

# RAMPANT REPRESSION

A data analysis of China's use of  
Residential Surveillance at a Designated Location (2013-2020)



safeguard  
**DEFENDERS**

**About Safeguard Defenders**

Safeguard Defenders is a human rights NGO founded in late 2016. It undertakes and supports local field activities that contribute to the protection of basic rights, promote the rule of law and enhance the ability of local civil society and human rights defenders in some of the most hostile environments in Asia. Safeguard Defenders also uses its extensive networks to identify and expose emerging trends in human rights, conduct specialized research, and find new ways to counter such new developments.

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Cover image: Artist rendition of RSDL facility in southern Beijing (39°48'35.5"N 116°23'01.8"E).

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The data in this report formed part of a submission sent to ten United Nations Special Procedures, including specialized organs on enforced disappearances, arbitrary detention, torture, and freedom of opinion on 19 August 2020.

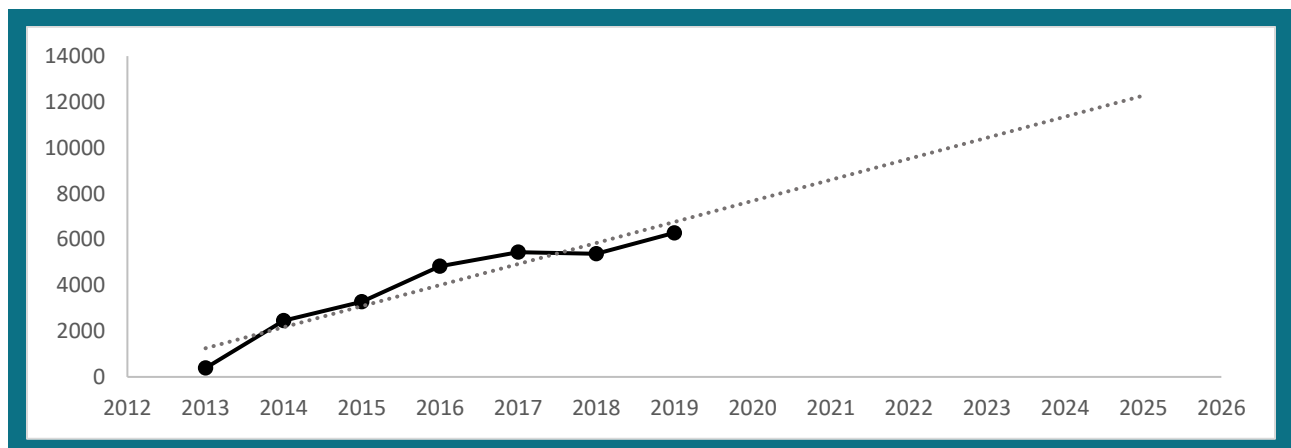
## Summary

This new study, the first of its kind, shows how China's feared system for disappearing rather than arresting critics, Residential Surveillance at a Designated Location (RSDL), has been expanding year by year since its introduction in 2013, with almost 30,000 victims until 2019. According to the most conservative estimate, this study shows that **on average** 20 people a day will be disappeared into RSDL in China in 2020.

RSDL is a relatively new tool in the hands of Chinese police, giving them sweeping power and the ability to persecute with impunity. Victims are placed, without court order, at secret locations outside judicial facilities, and can be kept there for six months. Police can and do refuse to inform the family, or in the case of foreigners, their government, of their whereabouts. Suspects are kept incommunicado, and by design in solitary confinement in suicide-proofed rooms.

This report sheds light on the scale of the RSDL system for the first time, drawing on official government data culled from the Chinese Supreme Court's database on court proceedings and verdicts. The data shows a frightening and steady expansion of the system, with increasingly more people taken into the system year after year, with no sign of this growing trend easing.

The Working Group on Enforced or Involuntary Disappearances criticized China for the practice in 2018, calling the use of RSDL tantamount to an enforced disappearance. This report follows on from that damning conclusion and offers evidence to show that RSDL is being used systematically and on a wide scale. Essentially RSDL has brought state-sanctioned kidnapping once again in vogue from its heyday in South America in the 1960s and 70s. Based on data from the system's inception in 2013 until today, the report also warns that the numbers of victims will continue to soar unless China is pressured to adhere to its own constitution and international obligations. Graph below shows number of cases of RSDL identified, by year, alongside a trend line based on that data.



## Background

A *China Law Review* article<sup>i</sup> by researchers at Jiangxi University, professor Xie Xiaojian<sup>ii</sup> & Zhu Chunji,<sup>iii</sup> has shed new light on the level of use of Residential Surveillance at a Designated Location (指定居所监视居住) (RSDL) since its introduction on 1 January 2013. By drawing on available data on legal proceedings published by the Chinese court system,<sup>iv</sup> they presented significant new understanding on the use of RSDL.

However, Safeguard Defenders consider some of the inferences by the authors inaccurate and has complemented their ambitious work with its own database on the use of RSDL against rights defenders. We have also replicated Xie and Zhu's data search (18 March 2018) at a later date (18-20 February 2020) in addition to conducting more detailed searches to present a much fuller and more accurate picture on the use of RSDL.

### What is RSDL?

Residential Surveillance at a Designated Location (RSDL) is legalized under Article 74 of China's Criminal Procedure Law (CPL)<sup>v</sup> (中华人民共和国刑事诉讼法), as a form of coercive custody that allows the Ministry of Public Security (MPS) (公安部) and the Ministry of State Security (MSS) (国安部) to place a suspect under coercive measures for six months (183 days)<sup>vi</sup>.

