

OUT OF SIGHT, OUT OF RIGHTS: HOW FORCED DISAPPEARANCES OF ACTIVISTS THREATEN HUMAN RIGHTS IN CHINA

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ABSTRACT:

In the shadows of China, forced disappearances work to silence opposition, and the practices are defended by Chinese authorities as necessary for the protection of national security. China's ongoing suppression of dissenting opinions and human-rights advocacy mark an important precedent having consequences for the entire international community. The years of silence are detrimental to the mental and physical health of families and to the country's social fabric. Many loved ones will never hear from their families again; and even if parents and siblings do, stories of torture and prison agony prevail. Relatives are also victims of stalking, leaving them with little security in fighting for the release of their loved ones. Beyond this damage to families and friends, disappearances serve as proof of growing authoritarianism, China's unchecked suppression, and the growing tendency to ignore instances of human-rights violations. This paper reviews the mechanisms of forced disappearances, including tactics, legal implications, and the cost of advocacy for protecting human rights in China.

KEYWORDS: China, human rights, black jails, residential surveillance, political dissidents, political dissident(s)

BACKGROUND

Forced disappearances in China are a historically neglected area in human rights discourse. However, recent attention has shifted to human rights issues in contemporary authoritarian states, particularly China. Although this area of study remains underrepresented within the broader international human rights field, researchers such as Eva Pils, Diane Webber, and Khaola Sherani have significantly contributed to documenting the experiences of human rights defenders in China. In research, Pils acts as the primary researcher of the Weiquan legal movement, highlighting the use of torture, black jails, and other coercive methods of state repression. Additionally, Webber and Sherani work to understand China's use of forced disappearances within a global context, presenting the increase of legal ambiguity as a weapon of the government to avoid accountability for their violations of human rights. While their research significantly advances the understanding of forced disappearances as a human rights violation, the subject continues to receive limited attention on the international stage.¹

¹ For foundational work on state-sanctioned repression in China, see Eva Pils, *Asking the Tiger for His Skin: Rights Activism in China*, *Fordham International Law Journal* 30, no. 4 (2007): 1209–87, which introduces mechanisms of torture, suppression, and the persecution of Weiquan lawyers. On the use of citizenship laws, see Matthieu Burnay and Eva Pils, “Weaponizing Citizenship in China: Domestic Exclusion and Transnational Expansion,” *State Crime Journal* 9, no. 1 (2020): 4–28, which examines the Hukou system and its restriction of civil rights, particularly concerning the Uyghur population. For global legal context, see Shabina Arfat and Beauty Banday, “Victims of Involuntary Disappearance: An Overview of International Law,” *Christ University Law Journal* 2, no. 1 (2013): 53–68, which defines forced disappearance under international law and highlights the limited enforcement power of current human rights mechanisms. To frame China’s use of forced disappearances within the broader context of authoritarian regimes, see Diane Webber and Khaola Sherani *Addressing the Continuing Phenomenon of Enforced Disappearances* (Washington, DC: CSIS, 2022). For firsthand accounts of human rights violations in China, see Chinese Human Rights Defenders (CHRD), “China: End Enforced Disappearances and Provide Redress to Victims” (2016), and Stanford Law School’s International Human Rights and Conflict Resolution Clinic, *The Persecution of Uyghurs and Potential International Crimes in China* (Stanford, CA: Stanford Law School, 2020), offering detailed testimony on surveillance, torture, and systemic repression.

A. Overview

Forced disappearances have long been used as method to silence dissent and control opposition. The contemporary concept of forced disappearances dates back to World War II, when Nazi Germany employed the *Nacht und Nebel Erlass* to “vanish [prisoners] without a trace”.² In the midcentury, under the founder and leader of the People’s Republic of China, Mao Zedong (1949-1976), China employed disappearances to silence intellectuals and opposition to the newly created regime. The government’s principles and tactics severely restricted free expression.³ In 2006 the International Covenant for All Protected Persons from Forced Disappearance (ICCPED) was established; it defines forced disappearances by four principal elements: (1) deprivation of liberty, (2) abduction sponsored or used by state authorities, (3) refusal to disclose the individual’s location, and (4) strategic deprivation from the protection of the law and legal system.⁴ Since the Mao Zedong-era, the use of forced disappearances has continued to target political dissidents and has become a mechanism and tactic used to silence critics of authority, some of whom are still missing or unknown.⁵

The international legal system framework unintentionally supports state-sanctioned abductions that create gaps for human rights protections. The non-governmental organizations (NGOs) that work to support human rights simply do not have the authority to impose one

² Arfat, Shabina, and Beauty Banday. "Victims of Involuntary Disappearance: An Overview of International Law." *Christ University Law Journal* 2, no. 1 (2013): 53–68

³ Osnos, Evan. "A Chinese Memoirist's Exile in Las Vegas: Gao Ertai." *The New Yorker*, August 11, 2015. <https://www.newyorker.com/news/persons-of-interest/a-chinese-memoirists-exile-in-las-vegas-gao-ertai>.

⁴ Webber, Diane, and Khaola Sherani. *Addressing the Continuing Phenomenon of Enforced Disappearances*. Center for Strategic and International Studies (CSIS), 2022. Accessed August 30, 2024. <https://www.jstor.org/stable/resrep42776>.

⁵ Chinese Human Rights Defenders (CHRD). "China: End Enforced Disappearances and Provide Redress to Victims." August 29, 2016. Accessed November 15, 2024. .

universal standard of law with authority over hundreds of countries. Moreover, the international human rights sector tends to be Western-centric and to promote a monolithic view of human rights. For instance, a misconception exists that capitalism and democracy will be successful for all nations and should be the aspirational norm. This view produces a human-rights plan destined to fail if there is no consideration for the nation's political system, culture, or history, especially here, where Chinese government's perspectives and doctrine represent a different view from the typical Western democratically accepted norms. Before understanding forced disappearances in China, we must first consider these biases about what is legally and politically acceptable.

One notable law in China is the *Residential Surveillance at a Designated Location* (RSDL) system, which allows for the arbitrary detention of individuals without disclosure of their location for up to 6 months.⁶ While this system was first created for state security, similar to covert detentions centers like Guantanamo Bay in the United States, it has created a power vacuum that has now catapulted RSDL into a system abused by authorities to legally silence opposition. This is one example of how domestic laws in China undermine international human-rights norms and principles, contributing to forced disappearances' becoming a mechanism of human-rights suppression.

