
No office is above the law

A legally grounded accountability framework for reported deaths of dissidents and rights defenders in custody

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Accountability begins with evidence, not a verdict

The Free China Movement may demand investigation and prosecution across the chain of responsibility. It should not declare any person guilty, indicted, or legally “wanted” before a competent authority acts.

DRAFT — PENDING LEGAL REVIEW. This package states an advocacy position, not a legal opinion. Every allegation remains subject to independent investigation, jurisdictional analysis, prosecutorial review, the presumption of innocence, and a fair trial before an independent court.

The position in one paragraph

Every death in state custody should trigger a prompt, impartial, effective, and transparent investigation independent of the detaining authority. Evidence should be preserved; families should receive truthful information; and any direct perpetrator, prison commander, public-security official, local-government official, or senior political leader against whom admissible evidence establishes individual criminal responsibility should be prosecuted in a court with lawful jurisdiction. Rank does not create guilt, but neither should rank create impunity.

What can be said now

- Twelve cases identified in the memorial list warrant evidence-led review.
- Custodial deaths carry a heightened duty of independent investigation.
- Liability may extend beyond the direct actor if legal elements of ordering, aiding, omission, or superior responsibility are proved.
- Foreign proceedings, targeted sanctions, travel restrictions, and evidence-sharing may complement domestic accountability.

What cannot be said now

- No named official is presently established here as wanted, charged, indicted, or guilty.
- Holding office alone does not establish criminal responsibility.
- These peacetime cases do not establish an armed-conflict nexus; the Geneva Conventions are not the primary framework.
- A social-media memorial list is a lead, not a judicial finding.

The applicable legal frame

PRIMARY International human rights law: the right to life, the prohibition of torture and cruel treatment, humane treatment in detention, and effective investigation and remedy.

POTENTIAL Crimes against humanity under Rome Statute article 7, but only if evidence proves one or more listed acts committed as part of a widespread or systematic attack directed against a civilian population, with the required knowledge.

NOT ASSUMED International humanitarian law applies in armed conflict. This package does not allege or rely on an armed-conflict nexus.

Free China Movement calls for evidence-led accountability in dissident custodial deaths

FOR IMMEDIATE RELEASE — DRAFT | 24 September 2026

24 September 2026 — The Free China Movement called for independent investigations into a series of reported deaths involving dissidents and rights defenders in prisons, detention centers, police custody, or under continuing state control.

The initiative begins with twelve memorial cases: Shi Tingfu, Guo Hongwei, Dong Jianbiao, Wang Meiyu, Sun Wenguang, Peng Ming, Ye Zhong, Li Hong (also known as Zhang Jianhong), Ji Sizun, Cao Shunli, Liu Xiaobo, and Yang Tianshui. The factual record differs by case. Some deaths and places of custody are verified; some causes remain contested or unresolved; and Sun Wenguang's reported 2021 death remains probable but unconfirmed.

The Movement calls for independent preservation and examination of detention and medical records, incident logs, surveillance, autopsy materials, duty rosters, orders, complaints, communications, and witness testimony.

“No office should confer impunity. Those responsible — from any direct actor through prison and public-security leadership to local or senior political authorities — should be investigated, and where admissible evidence supports charges, prosecuted in a competent, independent court with full fair-trial guarantees.”

The Movement's advocacy position draws principally on international human rights law. Article 6 of the International Covenant on Civil and Political Rights protects the right to life; the Convention against Torture requires criminalization and accountability for torture; and the Minnesota Protocol establishes standards for investigating potentially unlawful deaths, including deaths in custody. Where evidence proves a widespread or systematic attack against a civilian population and the required individual linkage, conduct may also warrant examination as crimes against humanity under article 7 of the Rome Statute.

The Movement urges lawful international cooperation, universal-jurisdiction review where national law permits, and targeted visa or financial sanctions. Warrants, extradition requests, or international notices should follow only after a competent authority finds the legal and evidentiary basis.

