

## **Beijing Must Reveal Fate of Human Rights Lawyer**

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It is 43 days since the most recent "disappearance" of Gao Zhisheng, China's most famous human rights lawyer, who boldly sought to use the law to battle corruption, overturn illegal property seizures, expose police abuses and defend religious freedom.

His captors - apparently the notorious guo bao, the "national defence" unit of China's public security agency - had threatened to kill the 44-year-old Christian activist during previous detentions marked by obscene torture. Beijing's continuing refusal to comment on Gao's fate makes his case resemble those of the "disappeared" in Latin American dictatorships.

Last week, Gao's wife, two children and sister arrived in the US after being smuggled out of China. Until their arrival, international attention on Gao's own safety had to remain muted. Mainland persecution had forced some cruel choices upon the Gao family. After closing his law firm and taking away his lawyer's licence in 2005, the regime convicted him of "inciting subversion" in late 2006 because of his open letters, essays, interviews and hunger strike condemning police treatment of the Falun Gong, Christians and others.

It then released him on a five-year suspended sentence to home surveillance that proved harsher than prison, not only for Gao but also for his wife and daughter. By late 2008, repeated secret police harassment and brutality had made both mother and daughter, now 15, so suicidal that the family decided that their survival depended on escaping from China. On Tuesday, the Foreign Ministry denied it had persecuted the family.

It would have been impossible for Gao to leave with them. He was too closely monitored, and on many occasions his tormentors had warned him that he would never be allowed to leave China alive.

Early on February 4, 31/2 weeks after his family's departure, more than 10 police and thugs spirited Gao out of bed, and he has not been seen since. Nor has the Chinese government offered the slightest word about him despite repeated inquiries from UN agencies and foreign governments, non-governmental organisations and the media. Just before the UN Human Rights Council's February 9 review of China's record, the Canadian government formally questioned Beijing about allegations that its agents had tortured Gao and other human rights activists and lawyers. The Chinese government did not respond, either during the public hearing or subsequently.

The UN Working Group on Arbitrary Detention, which has many times condemned China in other cases, is reportedly pursuing Gao's case. Human rights NGOs have also asked for assistance from the UN Special Rapporteur on Torture, who interviewed Gao in late 2005 and who protested to the Ministry of Foreign Affairs about police attempts to interfere with the interview.

Unfortunately, Gao's situation has become so grave that it should easily warrant an urgent appeal for the prevention of loss of life by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions. The release on February 8 of his previously unpublished account of the 13-day torture and subsequent further two-month detention to which he was subjected in 2007 only heightens concern for his life.

That account not only accused his captors of holding burning cigarettes to his eyes, beating and starving him, and applying electric shocks to his genitals, but it also revealed their warning that he would die if he told anyone about the ordeal.

Nothing similar to habeas corpus exists in mainland legislation or practice. But the UN Convention against torture, which Beijing ratified two decades ago, and its other international human rights commitments, obligate it to come clean about Gao. It is time for the court of world opinion to insist: "Show us the prisoner and justify his detention."

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