B. Forced Disappearances as a Violation of Human Rights

Forced disappearances represent an egregious violation of human rights by systematically undermining principles essential to human security. Forced disappearances have an impact on the victims through physical detention and isolation, stripping victims of their personal identity,

⁶ Webber, Diane, and Khaola Sherani. *Addressing the Continuing Phenomenon of Enforced Disappearances*. Center for Strategic and International Studies (CSIS), 2022. Accessed August 30, 2024. <https://www.jstor.org/stable/resrep42776>.

allowing humiliation and profound suffering to be inflicted on victims and their families. The Universal Declaration of Human Rights (UDHR) establishes universal human dignity, freedom, and equality, and it was adopted in 1948 by the United Nations General Assembly. China, which adopted the UDHR, was a significant contributor in writing the document. Yet today, China continues to violate Articles 3, 5, and 6 of the UDHR.

1. Article 3: “Everyone has the right to life, liberty, and security of person”
2. Article 5: “No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment”.
3. Article 6: “Everyone has the right to recognition everywhere as a person before the law”.

The human rights established by articles 3, 5, and 6 directly relate to forced disappearances. Article 3 describes the right to life, liberty, and security of person, while Article 5 protects victims of forced disappearances from being stripped of their dignity and treated as subhuman figures. Article 6 requires legal recognition of this protection and gives victims of forced disappearances access to resources and civil rights to prevent arbitrary arrest and indefinite detention. The very process of forced disappearances violates all three sections of Article 3 – life, liberty, and security, while Article 5 is needed to prevent specific types of treatment such as torture. The methods of abduction disregard dignity and rip personhood from the victims. Moreover, torture is frequently used to obtain false confessions (see *infra*, section III. b). Lastly Article 6 establishes that every person has a right to be recognized by the law. Victims are given no access to legal resources, preventing the possibility of building a defense against arbitrary charges.

There is no possibility of forced disappearance without the violation of human rights set forth by the UDHR. Thus, the inherent violations of human rights establish the use of forced disappearances as a human rights violation. Parts of international treaties, like the UDHR, make for a complicated, complex protection of human rights. The most difficult challenge is that China does not recognize state-sponsored abductions are violations of human rights since violators of human rights are technically using the correct legal channels (the 6-month prohibition on contact with the outside family and legal representatives). As per Chinese domestic laws, the state is not engaging in any illicit or illegal activities, but it is still preventing the enforcement of human rights protections. The core international human rights treaties, including the ones China has signed and ratified, do not have much power against the Chinese authority.

The implications of these human-rights transgressions go far beyond forced disappearances, or even China. Their non-compliance with UDHR yields no instances of breaking their agreement, as they have created revisions to their agreement by using domestic laws. Moreover, the criticism from the international community rarely results in a sincere attempt to mediate or collaborate with China. This exposes an even broader issue of what to do when the international-law community has little influence to change ongoing human rights violations throughout the world. I turn next to those domestic actors who seek to guard against these violations of laws.

C. Who are the Weiquan Lawyers?

The Weiquan Movement is one of the most significant human-rights movements in China. Consisting of private lawyers and human-rights activists, also known as Weiquan lawyers, this movement embodies the struggle for reform and transparency in highly censored China. Beginning in the early 2000s, Weiquan lawyers began publicly addressing the continued use of forced disappearances. The movement towards protecting the human rights of Chinese citizens

was a daring movement that had never been attempted by others. Their work has brought local, national, and international attention to the very real challenges of marginalized people in China.

The Weiquan lawyers challenge the systemic abuse by the authorities, and their court-centric strategy leverages the legal process as a platform for defending human rights. They use individual cases to expose issues, to put pressure on authorities to explain, and to rectify government abuses.⁷ For instance, cases of Chinese forced displacement from unlawful detention are used to demonstrate the broader challenges to their domestic governance. The method typically draws more international attention to the human rights issues in China, even though the media is closely censored.

Due to the fact that the Weiquan lawyers threaten to change or expose the existing regime, they live under constant threat of forced disappearance, making them a prime target. The road to advocacy will most likely lead to silence for Weiquan lawyers, whether it is from forced disappearance or self-censorship to protect themselves or their families. Even still, the Weiquan movement did the impossible: challenging a highly filtered and authoritarian regime for the sake of the protection of citizens.

I. LEGAL AND POLITICAL FRAMEWORK

Forced disappearances in China exemplify the systematic abuse of state power by targeting human-rights defenders, lawyers, and activists who challenge the authoritarian regime. Systems such as the RSDL allow for covert detention without formal charges. Under the guise of maintaining "national security," RSDL has become a cornerstone of state oppression, enabling

⁷ Fu, Hualing, and Richard Cullen. "Weiquan (Rights Protection) Lawyering in an Authoritarian State: Building a Culture of Public-Interest Lawyering." *The China Journal*, no. 59 (January 2008): 111–127. <https://www.jstor.org/stable/20066382>.

leaders to silence, dissent and consolidate control. Since its implementation, tens of thousands of individuals have been detained under RSDL via forced disappearance.⁸

By silencing those who advocate for justice and transparency, the Chinese government suppresses individual voices and creates a chilling effect that permeates civil society. Activists are forced to weigh the risks of speaking out against the likelihood of abduction, torture, and indefinite detention. The stories of survivors, *when* they emerge, recount harrowing experiences of abuse and inhumane treatment, further deterring others from challenging the state. For those who vanish and do not return, their absence leaves a void in the fight for justice, reinforcing the regime's ability to continue its abuse unchecked.

The state's use of legal justifications for abductions, combined with its disregard for international treaties underscores its resistance to accountability. Furthermore, mechanisms such as the Hukou system (see *infra* II. B) and the marginalization of vulnerable populations facilitate the government's ability to target and disappear individuals. By institutionalizing inequality and exploiting systemic vulnerabilities, the Chinese government has weaponized its legal and social structures to silence dissent and perpetuate its authoritarian rule.

A. Residential Surveillance at a Designated Location (RDSL)

The RSDL system is the main legal justification for forced disappearances used by Chinese authorities. Since 2013, there have been between 27,000 and 57,000 cases of RSDL which enables them to frequently use forced disappearances as a mechanism of suppression without public accountability. RSDL gives the authority to covertly detain individuals without

⁸ Rosenzweig, Joshua. "Residential Surveillance." In *Justice: The China Experience*, edited by Flora Sapio, 65–80. London: Routledge, 2017. <https://doi.org/10.4324/9781315592091-7>.

official or formal charges⁹, and even the term “residential surveillance” is misleading.

Sometimes individuals are under “house arrest,” but they are more likely to be put in detention houses or a “guest house” or “re-education” camps where the location is not disclosed.¹⁰ This effectively creates two distinct types of RSDL: residential and *non-residential*.

