to RSDL, in 2018 the promulgation of the National Supervision Law and National Supervision Commission led to the establishment of a new system for custody during such investigations – Liuzhi. Unlike RSDL, which is applied most frequently to lawyers, journalists, and other critics, the Liuzhi system is aimed at party members, state workers, and functionaries related to China's vast state-controlled system of schools, hospitals, state-owned enterprises and research institutes. Like RSDL, Liuzhi can last for up to six months, but since Liuzhi is managed with no involvement by police nor prosecutor, those kept in Liuzhi are given even less protections than what's afforded in RSDL. Like RSDL, it is a system for mass disappearances.

The NSC is an enforcement body independent of the police and prosecutor, supposedly to investigate economic crimes and corruption within party- and state organs or its functionaries. Only rarely does such investigations, and the incommunicado detentions that is part of it, lead to prosecution. For most, their investigation and custody inside Liuzhi is the punishment itself. Since the system directly follows and continues that of the party's internal system, ever since the 1970s, it is easy to recognize that the true aim is political control and effective control over its vast bureaucracy, where corruption is but one possible crime.

Before its establishment, a similar system already existed for party members, but with the establishment of the NSC, the scope of its mandate, from 90 million party members, will increase somewhere between 200% and 500% based on pilot schemes run in select provinces the year before launching. In 2017 some near half a million 'investigations' were launched, a number likely to at least double to about 1 million, based on growth since 2013 and the set expansion in the scope of their mandate. No statistics on how many are placed into Liuzhi, or its predecessor system – *Shuanggui* (双规) – exist, but a noted Chinese academic earlier estimated that maybe 10-20% end up in custody<sup>1</sup>. If so, the system alone will likely be responsible for well over 100,000 disappearances annually.

While China has expanded its legislative powers to disappear its citizens, in Xinjiang the state has implemented a terrible campaign of mass disappearances on a scale perhaps unknown anywhere else in the world. Over a million, mainly Uyghur and Kazakh Muslims have, without any legal proceedings, been placed into a vast system of concentration camps. Many are taken from the streets or their homes and placed into these camps, without time limits, without acknowledgment or communication with their family, amounting to enforced disappearances.

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<sup>1</sup> <https://rsdlmonitor.com/new-report-central-control-national-supervision/>

## **For more information on Disappearances**

The most authoritative resource on the use of RSDL, with exhaustive domestic and international law analysis, alongside victim testimonies, can be found in [The People's Republic of the Disappeared: Stories from inside China's system for enforced disappearances.](#)

A Chinese language edition is available for free as pdf on [RSDLmonitor.com](#), and likewise available as [paperback](#) on Amazon worldwide.

In addition, [Trial By Media](#), a new book which focuses on the use of Forced TV Confessions and collaboration between CCTV and police in extracting and producing such, likewise includes information on disappearances.

A briefer [report](#) on the new National Supervision Commission and its Liuzhi system, *From Central Control to National Supervision*, has also been released. Submissions regarding RSDL for UN reviews, as well as other types of materials, is regularly posted on RSDLmonitor.com.

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