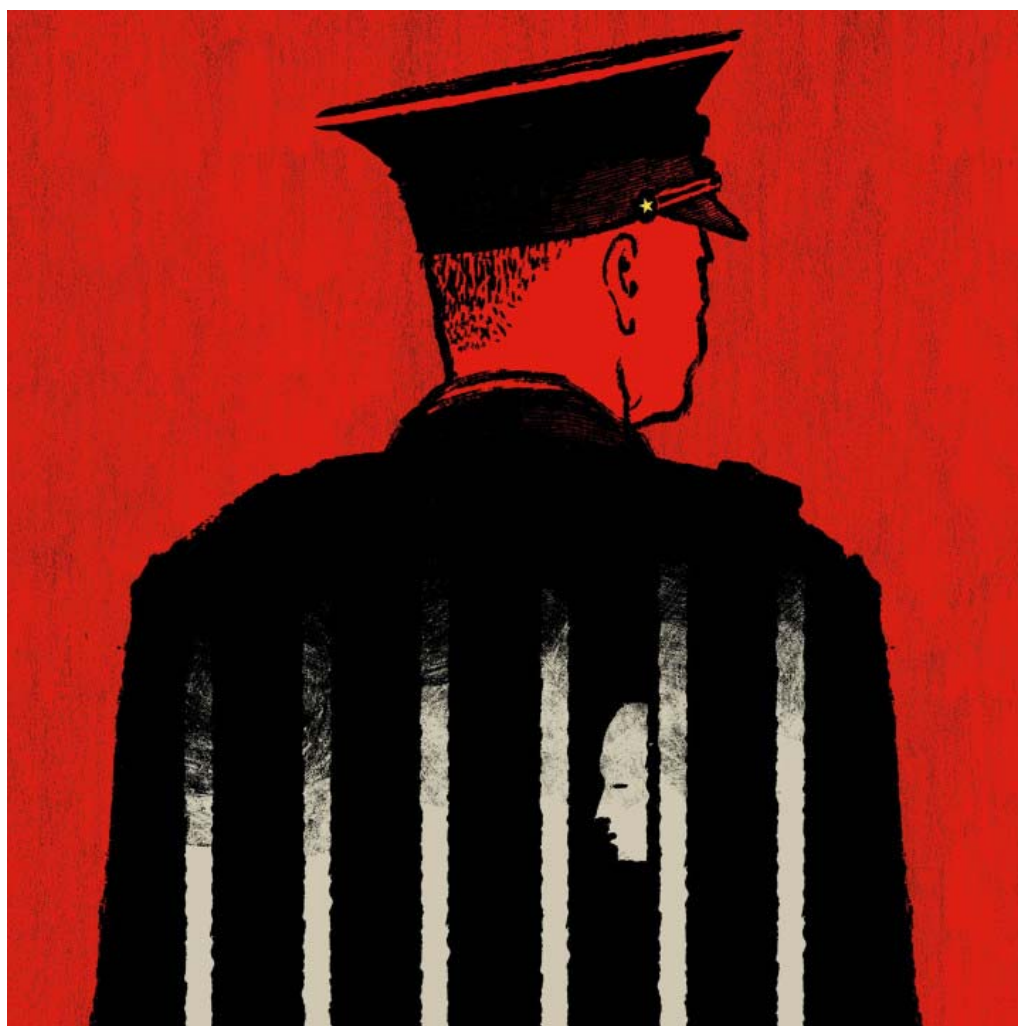


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Peter Humphrey 'I was locked inside a steel cage':

Peter Humphrey on his life inside a Chinese prison

In his first written account of the ordeal, the former corporate investigator looks back on 23 harrowing months in Chinese jail



Introduction (by FT)

In January 2013 the Anglo-American pharmaceutical giant GlaxoSmithKline received an anonymous email alleging widespread bribery of doctors and hospitals by its China operation. Two months later, it also received a secretly filmed sex tape featuring GSK's China chief Mark Reilly. The company hired ChinaWhys, a risk-advisory firm based in Shanghai, to investigate Vivian Shi, its former head of government affairs, suspecting her at that time of a smear campaign.