While its initial purpose was to put individuals suspected of crime under a type of house arrest, residential surveillance has now turned into a system that legally allows for forced disappearances. The official use has been described as a matter of national security; a temporary hold with a guarantee of release. These *threats to national security* are most often political dissidents or activists because non-conformity is a threat to the state.¹¹ The constant threat of being labeled treasonous would no doubt deter individuals from speaking out or advocating issues of justice and human rights. Even if there are legal and transparent actions, the stigma associated with it would no doubt be construed as punishable.

During the time an individual is subjected to RSDL, victims are not provided with legal counsel or representation and lose out on crucial points in their legal battles.¹² During their months’ long detentions, they lose critical time that could be used to build a legal case and defense with legal aid. Even if they are released, they are still provided little legal counsel, as their domestic legal system is highly filtered, just like the media is censored. The lack of resources ensures a loss in their legal battles, and a win for the China and their policies.

⁹ Asian News International (ANI). "China Arrests More Taiwanese Nationals on Political Charges." *LexisNexis News*, May 5, 2023

¹⁰ Rosenzweig, Joshua. "Residential Surveillance." In *Justice: The China Experience*, edited by Flora Sapio, 65–80. London: Routledge, 2017. <https://doi.org/10.4324/9781315592091-7>.

¹¹ Rosenzweig, Joshua. "Residential Surveillance." In *Justice: The China Experience*, edited by Flora Sapio, 65–80. London: Routledge, 2017. <https://doi.org/10.4324/9781315592091-7>.

¹² Webber, Diane, and Khaola Sherani. *Addressing the Continuing Phenomenon of Enforced Disappearances*. Center for Strategic and International Studies (CSIS), 2022. Accessed August 30, 2024. <https://www.jstor.org/stable/resrep42776>.

Essentially, there is no legal protection or defense from RSDL because by China's own policy, "they are not committing any crime and there are no legal repercussions."¹³ As such, challenging the RSDL and authorities is complicated. Outside sources, particularly NGOs, have little authority to fight against it which results in an increase in compliance, legitimization of human rights violations, and further distrust of government. Most people are not willing to challenge the authorities or take a risk because the system does not require much to disappear from them from public spaces. For six seconds of resistance, they could receive six months of detention in an unknown location.

B. Weaponizing Citizenship Laws

Strategic division of citizens is used to limit access to resources and to divide social groups. The Hukou system established in the 1950s strategically divides the population into urban and rural categories. Based on birthplace, each citizen is assigned a registration that will sort them into a rural/urban category. Hukou determines the individuals' access to critical resources like education, healthcare, and socioeconomic opportunities.¹⁴ This institutionalized segregation innately creates profound inequalities that limit the upward mobility of the population, especially those who might dissent against the governing regime.

For the Hukou system to operate it requires state surveillance and control. For over half of a century authorities have been unable to surveil and monitor the close interaction and everyday lives of citizens, including movements, interactions, and activities. Not surprisingly, there is a targeted group: the "floating population." The two options Hukou system leave the group of

¹³ Webber, Diane, and Khaola Sherani. *Addressing the Continuing Phenomenon of Enforced Disappearances*. Center for Strategic and International Studies (CSIS), 2022. Accessed August 30, 2024. <https://www.jstor.org/stable/resrep42776>.

¹⁴ Burnay, Matthieu, and Eva Pils. "Weaponizing Citizenship in China: Domestic Exclusion and Transnational Expansion." *State Crime Journal* 9, no. 1 (2020): 4–28.

workers who have migrated to the city for work, but remain registered in their rural hometowns, in a gray zone. The lack of registration leaves them vulnerable to exploitation and discrimination used to justify enforce disappearances.

The floating population's minimal visibility and marginalized status makes them particularly susceptible to forced disappearances. Urban migrants without the classification and urban Hukou residents are deprived of legal protections which makes it easier for the authorities to escape due process. To further complicate matters, those who work in urban areas without the urban Hukou are considered illegal and labeled "unstable elements".¹⁵ Disappearance in this case is most likely to occur with the justification of addressing illegal residence, but victims are usually subjected to prolonged detention in extrajudicial facilities that do not equate to lack of identification or illegal residency.¹⁶ In turn, the victims become an even bigger threat, if the authorities cannot ensure their compliance.

The Hukou system has created a mechanism and weapon used to marginalize populations and facilitate state-sponsored practices of forced disappearances. The exploitation of systemic inequalities is comparable to the caste system, where there is little room for upward mobility.¹⁷ This strengthens the authority or capacity to enforce disappearances of human rights activists and defenders, by suppressing the threats to the status quo or displays of weakness.

II. MECHANISMS OF FORCED DISAPPEARANCE

¹⁵ Biao, Teng. "China's Crackdown on Human Rights Lawyers." *The Diplomat*, July 23, 2015. <https://thediplomat.com/2015/07/chinas-crackdown-on-human-rights-lawyers/>.

¹⁶ Rosenzweig, Joshua. "Residential Surveillance." In *Justice: The China Experience*, edited by Flora Sapio, 65–80. London: Routledge, 2017. <https://doi.org/10.4324/9781315592091-7>.

¹⁷ Han, Dongping. "The Hukou System and China's Rural Development." *The Journal of Developing Areas* 33, no. 3 (1999): 355–78. <http://www.jstor.org/stable/4192870>.

The mechanisms that underly forced disappearances in China have evolved under an extended period—for decades. The strategies often employed create an environment where questioning the state control or authority is nearly impossible, even when it is done through civil mechanisms. Forced disappearances of human rights activists occur in a dual framework. Some strategies employed to suppress dissidents manipulate legal and judicial systems to “fix” the ultimate outcome, while others bypass the pretense of legality, resorting to physical abduction. The extrajudicial methods deepen the fear and suppression experienced by the victims by demonstrating the ways in which the state has unchecked control.¹⁸

A. “Black-Hooding”— Means of Abduction

Among the methods of abduction, “black hooding,” or “bei hei toutao,” remains the main practice. As the term may imply, it involves placing a mask or hood over a victim’s head during the abduction, in order to render them completely disoriented and vulnerable.¹⁹ The use of black hooding is strategic and calculated. By employing such a method, it serves multiple perpetrator purposes. First, by impairing and disorienting the victims during the actual abduction, the perpetrators create the immediate sense of fear.²⁰ Second, it continues to profoundly isolate victims during and after the process by triggering helplessness. Third, it allows the authorities to successfully abduct the victims without incident because the anonymity created by the hood reduces any chance of the witness being able to give information about the attack and also serves to limit tangible evidence that might be provided about the state’s involvement in the

¹⁸ Burnay, Matthieu, and Eva Pils. “Weaponizing Citizenship in China: Domestic Exclusion and Transnational Expansion.” *State Crime Journal* 9, no. 1 (2020): 4–28.