“The purpose is not collective blame,” the statement continues. “It is individualized accountability: preserve the record, identify who did what, establish causation and intent, examine what superiors knew and could have prevented, and try provable cases fairly.”

The Movement asks record-holders to preserve originals and use a secure, consent-based submission process that protects witnesses, medical privacy, and future proceedings.

Legal note. No person is identified in this release as presently wanted, indicted, or guilty. The proposed Republic of China (Taiwan) legal basis is an advocacy position requiring review by qualified ROC counsel. Taiwan does not have a codified crimes-against-humanity offense equivalent to Rome Statute article 7.

A memorial list becomes a test of lawful accountability

A new advocacy initiative seeks to turn twelve reported deaths into court-ready evidence files—and to trace responsibility from custodial institutions upward without substituting accusation for proof.

NEWS ANALYSIS | Draft for editorial and legal review

The Free China Movement is preparing an accountability initiative focused on dissidents and rights defenders who died in custody, under guard, or after periods of detention. The project calls for independent investigations and for prosecution wherever admissible evidence supports individual charges.

The starting list contains twelve names, but it is not a single category. Shi Tingfu's death on 22 September 2026 is verified, while the reported location at Xinjiang's Shahe Prison is probable and the cause remains unresolved; "heart attack" is the prison's claim. Guo Hongwei's 9 April 2021 death at Gongzhuling Prison and the reported brain hemorrhage are verified. Dong Jianbiao's death around 22 September 2022 is probable, his detention at Chaling Prison is verified, and the cause is contested.

Other files require equally careful distinctions. Wang Meiyu's 23 September 2019 death in Hengyang custody is verified, but the cause is unresolved; "sudden death" is an official claim. Sun Wenguang's reported death in 2021 remains probable but unconfirmed. Li Hong, also known as Zhang Jianhong, died of amyotrophic lateral sclerosis on 31 December 2010 after medical parole in Ningbo; the claim that he died in prison is unsupported.

The investigation must move person by person

International standards reject the idea that a custodial authority can close a case by announcing a medical label. The Nelson Mandela Rules call for every custodial death to be reported without delay to an authority independent of the prison administration and for evidence to be preserved. The Minnesota Protocol likewise treats a death in custody as a trigger for a prompt, impartial, and effective investigation.

That inquiry should reconstruct the full chain: arrest and transfer decisions; detention conditions; requests for treatment; diagnosis and medication; emergency response; family notification; autopsy and body handling; records created or withheld; and the orders, knowledge, and omissions of each responsible official.

Senior responsibility is a proof question

The initiative names categories of officials whose conduct may require examination: direct custodial personnel, prison heads, public-security leaders, local-government officials, and senior political authorities. It does not treat title as proof. A prosecutor would need evidence connecting an individual to an act, order, contribution, knowing failure to act, or other recognized mode of responsibility.

Rome Statute article 28 supplies an international model for command or superior responsibility, but its elements must be proved. Article 7 crimes against humanity also has a demanding contextual threshold: a widespread or systematic attack directed against a civilian population, plus knowledge. A collection of grave cases does not automatically satisfy that test.

“Wanted” must be the result of legal process

The strongest credible promise is not that officials are already fugitives. It is that complete files will be built for prosecutors, courts, sanctions authorities, and lawful international cooperation.

Domestic and transnational routes

- 1 **Build a case file.** Preserve original records, establish chain of custody, interview witnesses safely, and separate verified facts from allegations and unresolved claims.
- 2 **Map the law and forum.** Counsel must identify an offense in force at the time, territorial or extraterritorial jurisdiction, limitation rules, immunity questions, and admissibility standards.
- 3 **Seek prosecutor review.** Submit structured dossiers to competent national authorities, including states whose laws permit universal jurisdiction over torture or core international crimes.
- 4 **Request judicial action.** Only a competent authority may issue a warrant. A public campaign cannot create one.
- 5 **Use lawful cooperation.** Where legal conditions are met, authorities may seek mutual legal assistance, provisional arrest, extradition, surrender, or other cooperation.
- 6 **Try the case fairly.** The accused must receive notice, counsel, disclosure, an opportunity to challenge evidence, an independent tribunal, and the presumption of innocence.