ChinaWhys was run by Briton Peter Humphrey, a former journalist who had previously led China investigations for US risk consultancy Kroll and the accounting firm PwC, and his Chinese-born American wife Yu Yingzeng. Both were certified fraud investigators.

In June 2013, the Chinese government announced a bribery investigation into GSK China. In July, Humphrey and Yu were detained and charged with “illegally acquiring personal information” of Chinese nationals. The story received huge attention internationally and, in August 2013, the couple were paraded on state TV, purportedly confessing. In a note dictated from prison in March 2014 and seen by the FT, Humphrey accused GSK of having failed to fully disclose the corruption allegations against the company when he agreed to work for them.

In August 2014, he and Yu finally stood trial and were convicted and sentenced to 30 and 24 months in jail respectively. In a separate trial in September 2014, GSK China was found guilty of bribery and paid a fine of £297m, upon which its detained executives were released. Humphrey was released from prison under diplomatic pressure in June 2015 amid reports of ill health, and he and Yu left the country.

This is his first personal account of the 23 months they spent in captivity.

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I sat on the rough wooden floorboards of a spartan cell in the Shanghai Detention Centre, reading an old copy of FT Weekend that had been brought in by my consul, and shivering as winter approached. It's not the kind of spot the FT imagines its readers in. But in 2013, this floor — shared by 12 prisoners — was my breakfast, lunch and dinner table. I was reading an interview with Russia's most famous convict, oligarch Mikhail Khodorkovsky, who was stuck inside a frigid Siberian jail.



Peter Humphrey at his home in Surrey, 2017 © Tereza Cervenova

It was a powerful article, which aroused comparisons to my own ordeal and spurred me to read more widely about captivity. During the 23 months I spent imprisoned in China, on false charges that were never proven in court, I consumed about 140 books, including jailbird classics such as Dostoyevsky's Crime and Punishment, Dumas' Man in the Iron Mask, Solzhenitsyn's One Day in the Life of Ivan Denisovich, and modern equivalents such as Marina Nemat's Prisoner of Tehran. Mental fodder to help me endure my own predicament.

This "detention centre" was once one of China's notorious — and supposedly now abolished — "education through labour" prisons for miscreants in the Communist party-ruled dictatorship. Today, they pretend to be custody centres but they are still punishment centres. Untried prisoners are condemned from day one, starting with the dire conditions they face when they arrive. The aim is to isolate, crush the spirit, break the will. Many crumble quickly.

My journey here began at the offices of my corporate investigation company in Shanghai on July 10 2013. I had living quarters there with my wife, Ying, and we were getting ready for our day. At 7am the Public Security Bureau (PSB) police flooded in, kicking our bedroom door into my face and injuring my neck. From that moment on, things moved ruthlessly fast: they ransacked the office, dismissed my staff, separated my wife and me from each other, and both of us from our teenage son Harvey. It would be two years before we were reunited.

Men in plain clothes drove us in unmarked black cars into the bowels of a hulking concrete building known as "803", a feared headquarters of the Shanghai PSB. I was taken along underground corridors lined by dank interrogation cells, and through the gaps in doors saw prisoners slumped in metal chairs. When we reached my room, I sat in an interrogation chair with a lockable crossbar. PSB men came and went, asking questions about items found on our laptops. On a podium my confiscated mobile phone rang relentlessly but our son's frantic calls to us went unanswered.

"Where did you get this?" "Where did you get that?" The interrogators' questions were targeted. They knew what they wanted. As a business specialising in investigative work, we used code names. "Who's this agent? And his phone number?" Fifteen hours later, we sped out of the building in the dead of night. Ying and I were again in separate black cars. There was no word on where we were going. As we rode into a slum off the Hunan Road, a PSB man handcuffed me, saying, "I'm sorry, I don't think you deserve this but I have orders from above."