¹⁹ Pils, Eva. “‘Disappearing’ China’s Human Rights Lawyers.” In *Comparative Perspectives on Criminal Justice in China*, edited by Mike McConville, 411–433. Cheltenham: Edward Elgar Publishing, 2013. <https://doi.org/10.4337/9781781955864>.

²⁰ Gao, Zhisheng. “Open Letter to the United States Congress.” September 12, 2007.

disappearance including the very identity or description about the missing individual.²¹ The deliberate use significantly diminishes legal accountability and reinforces the impunity. Finally, black-hooding and its psychological terror are symbolic because it reduces the dignity of an individual, both to themselves and the perpetrators. To the perpetrators, victims are not seen as having worth – they do not have a face or an identity. Blending the physical and psychological terror together creates a deliberate strategy to manipulate fear, anonymity, and disorientation to maintain the power and control over the victims while the actual abduction occurs.

B. Torture and Black Jails

Under RSDL, political dissidents and human rights defenders are likely to be put into secret detention centers. Otherwise known as a “black jail,” these “hidden” centers employ physical and psychological torture to detainees.²² The black jail facilities are unregulated and covert, and most of the time, they are located in rural houses or abandoned property. After hours of grueling treatment, victims are often willing to admit to untruthful and much more incriminating acts, which will further justify the use of forced disappearances.

The grueling and indiscriminate treatment makes the victim exhausted and desperate to be released from anguish. For instance, Uyghurs, a minority Muslim population in Xiangjiang, often report severe beatings, electric shocks, and forced medical procedures as part of their detention.²³ In many these cases, victims admit to treason or any other serious crime or agree to disappear or stop speaking up against the Chinese Communist Party’s (CCP) existing regime to

²¹ Marina Kumskova, "The Crime of Enforced Disappearance: A Comparative Study of the Inter-American and the European Courts of Human Rights," *E-International Relations*, January 3, 2016.

²² Pils, Eva. "Asking the Tiger for His Skin: Rights Activism in China." *Fordham International Law Journal* 30, no. 4 (2007): 1209–1287.

²³ Wan, Christie. *The Persecution of Uyghurs and Potential International Crimes in China*. International Human Rights and Conflict Resolution Clinic, Stanford University.

stop the torture. The evidence from their confession will then be used to secure their detention for whatever crime they are unreasonably charged with by the government.

Specific means of torture are expansive. Victims will likely experience torture to gain forced confessions to the authorities, and in some cases may even experience sexual violence as a routine practice within the black jails.²⁴ Another way in which a victim may be tortured is a “tiger chair”—a mechanism that will restrain a victim for hours in the same upward position, as if they were sitting in a chair, while a “interrogation” occurs.²⁵ Being incapacitated for several days leads to physical and emotional exhaustion as they sit in excruciating anguish.

C. Stalking and Harassment

Before the initiation of abduction, authorities and perpetrators utilize stalking and harassment to create a sense of fear, as well as to gather intelligence information to make a successful abduction. It has been increasingly employed as a tactic, serving to isolate, intimidate, and silence individuals who threaten the state’s authority. Not only does this psychologically target victims, but it is part of a broader strategy to impose authoritarianism and repressive politics.

Stalking often involves a “persuasive surveillance.”²⁶ Advance technology has allowed PRC authorities to monitor individuals’ movements, communications, and interactions. For instance, high resolution cameras enable the consistent tracking of individuals through facial recognition. Additionally, social credit systems in place continue to uplift the privileged and suppress the minority populations. Human rights defenders report being followed by officers or law

²⁴ Gaer, Felice. "International Human Rights Scrutiny of China's Treatment of Human Rights Lawyers and Defenders: The Committee Against Torture." *Fordham International Law Journal* 41, no. 5 (2018): 1165-1196.

²⁵ Margaret K. Lewis, “China’s Pervasive Use of Torture,” testimony before the Congressional-Executive Commission on China, April 14, 2016,

²⁶ Wan, Christie. *The Persecution of Uyghurs and Potential International Crimes in China*. International Human Rights and Conflict Resolution Clinic, Stanford University.

enforcement dressed in disguise of plain and unassuming clothing forcing human rights activists to always be wary of *everyone* in their surroundings.²⁷ Finally, digital harassment and interception of online communications are used unjustly to gather intelligence information into the movements and communications of individuals.²⁸ This leaves individuals with no privacy or trust. Activists can no longer communicate their concerns with others, without it being known. The relentless observation victims face creates an atmosphere of fear, which can force individuals to censor or abandon their advocacy. If they are not discouraged by these efforts, their surveillance and stalking give the authorities necessary information for successfully committing the abduction of the victim. During the heavy surveillance, the authorities learn the inner workings and schedules of human rights defenders, thus they can find the most opportune time to enforce disappearances.

Authorities also employ psychological harassment, often coercing families to pressure the main victim into compliance. For example, Uyghurs in Xinjiang have reported their relatives are used as hostages to secure the target activist's compliance.²⁹ Other tactics include public smearing and labeling activists as terrorists, like Gao Zhisheng (see *infra*, section IV. d). For many, there is nothing more important than family. Desperation to protect family takes importance over their fight.

III. PROMINENT CASES OF FORCED DISAPPEARANCES

²⁷ Summers, Megan E. "Social Control and Social Response: Enforced Disappearance as a Human Rights Abuse." *Senior Overview*, Volume 2, Issue 2 (December 2012).

²⁸ Wan, Christie. *The Persecution of Uyghurs and Potential International Crimes in China*. International Human Rights and Conflict Resolution Clinic, Stanford University.

²⁹ Wan, Christie. *The Persecution of the Uyghurs and Potential International Crimes in China*. Stanford Law School International Human Rights and Conflict Resolution Clinic, August 2020.

Enforced disappearances have also targeted lawyers as well, like Gao Zhisheng, per the 709 Crackdown; ethnic and religious minorities, like the Uyghur people of Xinjiang; and intellectuals who threaten the status quo, like the Causeway Bay Book sellers. The authorities attempt to maintain control of China, as they did via the 709 Crackdown. In order to do so, they created a unified ideal citizen. Someone who provides no opposition to them allows for tight grips on individual rights and control. Those who do not fit this model threaten the government's campaign.

A. 709 Crackdown

Named after the date of the mass arrest, July 9th, the 709 Crackdown specifically targeted Weiquan lawyers, and any other advocates who raised the awareness around the issues of human rights in China.³⁰ The "709 Crackdown" is often identified as the moment China became an established authoritarian regime under Xi Jinping. The mass arrests of over 300 human rights lawyers symbolized a calculated and systematic effort to dismantle any potential opposition to the Chinese Communist Party (CCP). Xi's ascent to power consolidated his leadership to a "one-man" rule and successfully solidified the power and authority of the CCP in China.

