

### Question put forth to UNODC

A) The agreement, as advertised by UNODC [here](#), includes strengthening practices concerning information sharing, training, law enforcement cooperation, etc., but also, **according to the NSC** "practical cooperation with the UN in the areas of fugitive repatriation".

Yet, in **your answer** to Safeguard Defenders, UNODC claims the agreement it does not "*foresee*" "*cooperation at an operational level*". **Do you care to clarify on this? Is the NSC mistaken in their own statement? Or why this difference in answers?**

B) UNODC has refused to provide a copy of the text. How come an MOU, with no operational impact, by an organ which says it is the "guardian of the United Nations Convention against Corruption", for which transparency is usually considered key, is refusing to divulge the content of the agreement, **essentially keeping it secret?**

C) The month prior to announcing this agreement, an organ of the UN's Human Rights Council (HRC) issued a *letter of allegation* to China, concerning potential serious human rights abuses by the NSC, to the Chinese government. **Was UNODC aware of this when they signed/announced the agreement?** If not, why was it not aware? If it was aware, **what justification was used to sign the agreement anyway?**

D) Is UNODC aware the China has refused to response to the letter mentioned above, and to engage at all, about the issued raised by the HRC organ about significant and possibly systemic human rights abuses? If so, does UNODC consider it acceptable that its partner would simply ignore another UN organ's request for clarification and information? If it does not find it acceptable, **what steps have UNODC taken to encourage and/or push the NSC or the Chinese government to respond and/or engage?**

E) A submission was made today, June 22, by Safeguard Defenders to an extensive list of organs under the HRC, stating it has **unequivocal evidence**, using official Chinese government sources, that the NSC is using its *liuzhi* system for secret detention, on a large scale, and that placement into *liuzhi* according to the UN HRC and international law constitutes, by definition:

- (1) an 'arbitrary detention' (because NSC is not a judicial organ, and therefore detention by them for investigation is not a judicial process), as well as
- (2) an 'enforced or involuntary disappearance' (because the suspects whereabouts is kept secret from the person's family for the duration of his/her detention), and finally,
- (3) an act of torture under the Convention Against Torture (CAT), because suspects must by law be kept in solitary confinement, which if done for prolonged periods (over two weeks) for investigation purposes, qualifies as torture (article 1) and maltreatment (article 16).

**What is UNODC comment on this very serious accusation?** Should either point 2 or 3 be proven, which we believe this evidence submission does, the Rome Statute and international customary law would classify both these behaviours as 'crimes against humanity'.

F) The same evidence shows that, using China's own official statistics, that as many as 29,000 people have been placed into *liuzhi* since the MOU with UNODC was announced, all of whom falls into the three types of violations listed in point E. **Does UNODC have a comment on this?**

G) **Should UNODC be cooperating in the form of signing additional agreements, such as the MOU, with organs that can credibly be accused of severe and systemic human rights violations?** If yes, how does this square with UNODCs statement made to Safeguard Defenders, and also stated in public as well:

“The United Nations has attached great importance to human rights. In February 2020, Mr. António Guterres, Secretary General of the United Nations, launched a Call to Action to put human dignity and the promise of the Universal Declaration of Human Rights at the core of UN’s work. As part of the UN secretariat, **UNODC will continue fulfilling its commitment to respect, protect and promote human rights** through its support and cooperation with Member States to strengthen their response to threats of crime (including corruption), drugs and terrorism. We stand ready for such cooperation, including with other stakeholders, with a view to contributing to the achievement of the sustainable development goals which, inter alia, underpin the significance of human rights.”

One might argue UNODC is *seeking* to strengthen cooperation against certain crimes (corruption, drug smuggling, etc) but in effect *supporting* a much more severe crime. **What is your comment on this?**

H) In your reply to Safeguard Defenders you cite that the NSC is “the supreme supervisory body of the People’s Republic of China and is recognized as a legitimate representative of the Government. It is also the main focal point for China’s work related to the Convention” **Recognized by the UNODC you mean?**

I) Finally, the NSC is **not** a judicial organ. **Why**, then, is the UNODC, which seeks to expand cooperation by *judicial authorities* to combat transnational crimes, **expanding cooperation with that particular body?**

Yours sincerely,

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