"Prisoners were always delivered at night. It made them weaker, easier to break"

We halted in a dark alley before a towering gatehouse with one-foot-thick iron doors rolling into the walls on either side. The gates were guarded by paramilitaries of the People's Armed Police (PAP). Other PAP men patrolled the two-metre-thick perimeter walls. In a "check-in" area, our pockets were emptied. I had to take off my jacket, shirt, slacks and Pierre Cardin shoes, and was photographed against a wall, front and side on. In the cell block, a warder made me strip to check I wasn't hiding anything — anywhere.

He threw me some cotton shoes half my size and a smelly red vest with a “V” torn into its neck, and “Shanghai Detention Centre” stamped on its back.



© David Foldvari

At about 3am I was tossed into a sweltering cell. It was, I learnt, a ritual — new prisoners were always delivered at night. It reinforced the shock. Made them weaker. Easier to break, to extract confessions from. The warder shut the door with a clang and uncuffed me through the bars. “What’s up?” mumbled a sleepy voice in Chinese from under a mound of pink bedclothes. “A new guy,” said another. A man in boxer shorts came to the door. “Sleep there,” he said, dumping a dirty quilt on a narrow spot beside the toilet.

My head was bursting hot. Stunned and exhausted, I wept. Around the cell, shaved heads popped up like chicks from a nest to glimpse the commotion, then went back to sleep

nonchalantly. A dozen or so bodies lay in rows on the rough boards, like sardines in cans with pink lids. A ceiling light burned brightly — in fact, it was never off. I felt winded. How could I sleep? Then suddenly it was light outside too. It must have crept up slowly but the new day came as a shock. My horror movie rolled to the next scene.

A low-pitched horn broke the silence. I hear it every day still. Bodies sat up. Warders on the corridor in pale-blue shirts banged on the bars. “Qilai, qilai.” “Get up!” At breakfast the gritty rice and the briny smell of pickle made me retch. Some men had sachets of “cereal” powder that they mixed with boiled water from an urn perched outside the bars. “Have one of my cereals,” said one inmate. Two men cleared the dishes and took them to the sink. Their actions were chores rostered to each detainee by the warder. Cleaning the floor, washing the dishes, scrubbing the toilet, stacking the boxes and quilts, emptying the urn twice a day for refilling, washing and folding the cloths. These jobs rotated each week.

The men exercised by circling the cell for 10 minutes like Tibetan pilgrims at a temple, minus the Buddhist chants. But this was no temple, just a floor five by three metres. The entrance and toilet added another two square metres. The toilet was a hole in the floor with a rusty flushing lever on the wall behind it. The sink was a heavy, cracked ceramic affair with a cold tap. Above it was a piece of shiny plastic, supposedly a mirror, warped so you couldn’t see a clear image. During 14 months here, I did not see my own face.

After the “stroll” came the toilet ritual. Orange vests sat on designated spots beside the wall. Red vests — new boys — faced the grille studying a brown rule book. We went to the toilet in turns, red vests last. Squatting over the hole I almost toppled as I reached for the flusher behind me. “To shit, face forward; to piss, face the wall,” barked Li, the cell boss. “That way, it falls the right way without a mess. You did it the wrong way.” Over the next 10 days, like a dog yapping at my ankles, Li ordered me to do this and do that. To learn the rules.

Some of the men were kind; not all. On day 10, the warder ordered me to gather my things. “You are going home,” said Li. The other men echoed his pronouncement and told me to put on proper clothes and dump my red vest. My heart rose. When the warder fetched me, he barked at Li, who had cruelly conned me — I was only moving cell. My heart sank.