Many of the lawyers detained during the 709 Crackdown were held for months, and some were held for years, where they faced isolation, coercion, and abuse. The trials that followed the Crackdown were a testament to the treatment of human-rights lawyers and China's authoritarian approach. Lawyers were charged with political crimes such as "subversion of state power" or with fabricated criminal offenses like fraud and extortion.³¹ The issues of justice displayed

³⁰ Burnay, Matthieu, and Eva Pils. "Weaponizing Citizenship in China: Domestic Exclusion and Transnational Expansion." *State Crime Journal* 9, no. 1 (2020): 4–28.

³¹ Pei, Minxin. "China in 2017: Back to Strongman Rule." *Asian Survey* 58, no. 1 (January/February 2018): 21-32. <https://www.jstor.org/stable/10.2307/26390399>.

through the trials were nothing short of a mockery to judicial rights. For instance, the state presented confessions that were given after detention in black jails where they likely experienced devices like the tiger chair. There is little doubt that these confessions were coerced and given under duress, with little legitimacy.

After the trials, individuals were sentenced up to 20 years, a sentence that does match the action or crime with which they were charged. Some lawyers were never heard from again or died in prison from maltreatment. One of the tragic cases of this is Nobel Peace Prize winner Liu Xiaobo, who died after being denied treatment for his cancer.³² This marks the 709 Crackdown as one of the most infamous and mass-scale cases of forced disappearances and suppression of human rights activists. After such a mass injustice, governmental authorities and ruling authorities strengthened their oppression and power over China without legal ramifications.

B. Causeway Bay Books Case

At the end of 2015, five employees “disappeared” who worked at “Causeway Bay Books” (a bookstore in Hong Kong that previously sponsored and published anti-Chinese Communist Party books). The reasoning behind the five abductions is likely due to the sensitive literature against the CCP that exposed instances of corruption and scandals that were otherwise censored by the authorities and government.³³ In essence, the booksellers fit the same pattern of the authorities’ silencing individuals that challenged the CCP’s authority.

³² Pei, Minxin. "China in 2017: Back to Strongman Rule." *Asian Survey* 58, no. 1 (January/February 2018): 21-32. <https://www.jstor.org/stable/10.2307/26390399>.

³³ Chinese Human Rights Defenders (CHRD). "China: End Enforced Disappearances and Provide Redress to Victims." August 29, 2016. Accessed November 15, 2024. <https://www.nchrd.org/2016/08/china-end-enforced-disappearances-provide-redress-to-victims/>.

The five victims were not all abducted from the same locations, nor even in Hong Kong, and not all were Chinese nationals. For instance, Gui Minhai was a Swedish national who disappeared in Thailand, which displayed the willingness to violate sovereignty to maintain their tight control of the international perception of the Chinese government. Similarly, Lee Bo was a British national and another book seller who disappeared in Hong Kong after showing disregard for Hong Kong's autonomy from China under the "One Country, Two Systems" framework. That plan had established that Hong Kong would act as an administrative territory of China with their own sovereignty. The remaining three book sellers disappeared in mainland China.³⁴ The victims were likely held in black jails, infamous for their use of torture and abuse, without representation or contact with the outside world. Initially, black-jail treatment was thought to have been isolated from the CCP, but as each victim disappeared, one after another, they all connected back to one thing: they threatened the authority of the CCP by exposing their gross violations, and they were connected to the bookstore. Multinational, extraterritorial abductions are another example of the extreme power of the CCP and other Chinese authorities to suppress opposition and to control human rights, most importantly, the rights to life.

C. Uyghurs in Xinjiang Province

One of the most prolific, yet overlooked, cases of forced disappearances in China belongs to the Uyghur people of Xinjiang. The religious differences between the Uyghur people (a historically Muslim community) and the majority of China establishes them as targets of

³⁴ Asian News International (ANI). "China Arrests More Taiwanese Nationals on Political Charges." *LexisNexis News*, May 5, 2023. <https://advance.lexis.com/document?collection=news&id=urn:contentItem:685G-Y031-JDJN-6248-00000-00>. Kent, Ann. "China and the International Human Rights Regime: A Case Study of Multilateral Monitoring, 1989-1994." *Human Rights Quarterly* 17, no. 1 (1995): 1–40. Johns Hopkins University Press. <https://doi.org/10.1353/hrq.1995.0001>.

suppression. State-sponsored suppression of Uyghurs began as early as 2005, when “a level of punitive control seemingly designed to entirely refashion Uyghur religious identity to the states purposes” was made known.³⁵ Since then, authorities have continued the calculated attempts to erase the Uyghur community. “State sponsored programs forcibly assimilate Uyghurs by targeting language, religion, and traditions, coupled with forced disappearances to eliminate resistance.”³⁶ The state authorities have developed strategies to remove their perceived threat, brought about by Uyghur cultural practices. In varying degrees of suppression, they are forced to suppress their sincere beliefs and practices. Religious practices are heavily restricted; Uyghurs will often be forced to renounce their faith—a violation of religious freedom prohibited in democratic countries.

Like many other instances of state-sponsored forced disappearance, the authorities often frame the phenomenon as a response to terrorism or state security threats. Chinese authorities have continuously aimed to dismantle and illegitimize the Uyghur cultural and religious identity. In response to these gross violations of liberty, many Uyghurs and their supporters have formed resistance movements or attempted legal challenges. In turn, they are targeted with various mechanisms of abduction. The key to China’s suppression of the Uyghurs is forced disappearances.

The authorities continue to utilize mass surveillance, technology, and arbitrary arrest against the Uyghurs to “enable arbitrary arrest and forced disappearance...ensuring the individuals can

³⁵ Kent, Ann. "China and the International Human Rights Regime: A Case Study of Multilateral Monitoring, 1989-1994." *Human Rights Quarterly* 17, no. 1 (1995): 1–40. Johns Hopkins University Press. <https://doi.org/10.1353/hrq.1995.0001>.

³⁶ Wan, Christie. *The Persecution of the Uyghurs and Potential International Crimes in China*. Stanford Law School International Human Rights and Conflict Resolution Clinic, August 2020.

be detained indefinitely without legal recourse or family notification.”³⁷ In addition to the mass surveillance technology, the RSDL system continues to be a significant tool for erasing dissenting voices and evidence of state repression.³⁸

Under the international law and treaties, signed by the PRC, actions against Uyghurs have met the criteria for crimes against humanity: forced disappearances, persecution, torture, and severe deprivation of liberty.³⁹ Despite the scale of Uyghur suppression, the international awareness lags behind others. As it is, it is difficult to challenge forced disappearances in China, while, without international recognition, Uyghur ethnic cleansing can go unnoticed. In 2021, the United States declared the crimes against the Uyghur population a genocide.⁴⁰ As Xinjiang develops more into the site of genocide, it is imperative for the international community to recognize crimes and to object to the Chinese authorities. Without such intervention, genocide will continue.