According to the CPL, this must take place outside of 'case handling areas' (police stations, detention centres etc.), as the suspect *has not been formally arrested*. During this time the person must be kept in solitary confinement at whatever location the MPS or the MSS deem suitable, and in a physical space different from where interrogations are carried out.<sup>vii</sup>

The legal provision allows for the location of the suspect to be kept secret from their family, or in the case of foreigners, their government. Under exceptions, which are widely utilised, authorities also deny the victim access to legal counsel. No court order is needed to place a suspect into RSDL. There is no appeal mechanism for those placed in RSDL. Legal protections offered to those held in detention centres are not given to those held in RSDL, as by definition they must not be held in any case-handling area.

The UN Working Group on Enforced or Involuntary Disappearances (WGEID) in 2018 stated that: "If not all cases of RSDL rise to the level of what the WGEID would consider to be an enforced disappearance, "exceptions"... make placement in RSDL tantamount to an enforced disappearance"<sup>viii</sup>.

## Data from the original study

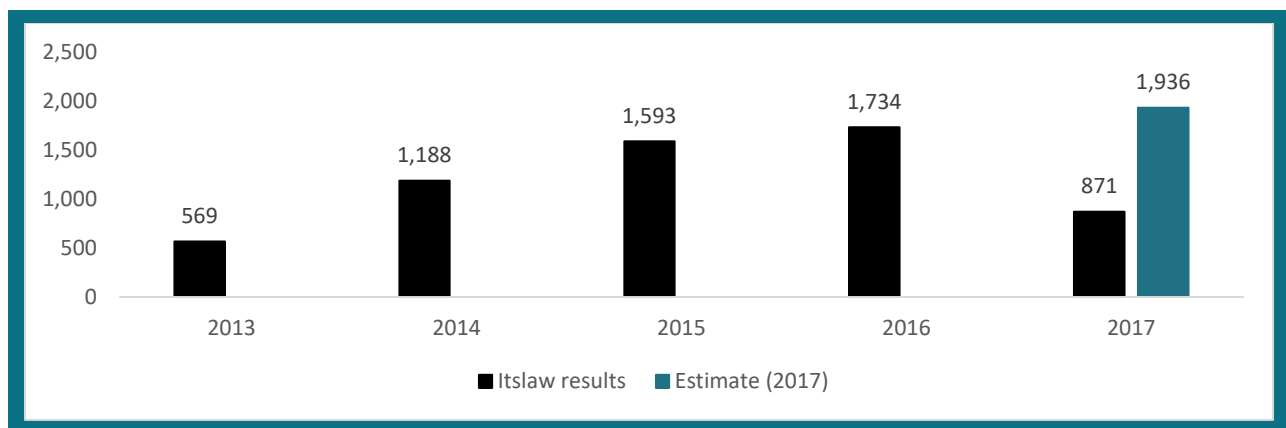
Xie and Zhu used the *itslaw* database, run by a law firm, to search for cases of RSDL carried out by the police (MPS) from **2013 to 2017**. Their searches were carried out on 18 March 2018, meaning a significant part of RSDL use for 2017, and to a lesser extent 2016, had at the time not reached a verdict, and therefore would not show up in their searches. The authors’ also only searched for *verdicts* that specifically mentioned the *MPS*.

The authors’ found 5,955 persons whose cases had reached a verdict and for which it was clear that RSDL had been used, recorded in the database between 2013 and 2017. These 5,955 *individuals* were derived from just over 5,000 *verdicts* (on average 1.191 persons per verdicts, accounting for some verdicts concerning multiple people). Unless otherwise stated, all data presented below are for the *number of individuals* placed in RSDL, not verdicts involving RSDL, which could be different.

The figures for 2017 are incomplete, as many placed in RSDL that year would likely not be entered into the database until much later, when their case had reached a verdict. However, by looking at data from earlier years and using a subset of 1,580 victims from their 5,955 RSDL individual cases, the authors calculated that 45% reached a verdict the same year that RSDL was used; with the remaining 55% reaching a verdict the following year. They used this proportion to estimate the complete figure for 2017. Our search, using the same methodology, for the same time period but carried out several years later showed that their estimate for 2017 was fairly accurate.

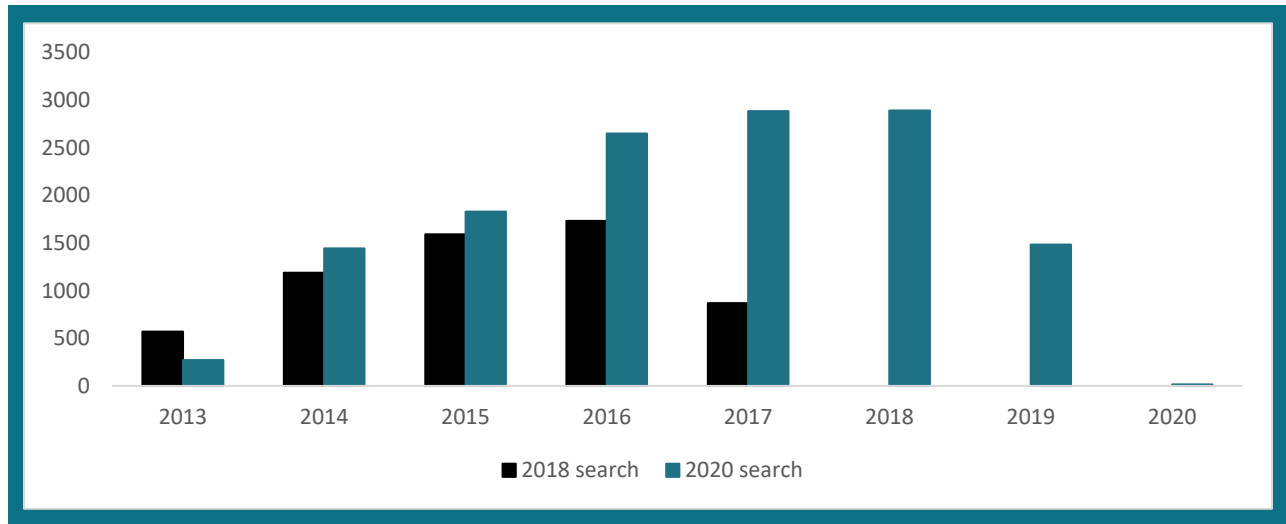
Graph 1 shows the number of individuals who were subjected to RSDL by the MPS and whose cases reached a verdict between 2013 and 2017 (data from the published study).

