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NEWS FLASH

UN reports on torture in China

"The UN Committee Against Torture's conclusions and recommendations made in Geneva today, demonstrate to the Chinese government that the world is watching carefully, and that official whitewash cannot disguise the enormity of the problem of torture in China today," Amnesty International said. "Now it is time for action - for concrete and speedy measures to implement the recommendations,"

Many of the recommendations reflect current debate among legal reformers in China and have been made previously by the Committee. Amnesty International welcomes the Committee's call for the Chinese government to:

*Outlaw as crimes all acts of torture as defined in the Convention
End all forms of administrative detention (detention for up to 3 years without charge or trial for behaviour which is not criminal but is considered "somewhere between crime and error").
Ensure prompt, thorough, effective and impartial investigation of all allegations of torture*

Amnesty International also welcomes the call for additional information and statistics on torture and its punishment, without which evaluation of policies in practice is impossible.

An important omission is any reference to widespread incommunicado or secret detention. Amnesty International has monitored numerous cases of torture leading to death which occurred during the first interrogation or within 24 hours of detention. These victims, as well as any who cannot afford lawyers, are not addressed by the Committee's recommendations.

On this issue, the Committee praises the Chinese government for "instituting timely access to lawyers for detainees" and recommends only that the government abolish the need for a suspect to apply for permission to hire a lawyer. Currently access to a lawyer is only allowed after the first interrogation, the point at which detainees are most vulnerable to torture.

Another important issue the Committee did not address is continuing attempts by the Chinese authorities to suppress information on torture by imprisoning those who report it, be they victims, relatives or human rights defenders. Several examples were brought to the attention of the Committee, including the imprisonment of the daughter of Chen Zixiu, a Falun Gong practitioner who reportedly died in February after being tortured in detention. The organization cannot imagine that the Committee was satisfied with the response of the Chinese government to their questions on this case. Such human rights abuses threaten to undermine the effectiveness of international oversight mechanisms such as the Committee itself and should have been addressed.

"Despite these major gaps, the Committee's recommendations, if fully implemented would be a significant contribution toward the elimination of systemic torture in China. It's now up to the Chinese authorities to translate these fine words into concrete realities for the Chinese people and demonstrate their commitment to the Convention."

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