D. Gao Zhisheng

The Chinese government systematically repressed individuals. The secretive nature in which the government operates allows them to conceal information, which makes forced disappearances all the more invidious; people demand answers from those meant to represent them. Gao Zhisheng, a human rights lawyer, and prominent figure in Chinese activism. He has now become known as a symbol of the Chinese government’s suppression of dissent. Forced

³⁷ Wan, Christie. *The Persecution of the Uyghurs and Potential International Crimes in China*. Stanford Law School International Human Rights and Conflict Resolution Clinic, August 2020.

³⁸ Webber, Diane, and Khaola Sherani. *Addressing the Continuing Phenomenon of Enforced Disappearances*. Center for Strategic and International Studies (CSIS), 2022. Accessed August 30, 2024. <https://www.jstor.org/stable/resrep42776>.

³⁹ Wan, Christie. *The Persecution of the Uyghurs and Potential International Crimes in China*. Stanford Law School International Human Rights and Conflict Resolution Clinic, August 2020.

⁴⁰ Global Centre for the Responsibility to Protect, "China," last modified December 1, 2024, <https://www.globalr2p.org/countries/china/>.

disappearances have sought to silence Gao Zhisheng's work as a dedicated advocate for justice and gender the marginalized communities. His story and fight display the resilience of human spirit, as well as the ability for authoritarian regimes to employ severe consequences to any critics.

Gao's remarkable work began with a life in poverty. Born into an impoverished family in the Shaanxi Province influenced Gao to rise above his circumstances and fight on behalf of marginalized communities. As a self-taught lawyer he rose through the ranks, earning him widespread recognition for his expertise, Gao demonstrated unwavering ambition to advocate for the underprivileged, making that the cornerstone of his career.⁴¹

Gao Zhisheng initially gained national attention by defending marginalized communities including rural villagers, displaced pensioners, and medical malpractice victims. As he advanced in status, he courageously accepted "politically sensitive" cases that other lawyers would not dare take on.⁴² This is a testament to Gao's character and intent—to protect his community and solidify the importance of human rights in China. Representing Falun Gong practitioners was perhaps the most consequential professional decision Gao would make. He succeeded by defending other groups targeted by the state, and his work began to draw attention to the injustices experienced by many in China. Eventually he earned the nickname "the Consequence of China."⁴³

⁴¹ Amnesty International, "The 'Bravest Lawyer in China' Gao Zhisheng," *Amnesty International*, August 13, 2019,

⁴² Gao, Zhisheng. *A China More Just: My Fight as a Rights Lawyer in the World's Largest Communist State*. San Diego, CA: Broad Press, 2007.

⁴³ Amnesty International. "The Bravest Lawyer in China: Gao Zhisheng." Amnesty International, August 12, 2019. <https://www.amnesty.org/en/latest/news/2019/08/bravest-lawyer-china-gao-zhisheng/>.

By 2005, Gao had already gained prominence for his legal work. His work became even more known, especially to the government, as he publicly denounced the actions of state authorities. He published a letter to “detail torture against Falun Gong practitioners,”⁴⁴ and he included graphic description of the physical and psychological torture of these religious believers. The letters, as one would imagine, would become a popular piece of media online, expanding Gao’s prominence and critics of China to the international level. The unflattering exposé of China’s poor record of human rights violations solidified his position at the top of China’s radar. After the success of his letter, he continued organizing ways to bring attention to the issues faced by the vulnerable populations. A couple of months later, in early 2006, Gao organized hunger strikes to oppose state violence and “became the subject of even harsher criticism from authorities and his peers, who warned him of the risks.”⁴⁵ The hunger strike further amplified his visibility as a central figure in China’s human rights movement. Later that year, Gao was formally charged with the arbitrary and vague “subversion of state power” crime. His arrest and conviction would mark the beginning of his personal fight against the state.

During his detention, Gao recalls horrific instance of torture – “electric shocks, beatings, and prolong periods of sensory deprivation” were all employed against him.⁴⁶ Specifically, he was kept in a darkened room, subjected to beatings, and deprived of basic dignity” measures of physical and psychological torture as a key component of state repression.⁴⁷ This isolation was

⁴⁴ Pils, Eva. "Asking the Tiger for His Skin: Rights Activism in China." *Fordham International Law Journal* 30, no. 4 (2007): 1209–1287.

⁴⁵ Pils, Eva. "Asking the Tiger for His Skin: Rights Activism in China." *Fordham International Law Journal* 30, no. 4 (2007): 1209–1287.

⁴⁶ Pils, Eva. "Asking the Tiger for His Skin: Rights Activism in China." *Fordham International Law Journal* 30, no. 4 (2007): 1209–1287.

⁴⁷ Halliday, Terence C., and Sida Liu. "Dignity Discourses in China: Struggles for Basic Legal Freedoms." *Asian Journal of Law and Society* (2020). <https://doi.org/10.1017/als.2020.40>.

intended to break his spirit, but even after the cruelty he faced, he continued to fight for the rights of Chinese citizens despite the mental and physical toll. His wife, while in exile, published his letters detailing his experience.

After his release, it was only a couple of months before he would be abducted. The pattern of release, then abduction, continued until 2017. The apex of his persecution culminated in August 2017 when he disappeared from his house arrest.⁴⁸ His status or whereabouts have remained unknown. He is presumably in an undisclosed center or camp, but there is no way to be sure of his condition. The refusal to release or disclose his location continues to be a concern as the eight years of his disappearance approaches.⁴⁹

Gao's legal activism is nothing short of inspiring. It represents more than just criticism of the authorities, but a direct challenge to the regime's authority and legitimacy. His effort exposed the many injustices faced every day by the vulnerable populations.

IV. BROADER IMPLICATIONS

The impact of forced disappearances in China reaches far beyond the direct victims and have an impact on the lives of friends, family members, and the larger society. While it is important to recognize the unbelievable horrors faced by those subjected to forced disappearance, there is a ripple effect that creates fear and suffering in the wider community. By targeting individuals, the government creates a climate of fear that affects those connected to the victims. In this way,

⁴⁸ Gao Zhisheng. "Statement to the Tom Lantos Human Rights Commission." *U.S. House of Representatives Committee on Foreign Affairs*, 2023. <https://humanrightscommission.house.gov/defending-freedom-project/Countries/China/Gao-Zhisheng>.