Precise language: Say “should be investigated and, where evidence supports, prosecuted.” Say “a warrant should be sought from a competent court if the legal threshold is met.” Do not say anyone “is wanted,” “has been indicted,” or “will be convicted” unless an actual authority has taken that step.

International notices do not replace warrants

An INTERPOL Red Notice is not a finding of guilt or a universal arrest warrant. It is a cooperation request based on a domestic warrant or court order and each country’s law. INTERPOL has stated that it does not process information against serving heads of state or government where international-law immunity applies. Specialist counsel must assess immunity by office, forum, treaty, and alleged offense.

Complementary measures can act before a trial

Governments may consider targeted financial sanctions, visa restrictions, preservation orders, and Magnitsky-style designations. These are not convictions; each needs its own legal basis, evidence, notice, and review.

International practice shows both possibility and limits

Germany’s Koblenz proceedings show that national courts can prosecute foreign officials under universal-jurisdiction laws. In January 2022, a German court sentenced former Syrian intelligence officer Anwar Raslan to life. The analogy is procedural, not a conclusion here: any forum needs enabling law, evidence, jurisdiction, required statutory conditions, and a fair trial.

Human-rights law supplies the primary framework

1. Right to life

Article 6 of the International Covenant on Civil and Political Rights (ICCPR) protects the inherent right to life. A death in custody engages a heightened procedural duty to investigate. The inquiry must be independent, impartial, prompt, thorough, effective, credible, and transparent to the family and public to the extent consistent with a sound investigation.

2. Torture and ill-treatment

The Convention against Torture (CAT) defines torture by reference to severe pain or suffering intentionally inflicted for specified purposes by, at the instigation of, or with official consent or acquiescence. CAT requires criminalization of torture, including complicity or participation, and provides an extradite-or-prosecute framework when jurisdictional conditions are met.

3. Potentially unlawful death

The Minnesota Protocol sets the common investigative standard. The Nelson Mandela Rules require a prison director to report a custodial death without delay to an independent competent authority, cooperate fully, preserve evidence, and keep implicated persons away from the investigation and witnesses.

4. Crimes against humanity

Rome Statute article 7 covers listed acts—including murder, imprisonment, torture, persecution, and certain other inhumane acts—only when committed as part of a widespread or systematic attack directed against a civilian population, with knowledge of the attack. Each act and the contextual elements require proof.

Threshold discipline. A custodial death may violate the right to life without proving torture. Torture may be prosecuted without proving crimes against humanity. Crimes against humanity require their separate contextual elements. Investigators must test each theory rather than blend them.

Responsibility and jurisdiction require separate proof

5. Individual and superior responsibility

International criminal law examines each person's contribution. Rome Statute article 28 provides a model for responsibility of commanders and other superiors when its knowledge, effective-control, failure-to-prevent or repress, and related requirements are satisfied. It is not automatic liability for rank.

6. Universal-jurisdiction practice

Some states authorize national courts to hear torture, crimes against humanity, or other core crimes committed abroad. CAT requires states parties to establish specified forms of jurisdiction and submit a case for prosecution or extradite when a suspected torturer is present and treaty conditions are met.

Why international humanitarian law is not pleaded here. The Geneva Conventions and the law of armed conflict apply in international or non-international armed conflict. The available case descriptions concern peacetime law-enforcement and custody. Without evidence of an armed-conflict nexus, international human rights law and applicable domestic criminal law govern.

ROC-law position. Taiwan's Act to Implement the ICCPR and ICESCR gives the covenants' human-rights protections domestic legal effect and directs government institutions to conform their functions to those protections. That supports the Movement's normative appeal. It does not itself prove ROC criminal jurisdiction over these events, create a Rome Statute article 7 offense, or authorize warrants.