Graph 1. Number of individuals put under RSDL whose cases reached a verdict (2013-2017)



To update this data, Safeguard Defenders replicated the study’s methodology and completed the same searches for the same time period. Graph 2 compares the results of our search (February 2020) with theirs (March 2018).

Graph 2. The number of RSDL cases that reached a verdict using 2018 and 2020 searches



It is clear that our 2020 results show a greater number of RSDL cases than the original search made in 2018 (except for 2013); a result of the fact that a majority of RSDL usage is registered in the next year, or in some cases, several years later. Both searches show the same inverted U-shape (but ours is pushed back, or peaks later). **The later search clearly shows that RSDL is being used on an expanding scale.** For more please see the section on **the timing of uploading RSDL cases to the database.**

The new search data from *itslaw* shows a total of 13,477 verdicts related to RSDL (by MPS) from 2013 to very early 2020 (partial). Data for 2018, 2019 and 2020 are clearly incomplete (see below for more on this) because when the search was conducted (February 2020) many cases would not have been added to the database. If we repeated the same search in 2022 or 2023, we would almost certainly see the same inverted U-curve pushed forward again.

The lower later result for 2013 remains unexplained since we used the same methodology as the authors. Clearly, the number of RSDL cases for 2013 was altered significantly in the official statistics. One possible explanation is that *another form* of RSDL existed prior to 2013 (when the revised CPL and articles on RSDL went into effect), and initially there might be have been cases uploaded concerning the older and newer definitions, only to be corrected later.

We will now move away from *itslaw* to the official *Wenshu* database run by the Supreme Court. We conducted searches and step by step incorporated limitations to produce a more realistic picture of the real scale of the use of RSDL in China.

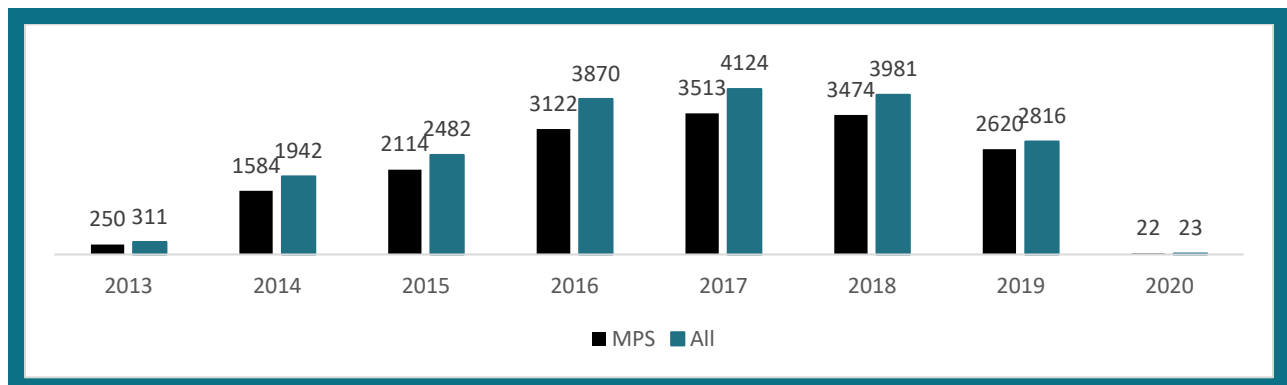
## New data from official database

Xie and Zhu used the *itslaw* database. However, the official source of the data is from the Supreme Court's database (*Wenshu*, 裁判文书网). *Itslaw* is easier to use, but it is not updated as quickly as *Wenshu*. Safeguard Defenders primarily used *Wenshu* and checked for major discrepancies between the two.

The *Wenshu* database is mainly based on *verdicts* of criminal proceedings. So, it only includes those cases where RSDL was used and that which later led to a verdict. This means it does not include any information on RSDL used in cases that have *not yet* led to a trial (or never did lead to a trial). The database also includes three other categories: *civil proceedings*, *compensation notices* and *decision notices* that do not normally contain information relevant to understanding the scope of RSDL use (more on this later).

Graph 3 below shows the number of RSDL cases that were listed per year from a search in Chinese for RSDL (指定居所监视居住) on *Wenshu* conducted in February 2020. These are RSDL cases that had reached a *verdict* and that had been uploaded to the database between 2013 and February 2020. The black bar represents RSDL cases with verdicts that also included a reference to "Public Security" (公安), that is police (MPS), while the blue bar represents all RSDL mentions including those that did not reference the police.

Graph 3. RSDL cases with verdicts from the *Wenshu* database by year



The total number of cases (verdicts) that used RSDL and mentioned the MPS recorded in the *Wenshu* database between 2013 and February 2020 was **16,699**, while the total number that included results without reference to the police was **19,549**.

The database does not use a consistent method for recording cases and there are examples of misspellings. Sometimes there is a reference to the case being managed by "Public Security Organs" (公安机关), other times the expression "Public Security" (公安) only is used. Other times the term is misspelled. Xie and Zhu only used the full string "Public Security Organs" in their

searches. Safeguard Defenders used a combination of both terms, only "Public Security" and neither term to see the differences in the results.

The number of results when the term "Public Security" was added to searches for verdicts that involved RSDL dropped by an average 14.5% from the number returned in open searches. However, there are almost no results for RSDL cases with verdicts that mention the Ministry of State Security or Procuratorate. So, we can only conclude that if the term "Public Security" does not appear in the RSDL case then it is not necessarily an RSDL case managed by a different organ.