⁴⁹ Amnesty International. "The Bravest Lawyer in China: Gao Zhisheng." Amnesty International, August 12, 2019. <https://www.amnesty.org/en/latest/news/2019/08/bravest-lawyer-china-gao-zhisheng/>

forced disappearances destabilize the foundation of human rights necessary for any civil society and undermines trust in government authority.

A. Implications for Families

The severe emotional and psychological strain on families of the disappeared is profound and enduring. The question of whether their loved one is alive and suffering, or is deceased, creates a unique “unending cycle of hope and despair, causing severe emotional distress to family members”.⁵⁰ The trauma often manifests as anxiety and depression, leaving many families suspended in a limbo that delays the mourning of their loved ones. Recent research indicates family members of the disappeared experience the same emotional burdens similar to family members who have lost loved ones to death.⁵¹ This unresolved circumstance fosters feelings of helplessness and injustice. Coping with the related trauma strains families and breaks down bonds that once provided stability.

To compound the hardship of the victim’s family, they are often left financially vulnerable. In many cases, the victims are the primary income of these households. “The disappearance of the primary wage earner forces families into economic hardship, often punishing them into poverty.”⁵² Moreover, their emotional burden is exacerbated by the deprivation of resources.⁵³ Compounded with the sudden change in finances, the search for the disappeared leads to further economic marginalization. Their economic suffering is a distinct layer of suffering in addition to

⁵⁰ Bo, Chongyi. *China’s Human Rights Lawyers: Advocacy and Resistance*. Reviewed by Eva Pils. *The China Journal* 76 (July 2016): 144-148.

⁵¹ Summers, Megan E. "Social Control and Social Response: Enforced Disappearance as a Human Rights Abuse." *Senior Overview*, Volume 2, Issue 2 (December 2012).

⁵² Millward, James A. *Violent Separatism in Xinjiang: A Critical Assessment*. East-West Center Washington, 2004. <https://www.jstor.org/stable/resrep06542>.

⁵³ Arfat, Shabina, and Beauty Banday. "Victims of Involuntary Disappearance: An Overview of International Law." *Christ University Law Journal* 2, no. 1 (2013): 53–68

their emotional damage, forcing families into a situation where they struggle to survive or meet their basic needs. In essence, families are put into a figurative life sentence where they can no longer afford to live, let alone find or fight for their loved ones.

Forced disappearances will stigmatize the families, adding “another layer of punishment” where “communities fear association with families of disappeared individuals.”⁵⁴ This social isolation exacerbates emotional burden on families and their access to resources. It will fragment the social fabric making it nearly impossible to advance and continue in society, as well as find their loved ones and closure. Beyond social stigma, they are harassed and intimidated by the authorities to ensure their silence.⁵⁵ Despite the severe threat of being victims themselves, some still speak out: the courage of families to speak out, despite intimidation, highlights the enduring fight for justice.

B. Implication for Society and Governance

Forced disappearances are interwoven into Chinese domestic laws causing a complex challenge to human rights. While technically not violating any of their laws, China engages in what other countries consider to be blatant human rights violations. These actions severely undermine the trust in both the law itself and the international standard for human rights. Every person possesses the right to move freely and freedom from torture, making forced disappearances “a systematic assault on human dignity eroding the very foundations of family and community life,” underscoring the widespread impact on life.⁵⁶ This loss of trust in law

⁵⁴ Bo, Chongyi. *China's Human Rights Lawyers: Advocacy and Resistance*. Reviewed by Eva Pils. *The China Journal* 76 (July 2016): 144-148. <https://www.jstor.org/stable/10.2307/26559201>

⁵⁵ Sarkin, Jeremy. "The Need to Deal with All Missing Persons Including Those Missing as a result of Armed Conflict, Disasters, Migration, Human Trafficking, and Human Rights."

⁵⁶ Halliday, Terence C., and Sida Liu. "Dignity Discourses in China: Struggles for Basic Legal Freedoms." *Asian Journal of Law and Society* (2020). <https://doi.org/10.1017/als.2020.40>.

enforcement and the legal system creates a culture of impunity, even beyond state suppression. As trust in government declines, citizens are less likely to participate in civic duties and activities, further dividing the government from the governed. Over the long term, citizens will be less likely to hold their government accountable and communities will be fractured by fear, effectively silencing the voices that would otherwise advocate for change. For fear of their own disappearance, the fight for human rights loses key actors of the movement, in an attempt to refrain from repeating the cycle of disappearance and suppression.

C. Global Implications and the Role of Advocacy

Forced disappearances at the scale used in China create a global human rights challenge beyond their own borders because they undermine international legal norms that have been established in treaties, conventions, and covenants signed by the PRC. The situation exposes weaknesses and gaps within the international system, revealing it to be more ideological, rather than legitimate, but also should force the international community re-evaluate its approaches to enforcement and accountability. As a result, the international community identifies effective sanctions or consequences for the governments that violate the human rights of their citizens.

The United Nations has conducted several investigative reports in China, in particular Xinjiang, where human rights violations are suspected, as previously noted. UN representatives who visited Xinjiang were shown a version of the city modeled to look picture-perfect. Any instances of human-rights abuse were effectively covered up. Despite the staged condition, UN team members were still able to detect severe human rights violations. Their reporting and subsequent responses have not been effective, however, and there has been little awareness raised, or actions taken in response to reports. The international community remains mostly unaware or uninformed of the human rights violations faced by the Uyghur people.

The United Nations, International Criminal Court, and International Court of Justice were established with the dual missions of protecting the citizens of the world and mediating peace. As a domestic Chinese issue, forced disappearances complicates these missions. These organizations were created to protect the world's citizens. Yet, the legal system fails to enforce international agreements on human rights. It is complex with no clear solution. Nevertheless, these organizations provide some level of protection for those subject to torture, interrogation, and disappearance. While ending forced disappearances altogether may not be possible with the current authority of the international community, it is important to remain focused on protecting victims and their families, so they receive the support and justice they deserve.

CONCLUSION

It is clear that forced disappearances are a multifaceted and persistent issue of human rights in China. Authorities systematically use disappearances as a tool to consolidate their power and enforce a single-minded country devoid of opposition. Such practices are woven into the fabric of China's laws, presenting a complex challenge to human-rights activists and NGOs alike. Systems like RSDL legitimize the use of disappearances and strengthen state security. In practice, methods of torture and harassment coerce victims into silence, whether it be a resignation from advocacy or a permanent disappearance.