Questions ROC counsel must answer

- Which offense was in force when each alleged act occurred, and does legality permit its use?
- What territorial, nationality, protective, or other jurisdictional connection exists?
- Can any domestic offense reach conduct by non-ROC officials on the mainland?
- What evidentiary, procedural, limitation, immunity, extradition, and mutual-assistance rules apply?
- Which remedies are criminal, civil, administrative, or sanctions-based?

Investigate upward, charge only where proof reaches

A lawful case attributes conduct to people, not institutions in the abstract. The same death may support different inquiries at each level.

Level	Questions investigators must answer	Evidence to seek
Direct actors guards, interrogators, clinicians	Who acted or failed to act? Was force, denial of care, falsification, concealment, or coercion intentional or negligent under applicable law?	Rosters; video; treatment notes; medication logs; witness testimony; incident reports; device data.
Prison or facility head	What authority and effective control existed? What risks, complaints, injuries, or care requests were known? What prevention, treatment, reporting, and preservation steps were ordered?	Command charts; orders; complaint files; inspections; budgets; transfers; post-incident instructions.
Public-security leadership	Did officials direct, approve, facilitate, ignore, or conceal unlawful detention practices? Could they prevent or repress misconduct within their authority?	Policies; operational directives; briefings; disciplinary files; pattern evidence; communications.
Local government	Did named officials coordinate pressure, obstruct medical care or investigation, control information, or continue a known abusive practice? What was their lawful power to intervene?	Meeting minutes; interagency notices; funding; directives; family-contact records; censorship instructions.
Senior political leadership	Is there admissible evidence of orders, policy, contribution, knowledge, effective authority, or a culpable failure tied to the charged conduct and applicable mode of liability?	Authentic policy documents; chains of command; briefings; repeated notice; implementation records; pattern and linkage analysis.

Five elements that must not be collapsed

Conduct. What precisely did the person do, order, assist, conceal, or omit?

Mental element. What did the person intend or know, under the governing offense?

Causation. How did the conduct or omission legally contribute to injury or death?

Authority and control. Could the superior prevent, repress, report, or punish the conduct?

Context. For crimes against humanity, does reliable evidence prove the required widespread-or-systematic attack and the accused's knowledge?

Forum. Which court has lawful jurisdiction, and what immunity or custody rules apply?

Head-of-state caution. A head of state should be investigated only on evidence of individual responsibility, not constitutional title. Proceedings may encounter personal or functional immunity questions that vary between national and international forums and can be affected by whether the person remains in office. The package therefore demands preservation and investigation now, while leaving any warrant or prosecution decision to a competent authority.

Twelve files, twelve distinct evidence records

These are the present evidence grades supplied for this draft. “Verified” confirms only the stated fact. “Probable” is credible but not fully confirmed. “Unresolved” means competing or insufficient evidence. No row assigns criminal responsibility.

