

safeguard DEFENDERS

Safeguard Defenders (SD) is a European human rights NGO that undertakes and supports local activities for the protection of human rights, promotion of the rule of law and enhancement of the local civil society capacity in some of the most hostile environments in Asia, with a focus on China.

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LIUZH: A FACTSHEET ON CHINA'S SYSTEM FOR SECRET EXTRA-LEGAL DETENTION

What is Liuzhi?

Liuzhi or 'retention in custody' is not part of China's criminal justice system. Instead, it is run by a non-judicial, non-law enforcement body: the National Supervision Commission (NSC).

Founded in 2018, the NSC can place anyone related to the Chinese Communist Party (CCP) and the State, as well as those working for or loosely related to State-owned enterprises or public institutions - such as hospitals, schools, etc. - into Liuzhi.

Conditions of Liuzhi mirror the better known RSDL system (see [RSDL factsheet](#)), yet is not even technically part of the judicial system. It is in reality a private police force run by the CCP, with its own private, secret, detention facilities.

Victims are:

- not allowed legal counsel;
- kept at facilities not part of the judicial system;
- managed by investigators not classified as 'judicial personnel', so certain anti-torture provisions do not apply;
- held for up to six months;
- kept without any outside supervision of any kind;
- kept incommunicado, in facilities designed to prevent suicide;
- kept at unknown locations, their whereabouts secret.

Those targeted are simply disappeared. Liuzhi is **not** related to any judicial process, and **precedes** any detention or arrest. Within six weeks of launch, the first known victim tortured to death in Liuzhi became known.

"The only sign of the room's true purpose was the soft rubber walls. They were installed because too many officials had previously tried to commit suicide..."

Lin Zhe, professor at the Central Party School

"Major crimes related to official duties are not the same as normal crimes and the investigations cannot be done in the same way"

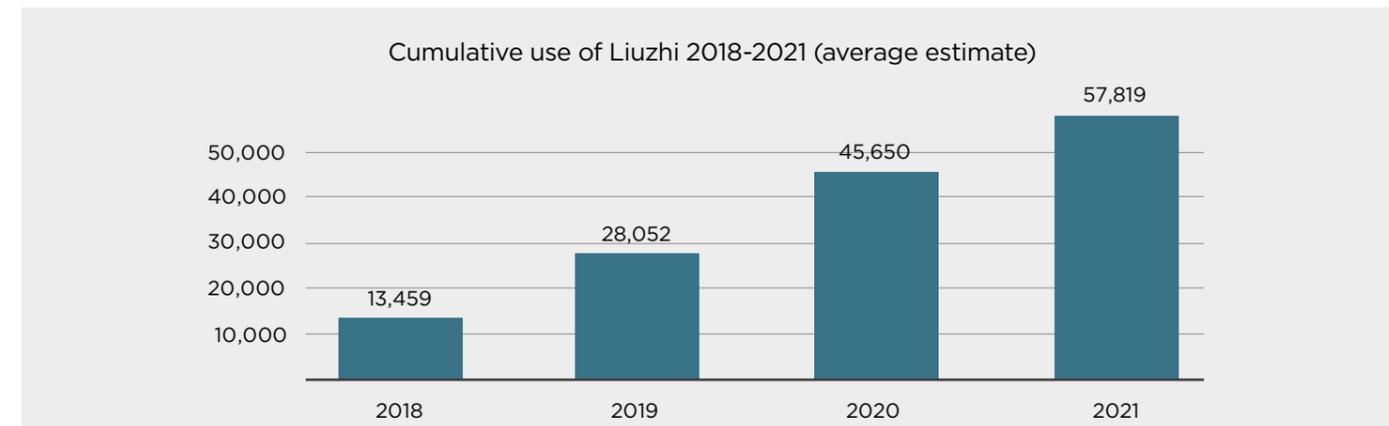
Zhang Shuofu, head of the Beijing Supervision Commission, on the rationale for NSC.

Legal basis

Liuzhi was established by the National Supervision Law (NSL) March 2018. Article 22 of the NSL establishes the right of the NSC to detain targets, but also other people relevant to the investigation. Only the NSC itself supervises use of Liuzhi (art 43) and decides if the three month period can be extended to six months. No external appeal exists. Whereabouts need not be shared with family, but even notification that the person is in Liuzhi can also be kept secret (art 44).

Scope and scale of the Liuzhi system

The data below draws on the very limited official data released by the NSC or State-media - often only for select provinces - and has been extrapolated to a nationwide scale. As of end of 2021, it is estimated that at least near 60,000 individuals have been placed into Liuzhi. In 2020 alone, the year with the highest recorded data so far, nearly 18,000 people would have been placed into Liuzhi.



Targets

The most well-known targets are high level party members or state functionaries, often victims of internal power struggles. However, the system has a direct mandate over an estimated 300 million people, including managers at hospitals, schools, trade unions, state-owned corporations and media. It can also be applied to foreigners if an alleged violation relates to the public sector, or an independent contractor working for local government, etc.

"It looks very nice. But it is the worst place in the world"

Jean Zou, victim

"...don't let them die. A dead person would create big problems. Someone who is only injured doesn't matter."

A doctor working at a facility

Liuzhi as crime against humanity

- As the whereabouts of detainees and sometimes even the mere fact of their detention are kept secret, Liuzhi constitutes an **enforced disappearance**;
- It constitutes an **arbitrary detention** as it is not part of a formal criminal process;
- The use of prolonged solitary confinement for investigation purposes makes use of Liuzhi an **act of torture**. In addition, use of direct physical and psychological torture is known to occur;
- According to Articles 7e, 7f, 7i and 7k of the Rome Statute, the systematic and widespread nature of these acts makes the use of RSDL a **crime against humanity**.

Detailed breakdown of the data on the scope and scale of the Liuzhi system



Report on Liuzhi, the facilities used, the powers of the NSC and the scale and scope of system