They moved me to Cell 203 and gave me an orange vest. My new boss was Liu, 34, sentenced to 13 years for illegally owning guns to shoot rabbits. “Most people here committed crimes for money,” said Liu. “But I am only here because of my hobby.” There were three Chinese in their late fifties like me, in the green vests worn by inmates with chronic illnesses. All three were wealthy businessmen, hostile to the political system. All were awaiting trial, accused of fraud; all claimed to have been framed. The cell was nicknamed “sick men’s cell” by the others; I called it “the billionaires’ cell”.

“The aim is to crush the spirit, break the will. Many prisoners crumble quickly”

Whatever the cell, the rituals were the same. During exercises, which were aired on a closed circuit overhead TV, we imitated jumps and stretches performed by three PE coaches, one male, two female — the closest my cellmates ever got to a woman. Then a

white-coated patrol doctor came by our grille. Inmates raised health issues but they would be lucky to get a dollop of ointment for a sore foot, or an aspirin.

Next came “study time”. We sat cross-legged on red spots on the floor while the TV relayed “lessons” from the detention centre “propaganda department”. Sometimes it was the “propaganda director” preaching about good behaviour and analysing recent statistics: how many detainees had quarrelled or fought; how many inmates had argued with the guards or broken other rules, and been punished by isolation or prolonged squatting. Inmates sat quietly. Some would try sneak-reading a book. Others plotted how to handle their case, or dreamed. Nobody took “study” seriously, though sometimes we had to write a commentary on the session.

That was our life. A waiting game. No family visits. No letters home. Just brief messages to lawyers. No chance to orchestrate a real defence. Foreign prisoners could receive consular visits, to the envy of Chinese cellmates. Usha, the vice-consul who visited me regularly, and her assistant Susie, relayed messages to and from my family, brought books and magazines, and lobbied over my health. They were my angels. In the detention centre I developed symptoms of prostate cancer, a long hernia, skin rashes, anal infections and constant diarrhoea, and endured an injury to my spine inflicted during the raid. None was treated.

“There were frequent interrogations. I was locked in an iron chair inside a steel cage”

There were frequent interrogations. For these I was locked in an iron chair inside a steel cage facing a podium where three PSB men questioned me and, once or twice, men from “a different department”. Most of it was smoke. I had to thumb-print statements in red seal ink, and specimen documents from my project files.

The PSB men did not want to hear any mitigating explanations. They tried to make it look as though Ying and I earned millions from trading in data, which we never did. Twice, the “other department” men tried to stitch me up for spying. They tried to accuse me of spying in the restive Muslim region of Xinjiang. They tried to tie me to a US intelligence entity spying on North Korea.



© David Foldvari

After seven months, Ying and I were finally allowed to exchange jailbird love letters. They took a month to travel 30 metres through the concrete and three layers of police censorship. We were not allowed to discuss our case. Some of our letters were blocked without telling us. But I reminded myself that the Chinese men had no such privilege.

After 13 months without trial, I finally went to court on August 8 2014, where Ying and I were charged with “illegally acquiring citizens’ information” (which we denied). That day also saw one of the most deeply distressing moments of the entire ordeal. The police had told me shortly before our trial that Ying had been informed of the recent death of her brother, Bernard. So, on the morning of our trial, when I saw her on the stairs in the courthouse, I expressed my condolences. The manner in which she broke down told me instantly that they had lied. She didn’t know. I believe they did this on purpose to destabilise us for the trial. We were predictably sent down, me for 30 months and Ying for 24.

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From the moon, Qingpu Prison would look like a peaceful walled university campus with dorms, gardens, camphor trees, a soccer pitch and a parade ground. From my level, there were a dozen concrete cell blocks with barred windows, a prison theatre, an office block, a kitchen, a boiler house and a factory. The perimeter wall bristled with razor wire and was patrolled by armed PAP guards. It could hold 5,000-6,000 prisoners. It also “trained” prisoners for redistribution to other prisons.