The blue bar in Graph 3 gives the best base data for arriving at a more accurate estimate of RSDL use between 2013 and 2020. Now a number of known limitations need be taken into account.



## Known limitations

### The timing of uploading RSDL cases to the database

Because the database only includes information on RSDL cases that have **reached a verdict**, there is a significant delay between the time RSDL is used on a victim and when it is recorded in the database. It may take many months or years, if it happens at all, for the victim to be arrested, tried and sentenced.

RSDL is usually the first step in a sometimes very lengthy legal process. Professor Xie's study analysed 1,580 randomly selected RSDL victims' cases from 2013 to 2017 and found that on average only 45% of RSDL cases are reported (given a verdict) in the same year that RSDL was used. The remainder -- 55% -- were recorded the following year. Testing Professor Xie's assumption at a later date (see Graph 2) proved that the majority of RSDL cases do not lead to verdicts in the same year. In fact, we can see that many RSDL cases are added to the database well over one year after they happen. However, unable to in-depth study the nearly 20,000 verdicts to arrive at a more precise estimate, Safeguard Defenders has kept the assumption used in Professor Xie's study, that 45% of RSDL cases are reported the same year, and 55% the next year.

This proportion will be used to adjust for the number of cases for 2019.

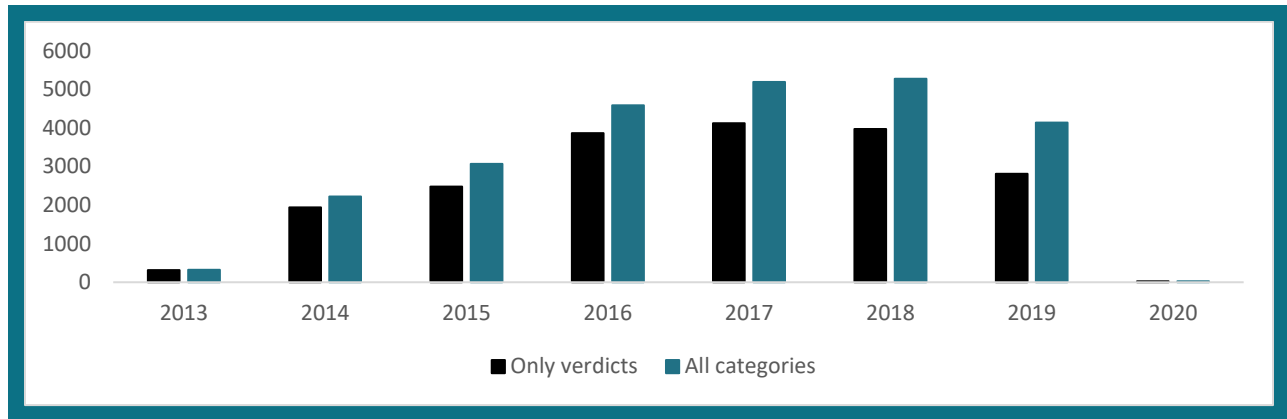
### Only verdicts are recorded

All data in our study are RSDL cases that reached a verdict. As yet, there is no reliable way to secure official records for the total number of RSDL cases including those that *did* or *do not* lead to a trial and verdict. However, indicative data from Safeguard Defenders' research shows that such cases are common when RSDL is used against high profile targets such as human rights lawyers. It appears that police use RSDL as a form of punishment, meaning that arrest and/or trial are never pursued. As there is no method to account for these cases, this issue is not considered in our data analysis, but merely noted here.

In addition, searches for RSDL conducted in February 2020 for all categories (that is verdicts, *civil proceedings*, *compensation notices* and *decision notices*) returned a slightly higher number of RSDL cases than those under verdicts only. Caution must be used in interpreting these numbers because it is possible that RSDL cases are being double counted since *an RSDL case logged in a verdict may also be mentioned in a civil proceeding or compensation notice*.

Please see Graph 4 for the difference in RSDL cases returned when all categories are included.

Graph 4. RSDL cases for all categories by year



Because we cannot be sure if RSDL cases are being double-counted with “all category” searches, our analysis in this report only used data drawn from verdicts, but still finds it relevant to show that if other categories are considered, the actual number of RSDL mentions in the legal database increases by some 21%.

### Actual number of verdicts vs. number uploaded to database

In Professor Xie’s study he noted that only half of all verdicts are actually uploaded to the database, a figure often repeated by many practicing lawyers. An earlier study by the same professor,<sup>ix</sup> which looked at 1,694 verdicts concerning RSDL cases from 2013 to 2014 showed that only 37.02% of verdicts were listed on the database. In the same study Xie also concluded that for some crimes, such as those involving corruption and those where the suspect was an official, the percentage was lower *still*.

Safeguard Defenders has *erred on the side of caution* and made the assumption that a lower percentage of 25% of RSDL cases that have led to verdicts **are not** uploaded to the database. Using this arbitrary, but lower percentage, ensures that we do not overestimate the number of cases. Since RSDL is primarily used with suspects accused of non-violent crimes handled by local police (based on Professor Xie’s in-depth study of 1,580 RSDL victims from 2013 to 2017), these cases should not be considered overly sensitive so there is unlikely to be any pressure to hide the data. Only a small group of high-profile cases are likely to be deliberately kept off the public database because of their sensitivity.

## Exceptions from requirement to upload verdicts into database and other limitations

There is no legal requirement to release data on crimes concerning national security, certain types of corruption and bribery or state secrets, thus these are automatically excluded from the database. It is well known that police use RSDL against those targeted for political reasons, such as lawyers, journalists and NGO workers, who are often accused of national security crimes. We think it is reasonable to assume that 5% of all RSDL cases involve political reasons.