Person	Established or probable record	Unresolved / correction
Shi Tingfu	Died 22 Sep 2026 — VERIFIED. Xinjiang Shahe Prison — PROBABLE.	Cause UNRESOLVED; heart attack is the prison's claim. Son said he looked fine at last visit.
Guo Hongwei	Died 9 Apr 2021; Gongzhuling Prison; brain hemorrhage — all VERIFIED.	Responsibility requires separate proof.
Dong Jianbiao	Died about 22 Sep 2022 — PROBABLE. Chaling Prison — VERIFIED.	Cause contested and UNRESOLVED.
Wang Meiyu	Died 23 Sep 2019; Hengyang custody — VERIFIED.	Cause UNRESOLVED; “sudden death” is the official claim.
Sun Wenguang	Reported 2021 death — PROBABLE.	Death remains UNCONFIRMED; do not present as established.
Peng Ming	Died 29 Nov 2016; Xianning Prison — VERIFIED. Heart disease — PROBABLE.	No official cause was given.
Ye Zhong	Died Oct 2023; Fuzhou police custody — VERIFIED.	Cause contested and UNRESOLVED.
Li Hong aka Zhang Jianhong	Died 31 Dec 2010 of ALS — VERIFIED; after medical parole in Ningbo.	Claim that he “died in prison” is UNSUPPORTED.
Ji Sizun	Died 10 Jul 2019; in ICU under guard — VERIFIED.	Cause PROBABLE / UNRESOLVED.
Cao Shunli	Died 14 Mar 2014 after denial of medical treatment — VERIFIED.	Individual criminal attribution still requires proof.
Liu Xiaobo	Died 13 Jul 2017; liver cancer — VERIFIED.	Any allegation about responsibility requires a defined theory and evidence.
Yang Tianshui aka Yang Tongyan	Died 7 Nov 2017 — VERIFIED.	Custody, medical history, causation, and individual roles require case-file sourcing.

Publication rule. Preserve these grades in headlines, captions, translations, social copy, and database entries. Do not turn an official claim into an established cause; do not turn a probable report into a verified death; and do not convert institutional custody into proof of an individual's guilt.

Questions reporters will ask—and accurate answers

Are you declaring the listed officials guilty?

No. The Movement is demanding investigations. It supports prosecution only where admissible evidence establishes a legal basis and a competent prosecutor and court act. Every accused person retains the presumption of innocence and fair-trial rights.

Who is currently “wanted”?

This package identifies no person as presently wanted, indicted, or subject to a warrant. “Wanted” is a legal status that must follow an actual warrant or comparable order. If a court later issues one, the release should name the issuing authority, date, case number, alleged offenses, and scope.

Are you accusing the head of state?

No individual accusation is made here. The Movement’s position is that investigations should follow evidence across the full chain of responsibility, including senior levels where facts support inquiry. Title alone is not evidence. Any case involving a serving or former head of state needs specialist analysis of conduct, linkage, jurisdiction, and immunity.

Why mention crimes against humanity?

Rome Statute article 7 can apply in peace or war. It requires more than a serious isolated crime: prosecutors must prove a widespread or systematic attack directed against a civilian population, a listed act, the accused’s required knowledge, and an applicable mode of individual responsibility. The present docket is a reason to investigate that possibility, not proof that the threshold is met.

Why not call these war crimes?

War crimes require an armed-conflict nexus. The current record describes peacetime custody. The primary framework is international human rights law and applicable domestic criminal law, not international humanitarian law.

What role does ROC law play?

The Republic of China’s ICCPR/ICESCR Implementation Act gives covenant protections domestic legal effect and is relevant to the Movement’s rights-based position. However, ROC jurisdiction over conduct on the mainland, available offenses, procedure, and enforcement require counsel review. Taiwan does not have a codified crimes-against-humanity statute equivalent to article 7.

Can universal jurisdiction solve this?

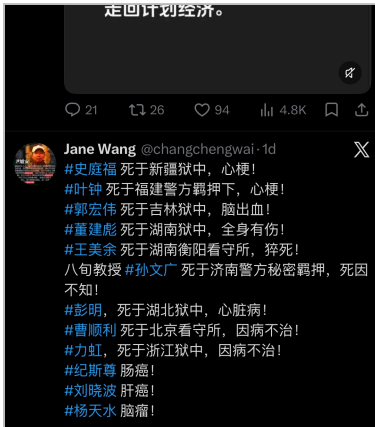
It is one route. National laws differ and may require the suspect’s presence, approval, or another connection. Koblenz shows such trials are possible; it does not guarantee another country will open these cases.

What should happen next?

Create a protected dossier per person; preserve originals; seek independent medical review; map command structures; protect witnesses; obtain ROC and comparative legal advice; and submit mature files to competent prosecutors or sanctions authorities.