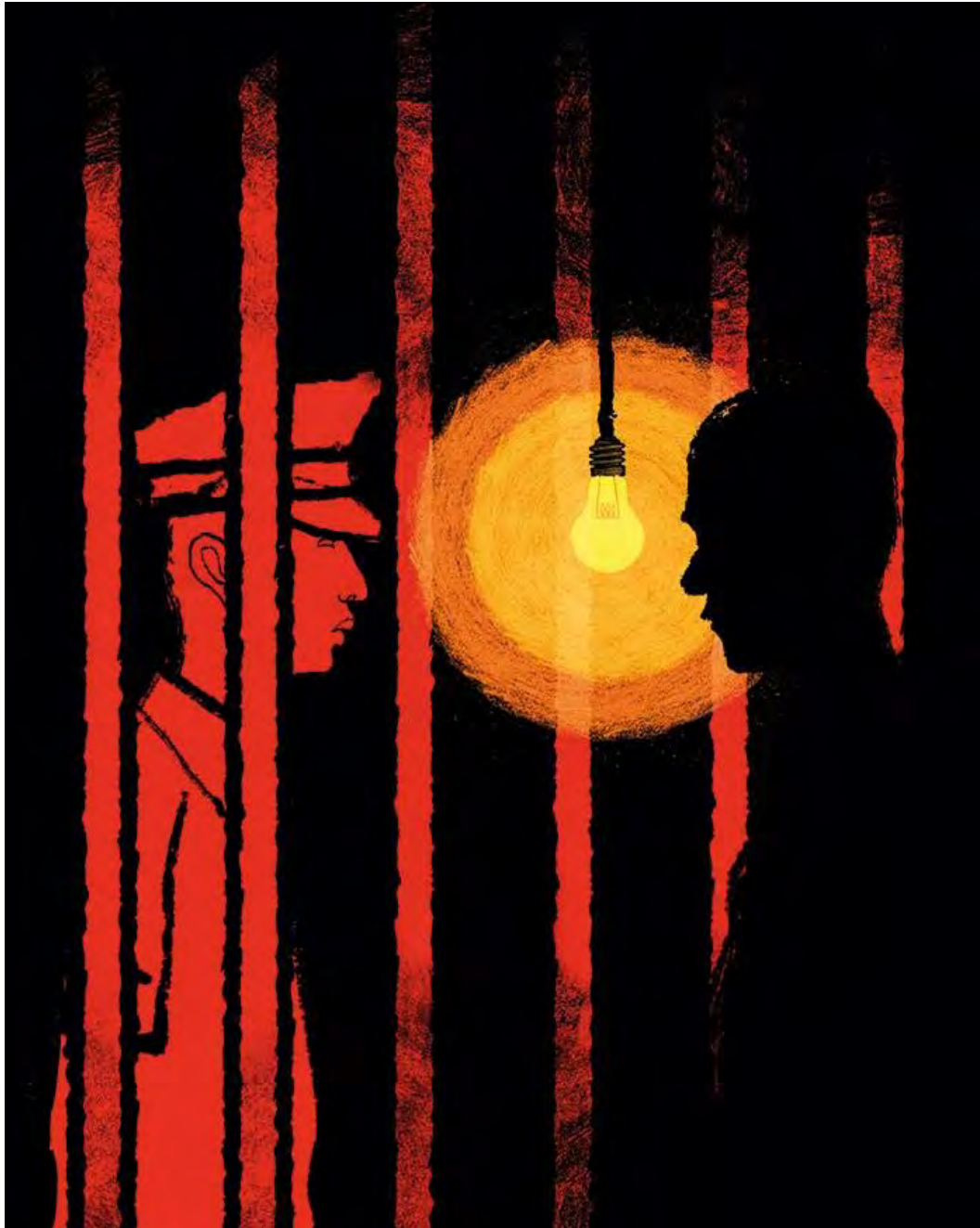
Cell block eight was for foreign men, the adjacent block for Chinese. A tall iron fence sealed off a yard between the block’s wings. A bald middle-aged Malaysian lifer came to the gate and helped carry my prison bags. His nickname was MC. He was block eight’s “king rat”. He ran a Malaysian mafia that controlled all the food and job assignments at Qingpu.