After 2018, RSDL was unlikely to be used in corruption and bribery cases as a parallel system, 'Liuzhi', which mimics RSDL for Party members and state workers was established under the new National Supervision Commission (NSC)<sup>x</sup>. For this study, we did not make any changes to the data based on this knowledge. Therefore, any growth in RSDL cases from 2018 onwards would represent an increase in its use for all other crimes.

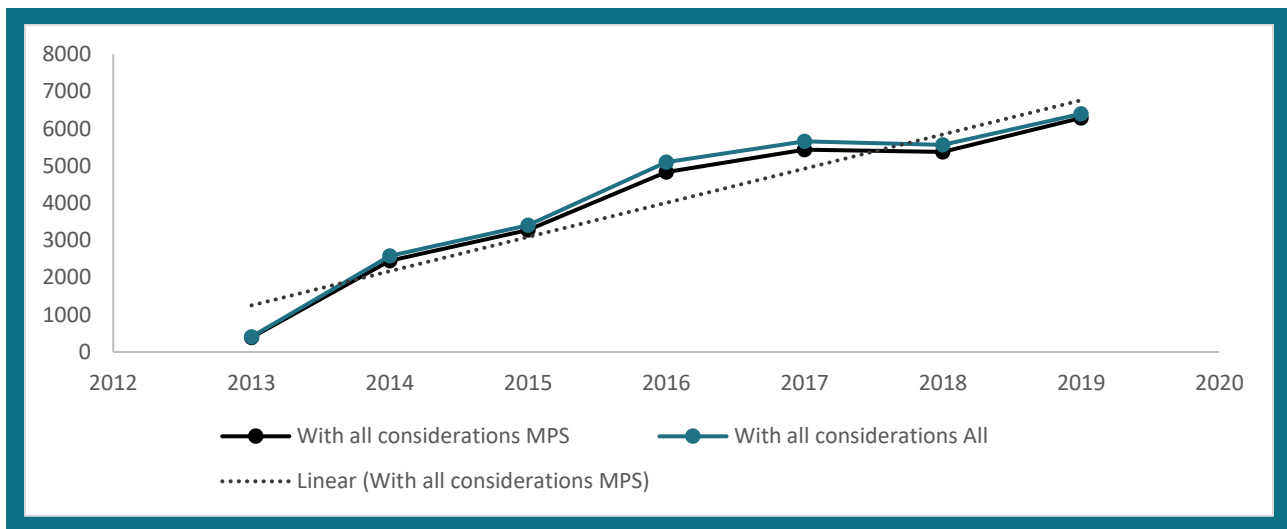
RSDL use by the MSS is unlikely to be included in the database. Safeguard Defenders is aware of 22 RSDL cases handled by the MSS, and none of these exist in the database. With such little data, we did not include these cases in our study. We mention it here just to highlight that such cases are rarely or never included.

Finally, based on Professor Xie's larger study of 1,580 victims from 2013 to 2017, each verdict involving the use of RSDL contained on average 1.191 people. In some cases, the trial and verdict would concern more than one person. This was taken into consideration when we looked at the number of *victims*, rather than *cases*. There is no reason to assume this average would have changed after 2017.

## Final estimates of RSDL use

We calculated the revised number of RSDL victims for 2013 to 2019 using the data from Graph 3; adjusting for the fact that only 45% of RSDL cases for 2019 have so far been reported; that 25% of total cases were not uploaded to the database; adding another 5% for those cases that will never be uploaded because they concern national security crimes; and using the estimate that each case represents 1.191 victims.

Graph 5. Final estimate for RSDL victims whose cases ended with verdicts



The black solid line represents the results from searches for RSDL with verdicts and which includes references to “Public Security.” The blue solid line are the results for searches for all RSDL cases with verdicts. The dotted line represents a linear projection of RSDL use based on the black solid line. This is important because the values from 2017-2019 are certainly too low. There is no reason to think that the growth of RSDL use has slowed down. The more likely reason for these lower numbers is that they draw from the only major and authoritative study that exists and which estimates that only 45% of RSDL cases leads to verdicts the same year, with 55% the next year.

However, from Safeguard Defenders’ database, we know that in high profile cases, the average time from placement into RSDL to trial and sentencing is far longer, sometimes as long as three years, and almost always at least two years. We assume that the values for 2018 and 2019 are mostly likely closer to the linear trend line, but do not yet have that data.

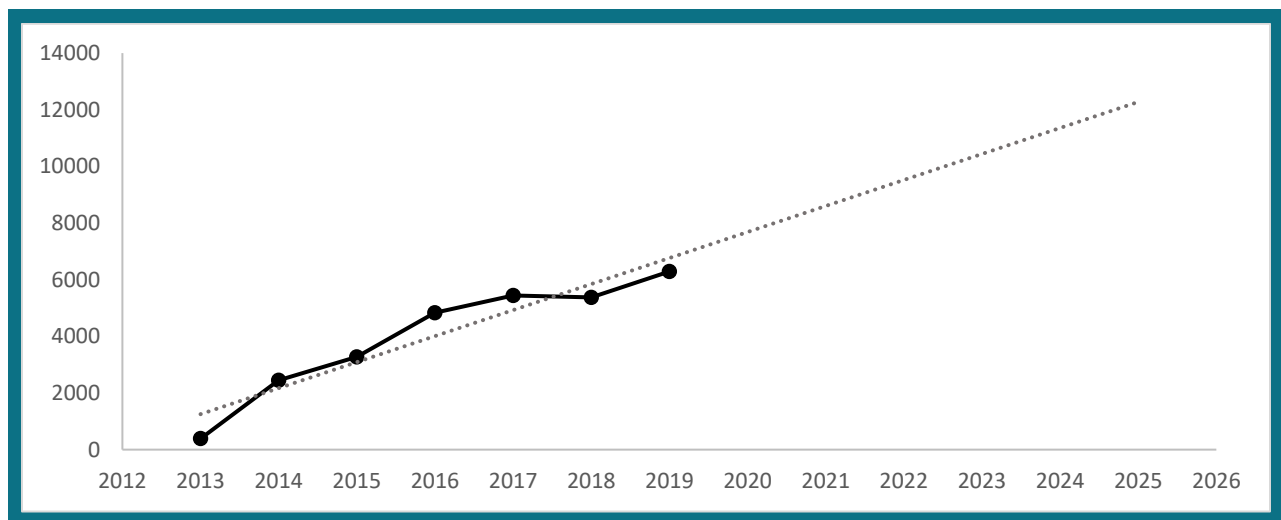
Table 1. Final estimate for RSDL victims whose cases end with verdicts by year