Quote discipline. Use “reported,” “official claim,” “probable,” “contested,” and “unresolved” exactly where the docket requires. Never shorten “after denial of medical treatment” into “killed by denial of treatment” unless causation and the responsible actor are proved.

Publish the demand now; publish accusations only when the record can bear them



Originating memorial post supplied for this package. It is a lead list, not proof of the individual claims.

Minimum file for each person

- Identity, aliases, death date, and custody timeline.
- Primary documents plus independent corroboration.
- Medical requests, treatment, transfers, emergency response, autopsy, and pathology.
- Facility, agency, command chart, duty roster, and decision-makers.
- Cause and manner separated; official claims labeled.
- Offenses, liability, jurisdiction, gaps, provenance, and witness protection.

Release gate

Identity	Multi-anchor match; aliases recorded; no name-only merge.
Death	Primary or two independent reliable sources; exact grade shown.
Custody	Facility and dates sourced; parole, hospital, and guard status distinguished.
Cause	Medical fact, official statement, family account, and inference kept separate.
Accused	No name published without conduct-specific evidence and right-of-reply review.
Law	Qualified counsel confirms offense, forum, time, jurisdiction, immunity, and remedy.

Required editorial labels

VERIFIED Supported by sufficiently reliable evidence. **PROBABLE** Credible and more likely than not, but incomplete. **UNRESOLVED** Contested or insufficient. **UNSUPPORTED** The available record does not support the claim.

Do not release names of suspected officials from an advocacy list alone. Before identifying a person as a suspect, obtain conduct-specific evidence, legal review, a fair opportunity to respond, and a risk assessment for witnesses and families. Preserve unredacted material securely; publish only what is necessary and safe.

A complete package for publication after approval

Headline options

1. **Free China Movement seeks investigations into dissident custodial deaths**
2. **From prison gate to senior office: a call to investigate deaths in custody**
3. **Twelve memorial cases, one demand: preserve evidence and prosecute provable crimes**

Pull quote

“Rank does not create guilt, but neither should rank create impunity.”

Primary legal and practice sources

ICCPR, article 6. OHCHR text of the right to life and the prohibition on arbitrary deprivation. [OHCHR source](#).

Convention against Torture. Definition, absolute prohibition, criminalization, jurisdiction, investigation, and prosecution or extradition framework. [OHCHR treaty text](#).

Custodial-death investigation. OHCHR report explains that a death in custody triggers reporting to an independent authority and prompt, impartial, effective investigation under the Minnesota Protocol. [A/HRC/42/20](#).

Nelson Mandela Rules, rules 71–72. Independent investigation, cooperation, evidence preservation, and respectful treatment of the body. [UN rules](#).

Rome Statute. Articles 7, 25, and 28 on crimes against humanity, individual responsibility, and command/superior responsibility. [ICC text](#).

Standfirst

A proposed accountability initiative would build evidence files on twelve reported deaths, test direct and superior responsibility, and pursue lawful prosecution, universal-jurisdiction review, and targeted sanctions where the facts support action.

Suggested visual

Use the memorial-post screenshot only as documentary context, labeled as an originating claim list. Do not caption it as confirmation. Prefer verified portraits and facility images in the final story where rights and identity are cleared.

IHL boundary. The ICRC states that international humanitarian law applies only in armed conflict; human rights law and domestic law govern disturbances below that threshold. [ICRC explainer](#).

ROC covenant implementation. Articles 2–5 give ICCPR/ICESCR protections domestic legal effect and direct government bodies to conform their functions. [ROC Ministry of Justice](#).

ROC Criminal Code. Articles 1 and 3–8 frame legality and territorial/extraterritorial reach; articles 12–15 and 28–30 address culpability, omissions, and participation. [ROC Ministry of Justice](#).

Universal jurisdiction. OHCHR overview and Germany's UN statement describe national practice; Germany reports the Koblenz conviction. [OHCHR overview](#); [Germany statement](#).