

Statement to the 42nd session of the UN Human Rights Council

Item 3: General Debate

‘At the moment, we don’t know his whereabouts, which prison he is in, or even if he is alive.’

‘On December 26, 2017, my sister took a flight from Malaysia to our home town. We have not heard from her since.’

‘Each time he disappears, our only hope is that he is able to live.’

These quotes are just a few stories among the hundreds, even thousands of lives affected by enforced disappearances. Mr President, our statement today honours those gone, and those who are left behind.

Specifically, we are speaking out in solidarity with victims in China, where enforced disappearance has become a tactic explicitly used by the government and the Chinese Communist Party to stifle criticism and threaten dissent.

Put simply, official Chinese laws and policies are designed to permit disappearances and perpetuate impunity. This includes the persistent erosion of due process guarantees, such as blocking access by lawyers and family to those detained, such as lawyer Yu Wensheng or woman human rights defender Chen Jianfang; extensive use of legalised forms of incommunicado detention, including ‘Residential Surveillance in a Designated Location’, most recently used against NGO workers focused on social and economic rights; a system of ‘retention in custody’ called liuzhi for Communist Party members and public sector workers; the transition of released prisoners such as Jiang Tianyong into house arrest or other forms of ‘non-freedom’; and the widespread use of re-education camps in Xinjiang.

Today, we call on the Chinese government to stop all forms of enforced disappearance.

We welcome the attention paid in the annual report to disappearances of Uyghurs, including the trend of extraterritorial abductions. We note with concern that the Working Group has not received an invitation to visit China, despite making requests in 2013, 2014, 2015, 2016, 2018 and 2019. This is emblematic of persistent non-cooperation with certain Special Procedures.

We call on UN officials at all levels, including UNSG Antonio Guterres, to step up efforts to ensure access by independent human rights experts to all places of detention in China, in particular in Tibetan and Uyghur areas, and to urge China to bring its laws and practices in line with its international commitments.

We urge all States to ensure that victims of enforced disappearance by the Chinese state, whether within the People’s Republic of China or elsewhere, are protected; can seek remedy; and can exercise their right to know the truth about the status of their loved ones.