Year	RSDL cases in verdicts		With all considerations	
	MPS	All	MPS	All
2013	250	311	387	409
2014	1584	1942	2453	2580
2015	2114	2482	3273	3405
2016	3122	3870	4834	5101
2017	3513	4124	5439	5657
2018	3474	3981	5379	5560
2019	2620	2816	6288	6398
<b>Total</b>	<b>16677</b>	<b>19526</b>	<b>28052</b>	<b>29110</b>

“RSDL cases with verdicts” is the total number of victims based on logged verdicts when Safeguard Defenders conducted the search (18- 20 February 2020), without applying any of the adjustments described above. The “revised number” is the result of making the adjustments described above for each year. Values based on searches with the added term “Public Security” (MPS) and without (All) are given in separate columns.

Looking to the near future (Graph 6), we estimate that China should reach 10,000 RSDL victims annually by 2022 or 2023 at the current rate of increase. Again, these are only those cases that lead to a verdict, so the actual number of RSDL cases will certainly be **higher than this**. Black solid line are number of victims by year 2013-2019, with dotted line representing a trend line based on this data.

Graph 6. Projection of RSDL use

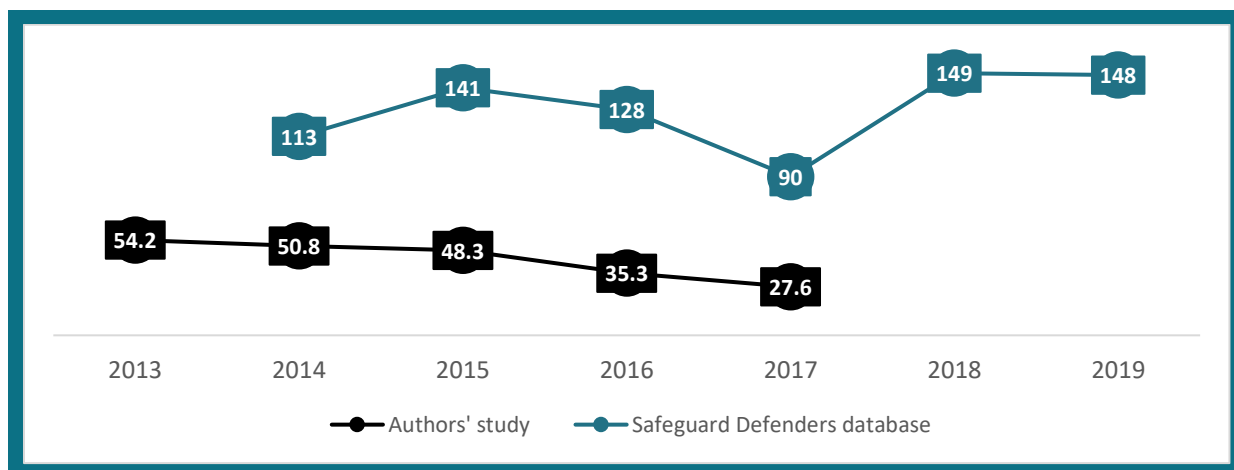


## Average length of stay in RSDL

The authors’ in-depth study of 1,580 RSDL victims between 2013 and 2017 also yielded several new discoveries, which we compared with data from Safeguard Defenders’ own database. One of these was the average amount of time spent inside RSDL. The two sets of data are very different – Safeguard Defenders’ data show durations inside RSDL that are two to three times longer.

This discrepancy can be explained by the fact that the former focuses only on cases uploaded to the database, and where the majority, about 93.37%, come from county-level public security, i.e., local police. Safeguard Defenders’ data on the other hand concern high profile targets handled by higher-level police or even the MSS. These latter cases tend to impose RSDL for much longer periods.

Graph 7. Average duration in days for RSDL cases by year



The fact that victims are held for weeks in RSDL is concerning because by law they are held in solitary confinement. This calls into question China’s adherence to the Convention Against Torture (CAT). Use of solitary confinement for more than two weeks, during the investigation phase qualifies as torture under Article 1<sup>xi</sup>. For solitary confinement lasting longer than two weeks, the damage done to mental health may become permanent and *irreversible*.<sup>xii</sup> According to the government’s own official data, as analyzed by Professor Xie in 1,580 victims’ cases, the average time spent in solitary confinement is significantly above 15 days. The government’s own data shows that it is perpetrating torture against victims – *in a widespread and systematic manner* – inside the RSDL system. **The Convention Against Torture (CAT) is one of few key human rights treaties that China has ratified.**

The two datasets are strikingly similar on one account – both showed a similar percentage (4.18% in the former and 3.16% in the latter) of cases that lasted longer than the permitted six months (183 days), thus violating Chinese law.

## Reasons for using RSDL

The stated purpose of RSDL is either “needs-based for investigation” or “needs-based for the suspect.”<sup>xiii</sup> In other words, RSDL may be employed instead of detention or arrest either if it is deemed necessary for the police’s investigation or if the suspect is sick, has special needs and cannot be held in a detention centre but does not reside in the area where he or she was apprehended or is being investigated.