Moreover, the repercussions extend beyond the direct victims to their families, domestic community, and international community. Families endure trauma and loss as they search for the answers for their loved ones' whereabouts. Additionally, the state and its government are also profoundly powerful as the latter builds more authority and power using forced disappearances to continue unnoticed or without serious challenge. Society begins to lose hope, and civic engagement and dissent dwindle to an inconsequential number. The populace is effectively

suppressed by fear, and the government is bolstered with more authority. International bodies have a difficult time enforcing their own standards of human rights, due to their extremely limited power to interfere in the domestic issues of a sovereign nation. While they continue to support the victims, the international community has not challenged China's human-rights violations.

Despite the comprehensive research, there are still breaks in the understanding of forced disappearances in China and its resolution. In particular, the effectiveness of the international community has shown itself to be minimally effective in the case of forced disappearances. Further research into the international community's continued perception of the subject matter over time is necessary, as well as a general understanding of the issues. The role of international bodies like the United Nations in resolving human rights atrocities may resolve questions on the effectiveness of protecting human rights, but questions about the average Chinese citizens' perceptions of human rights in China remain. It will be difficult to obtain a range of answers that are sincere or uninfluenced by authoritarian thought.

Above all, human-rights violations are occurring, and the international community is generally unwilling to address the problem in China. While it is true there has been some interest in the matter, there has never been sustained attention and concern from one acting body. Using multiple perspectives from different cultures and expertise would provide a strong foundation and clear understanding of the genuine use of forced disappearances. Without such consideration, any operation will likely fail as an invasive attempt by a western country to influence another country. It will only be through sustained attention and concern that instances of state-sanctioned suppression and its violation of human rights and the needs of the victims can properly be addressed.

REFERENCES

- Arfat, Shabina, and Beauty Banday. "Victims of Involuntary Disappearance: An Overview of International Law." *Christ University Law Journal* 2, no. 1 (2013): 53–68.
- Asian News International (ANI). "China Arrests More Taiwanese Nationals on Political Charges." *LexisNexis News*, May 5, 2023.
- Biao, Teng. "China's Crackdown on Human Rights Lawyers." *The Diplomat*, July 23, 2015.
<https://thediplomat.com/2015/07/chinas-crackdown-on-human-rights-lawyers/>.
- Bo, Chongyi. "China's Human Rights Lawyers: Advocacy and Resistance." Reviewed by Eva Pils. *The China Journal* 76 (July 2016): 144–48.
- Burnay, Matthieu, and Eva Pils. "Weaponizing Citizenship in China: Domestic Exclusion and Transnational Expansion." *State Crime Journal* 9, no. 1 (2020): 4–28.
- Chinese Human Rights Defenders (CHRD). "China: End Enforced Disappearances and Provide Redress to Victims." August 29, 2016. <https://www.nchrd.org/2016/08/china-end-enforced-disappearances-provide-redress-to-victims/>.
- Fu, Hualing, and Richard Cullen. "Weiquan (Rights Protection) Lawyering in an Authoritarian State: Building a Culture of Public-Interest Lawyering." *The China Journal*, no. 59 (January 2008): 111–27.
- Gaer, Felice. "International Human Rights Scrutiny of China's Treatment of Human Rights Lawyers and Defenders: The Committee Against Torture." *Fordham International Law Journal* 41, no. 5 (2018): 1165–96.

Gao, Zhisheng. *A China More Just: My Fight as a Rights Lawyer in the World's Largest Communist State*. San Diego, CA: *Broad Press*, 2007.

Gao, Zhisheng. "Open Letter to the United States Congress." September 12, 2007.

"Statement to the Tom Lantos Human Rights Commission." *U.S. House of Representatives Committee on Foreign Affairs*, 2023. <https://humanrightscommission.house.gov/defending-freedom-project/Countries/China/Gao-Zhisheng>.

Global Centre for the Responsibility to Protect. "China." Last modified December 1, 2024. <https://www.globalr2p.org/countries/china/>.

Halliday, Terence C., and Sida Liu. "Dignity Discourses in China: Struggles for Basic Legal Freedoms." *Asian Journal of Law and Society* (2020). <https://doi.org/10.1017/als.2020.40>.

Han, Dongping. "The Hukou System and China's Rural Development." *The Journal of Developing Areas* 33, no. 3 (1999): 355–78.

Kent, Ann. "China and the International Human Rights Regime: A Case Study of Multilateral Monitoring, 1989–1994." *Human Rights Quarterly* 17, no. 1 (1995): 1–40. <https://doi.org/10.1353/hrq.1995.0001>.

Kumskova, Marina. "The Crime of Enforced Disappearance: A Comparative Study of the Inter-American and the European Courts of Human Rights." *E-International Relations*, January 3, 2016.

Lewis, Margaret K. "China's Pervasive Use of Torture." Testimony before the *Congressional-Executive Commission on China*, April 14, 2016. https://chrissmith.house.gov/uploadedfiles/2016_april_14_lewis_cecc_testimony.pdf.

Millward, James A. *Violent Separatism in Xinjiang: A Critical Assessment*. Washington, DC: *East-West Center*, 2004.

Osnos, Evan. "A Chinese Memoirist's Exile in Las Vegas: Gao Ertai." *The New Yorker*, August 11, 2015. <https://www.newyorker.com/news/persons-of-interest/a-chinese-memoirists-exile-in-las-vegas-gao-ertai>.

Pei, Minxin. "China in 2017: Back to Strongman Rule." *Asian Survey* 58, no. 1 (January/February 2018): 21–32.

Pils, Eva. "Asking the Tiger for His Skin: Rights Activism in China." *Fordham International Law Journal* 30, no. 4 (2007): 1209–87.

"'Disappearing' China's Human Rights Lawyers." In *Comparative Perspectives on Criminal Justice in China*, edited by Mike McConville, 411–33. *Cheltenham: Edward Elgar Publishing*, 2013. <https://doi.org/10.4337/9781781955864>.

Rosenzweig, Joshua. "Residential Surveillance." In *Justice: The China Experience*, edited by Flora Sapio, 65–80. *London: Routledge*, 2017. <https://doi.org/10.4324/9781315592091-7>.

Summers, Megan E. "Social Control and Social Response: Enforced Disappearance as a Human Rights Abuse." *Senior Overview* 2, no. 2 (December 2012).

Wan, Christie. *The Persecution of the Uyghurs and Potential International Crimes in China*. *Stanford Law School International Human Rights and Conflict Resolution Clinic*, August 2020.

Webber, Diane, and Khaola Sherani. *Addressing the Continuing Phenomenon of Enforced Disappearances*. Washington, DC: *Center for Strategic and International Studies (CSIS)*, 2022.