In Professor Xie’s detailed study of 1,580 victims, 63.3% of cases were listed as based on “needs-based for investigation”, while only 21.2% as “needs-based for the suspect.” The remainder had no reason identified. It shows clearly that RSDL is used primarily because the expanded power it affords police over the suspect and their investigation.

## RSDL facilities

The same study also included an analysis by Professor Xie that showed that only 81.8% of RSDL cases were located in what appeared to be legal facilities; with 9.5% located in *clearly* illegal facilities (such as police stations or detention centres) and another 8.7% in *likely* illegal facilities.

This shows police regularly abuse the application of RSDL in terms of where the suspect is held, and that they widely and systematically misuse this custodial system.

## Life inside RSDL

In Safeguard Defenders’ several rounds of in-depth interviews with RSDL victims, 19 out of 34 who were asked about forced televised confessions were forced to appear on TV ‘confessing’ to crimes or smear others. This is before any arrest, indictment or trial. Another nine had recorded such videos but they had not been broadcast. All 34 were forced to confess in writing to the crimes they were later arrested for.

All 48 out of 48 RSDL victims who answered questions on access to legal counsel said they had **no access to legal counsel** while in RSDL. In only **one single case**, the victim had been visited by a prosecutor at the RSDL facility to provide the oversight that a 2016 regulation was supposed to put into place. Supervision by the procuratorate or any other body is more or less non-existent. In fact, police have the legal power to refuse any oversight. Not surprisingly, almost all victims claim psychological torture, as defined in the Convention Against Torture (CAT), and a majority of them report they were subjected to direct physical torture. All were kept in solitary confinement long enough to count as torture under article 1 of CAT.

Table 2 below displays the results of our interviews with 22 victims of RSDL on the subject of psychological and physical torture inside RSDL. For details on treatment inside, see the relevant review provided by Safeguard Defenders and three other NGOs to relevant UN organs in 2018<sup>xiv</sup>.

Table 2. Results of interviews with victims on torture inside RSDL

	Sleep deprivation	Food/Water deprivation	Denial of medical aid	Shackled	Beaten	Forced medication	Solitary confinement	Threats of violence	Sexual abuse	Threats of violence to others (family, etc)
Case 1	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3	Y	Y	N	N	N	N	Y	Y	N	N
4	Y	Y	N	N	N	N	Y	Y	N	N
5	Y	No answer	Y	Y	Y	No answer	Y	Y	No answer	Y
6	Y	Y	N	Y	Y	Y	Y	Y	N	N
7	Y	No answer	No answer	No answer	No answer	No answer	Y	Y	No answer	No answer
8	Y	No answer	No answer	Y	Y	Y	Y	No answer	No answer	No answer
9	Y	Y	N	Y	N	N	Y	N	Y	Y
10	No answer	No answer	No answer	No answer	No answer	Y	No answer	No answer	No answer	No answer
11	N	N	N	Y	N	N	Y	N	N	N
12	Y	Y	Y	N	N	Y	Y	Y	N	Y
13	N	Y	Y	N	Y	N	Y	Y	N	N
14	Y	Y	N	N	N	N	Y	Y	N	N
15	Y	N	N	N	N	N	Y	Y	N	N
16	Y	Y	Y	Y	N	N	Y	Y	Y	Y
17	Y	N	N	Y	N	N	Y	Y	N	Y
18	Y	Y	No answer	No answer	N	No answer	Y	Y	No answer	Y
19	Y	Y	N	Y	N	N	Y	N	N	Y
20	No answer	No answer	No answer	No answer	No answer	No answer	No answer	No answer	No answer	Y
21	Y	Y	N	Y	N	N	Y	Y	N	N
22	No answer	No answer	No answer	Y	No answer	No answer	No answer	No answer	No answer	Y



## Conclusions

The data shows that at least 20 people on average will be placed into RSDL every day of this year. Our estimates show at least 28,000 to 29,000 people have been placed into RSDL by the end of 2019 since the system came into effect in 2013. Since official data only publishes cases with verdicts, the real number of RSDL victims is much higher, and perhaps significantly higher if we count those cases without verdicts.

In higher-profile cases, Safeguard Defenders found that RSDL, ostensibly a tool for investigation, is often used as a form of punishment. Victims, often lawyers, journalists or NGO workers, are released from a lengthy stay in RSDL without their case going to indictment and trial. These cases never appear in the official data (and are not part of our estimates in this study).

Anecdotal evidence collected through interviews show RSDL victims are systematically denied access to legal counsel, and families are not notified as to *where* the person is being held – in many cases police even fail to provide the legally mandated notice that they have even been placed into RSDL at all. When police do not inform families about the whereabouts of the victim (which appears to be the norm rather than the exception), the use of RSDL qualifies as an enforced or involuntary disappearance.

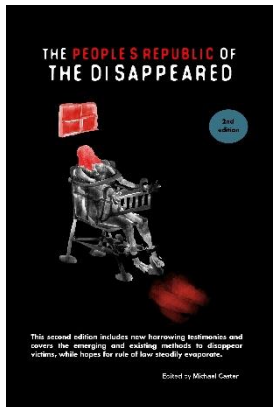
Because our data show that tens of thousands of people are being placed into RSDL, this constitutes **widespread and systematic** use of enforced disappearances. In fact, enforced disappearances – essentially state-sanctioned or organized kidnappings – are considered so severe a human rights violation that according to international law the widespread or systematic use of enforced disappearances may constitute a *crime against humanity*.

In 2018, ten United Nations Special Procedures, wrote to the Chinese government, following an earlier review of China's RSDL use submitted by Safeguard Defenders, calling RSDL a form of enforced or involuntary disappearance.

This report also reveals other concerning aspects about RSDL. First, police often use facilities that are not legally allowed to be used for RSDL; a not insignificant amount of RSDL cases last longer than the legal limit of 183 days; and almost all last longer than the 15 days that constitute not only ill-treatment (Article 16) but torture (Article 1) under the Convention Against Torture because RSDL is a form of solitary confinement. Thus, this report concludes that the average duration of RSDL detention points to the *systematic and widespread use of torture*. In addition, anecdotal evidence presented to the UN in 2018 and other research conducted by Safeguard Defenders show that RSDL often involves physical and mental torture perpetrated by the police against the victim (see Table 2).

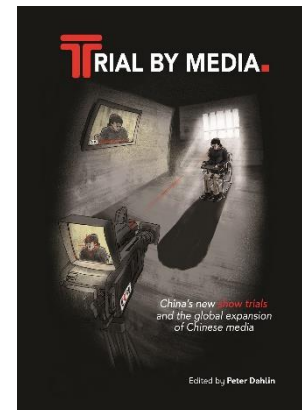
The continued increase in the use of RSDL, and other systems for enforced disappearance in China, are concerning, particularly considering there is no sign of its slowdown. RSDL is essentially state-sanctioned kidnapping, something once popularised by the South American dictatorships of the 1960s and 1970s. The world should condemn China for this abusive custodial system and take every measure to urge for its abolition, otherwise many more thousands of Chinese people will suffer, and it may well be exported to other authoritarian governments, particularly in Southeast and central Asia.

## Want to learn more about RSDL?



Purchase the acclaimed *The People's Republic of the Disappeared* (2<sup>nd</sup> edition) as a paperback or kindle ebook on Amazon worldwide. The book includes RSDL victims' own testimony of what goes on inside these secret facilities, as well as information on how China is expanding its use of different forms of disappearances, with a focus on the developments over the last two years, ranging from ad-hoc secret detentions, the new National Supervision Commission and the *Liuzhi* system, and mass disappearances of Uighurs in Xinjiang province.

Forced TV confessions are covered by our book *Trial By Media*, also available as a paperback and kindle ebook on Amazon worldwide. It explores how victims are forced, often after prolonged torture, to record 'confessions' for broadcast on State/Party TV long before any trial, often even before formal arrest. Victims' stories form the core of the book, many of them also having been held in RSDL. It also includes information on the recent expansion drive of Chinese media worldwide, and how these forced TV confessions are used as a foreign policy tool.



Briefer reports, analyses and submissions related to RSDL are also available under the [publications](#) section of our website, with testimonies and briefer updates in the [news](#) section.

### Further reading from Safeguard Defenders on enforced or involuntary disappearances:

- [The use of solitary confinement in RSDL as a method of torture](#)
- [Submission to Universal Periodic Review 2018](#)
- [Comprehensive report and review of Liuzhi and the NSC](#)
- [Battered and Bruised: a new report on torture in China](#)
- [Scripted and Staged](#) (forced TV confessions extracted from victims being disappeared)
- And much more, under [news](#) and [publications](#) on Safeguard Defenders website.
  
- *Coming Soon:* [ACCESS DENIED: China's Vanishing Suspects](#), part one of a three-part series on how suspects and victims are disappeared inside China's formal judicial system.

**Learn more:** Sign up for Safeguard Defenders [newsletter](#).

<sup>i</sup> Reflection of Public Security Organs' application of RSDL, based on 5955 big data samples, "China Law Review", Issue 6, Thought Column (pages 74-87) 谢小剑、朱春吉：用 5955 个大数据样本，反思公安机关适用指定居所监视居住 | 中法评, 中国法律评论 [https://mp.weixin.qq.com/s/WVlg\\_qoEBYKoVnpXRUBGGw](https://mp.weixin.qq.com/s/WVlg_qoEBYKoVnpXRUBGGw)

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<sup>iv</sup> Since mid-2013 Chinese courts must publish verdicts and other relevant documents on a website under the Supreme Court (*wenshu*, 裁判文书网). The authors' study draws such data from another website, *itslaw.com* (无讼案例网), which has better search options. Safeguard Defenders' study used both databases and checked for discrepancies.

<sup>v</sup> Criminal Procedure Law 2018, <https://www.chinalawtranslate.com/en/criminal-procedure-law-2018/>

<sup>vi</sup> CPL Articles 79

<sup>vii</sup> CPL Articles 75

<sup>viii</sup> OL CHN 15/2018

<sup>ix</sup> Application of RSDL on duty crime: statistical analysis - based on samples of 1694 verdicts, SJTU Law Review No.4 (2018) 谢小剑，江西财经大学法学院教授、法学博士。“谢小剑:职务犯罪指定居所监视居住的适用：统计分析——以 1694 份判决书为样本”《交大法学》2018 年第 4 期，注释已略。

<http://law.sjtu.edu.cn/uploads/fckeditors/file/%E4%BA%A4%E5%A4%A7%E6%B3%95%E5%AD%A6/2018%E5%B9%B4%E7%AC%AC4%E6%9C%9F/20180412.pdf>

<sup>x</sup> See Safeguard Defenders' report and submission to nine UN Special Procedures "Comprehensive report and review of Liuzhi and the NSC." 24 August 2019. Accessed from:

<https://safeguarddefenders.com/en/comprehensive-report-and-review-liuzhi-and-nsc>

<sup>xi</sup> U.N. Secretary-General, Torture and Other Cruel, Inhuman or Degrading Punishment: Note by the Secretary General, U.N. Doc. A/66/268 (Aug. 5, 2011).

<sup>xii</sup> See Safeguard Defenders' detailed analysis of use of Solitary Confinement in RSDL in the report "The use of solitary confinement in RSDL as a method of torture". Accessed from: <https://safeguarddefenders.com/en/use-solitary-confinement-torture-rsdl>

<sup>xiii</sup> As outlined in CPL article 74

<sup>xiv</sup> <https://safeguarddefenders.com/en/file/299/download?token=oD1DWixL>