“What are your thoughts?” a bespectacled senior officer asked me when I arrived. “I don’t know what you mean,” I replied. “What will you do here?” he asked. I did not realise his questions were euphemisms for, “Will you write the acknowledgment of guilt and ‘repentance report’?” that was required of all prisoners. “I can teach some English to your staff,” I said innocently. I was led to the “training cell” for new prisoners, and given blue-and-white-striped shorts and a white short-sleeved shirt with blue tabs, the summer prison uniform. I became prisoner number #42816

My cell held 12 prisoners. We slept on iron bunks with wooden planks and a cotton “mattress” one-and-a-half inches thick, covered with a coarse striped sheet. The barred windows were never closed. Winter was freezing. “I am the cell leader,” said a wiry young African, one of many Nigerians there, most convicted of drug smuggling and serving life terms.

We were joined by two Chinese prisoners who held foreign citizenship: Zhang, an Austrian citizen serving a long term for people-trafficking; and Chen, a Thai citizen who was in jail for embezzlement. They were snitches who informed against everybody and who had been moved into the cell to monitor me.

As both spoke some English, they would follow me everywhere, listen to any conversations I had and report back to the officers. Zhang managed the cell block's factory production; Chen worked as "social secretary" between prisoners and officers. "How do sentence reductions work? How does the points system work?" I asked. "We don't know, you must ask the captains," they lied. "At least, if you want to qualify for reduction, you must confess."



© David Foldvari

I spoke next to a Captain Liu. "What are your thoughts?" he said in broken English in a small interview room with bars separating us. My first thought was, "Here we go again."

"I am innocent and I will not admit any crime," I said. "If I have to stay here, I will use my time to read. I can help teach people English if you want me to. I want to know about the

sentence-reduction system.” Liu seemed awkward dealing with a grey-haired Englishman about his own age. “Studying is a privilege, not a right. You should write confession and repentance reports,” he said. He was more civilised than most warders and I think he genuinely hoped to have a good rapport with me. I disappointed him. “I will not write any of that,” I said. “And I demand medical treatment for my ailments, including my prostate.”

Zhang led me back to the cell. In the corridors and stairs other prisoners appeared. They smiled and nodded at me. On our corridor an African inmate tried to chat. “They told us all not to talk to you,” he said. “They said you are an MI6 spy. None of us believes it. We saw your trial on TV. We have been waiting for you. You are a hero. If you need anything, tell us, we will help you,” he said, ignoring Zhang and Chen, who fluttered and clucked like anxious hens.

I had brought no toiletries, having been told I would get new ones. Instead, I had to buy them and I had no prison account, even though my warders handed over the money from my detention centre account to the prison. The officers also banned me for a month or so from sending letters to family, making phone calls or using the prison shopping system. But I soon found a pile of things on my bunk — tissues, laundry powder, biscuits, coffee sachets, a small towel, two plastic rice bowls, pens and notepaper. Inmates dropped these things there as anonymous charity donations.

Zhang and Chen led me to my first supper in the “workroom”, where some 120 prisoners occupied rows of tables with backless, immovable seats attached. As I walked in, all eyes were on me, along with those of six officers. The food was warm here, sometimes hot. A standard dinner was a bowl of steamed rice, almost grit-free, stir-fry including a meat and a vegetable, and a thin soup. The Ritz! MC’s gang served one cell at a time, ladling food from battered trays.



Peter Humphrey with his wife Ying at their Surrey home, 2017. © Tereza Cervenova

After a final roll-call at 9pm, the barred cell door was locked and trusted prisoners from a Chinese block stood watch on the corridor to report nefarious activity or suicide bids. The ceiling light was kept on all night. We awoke at 6am. One of us cleaned the toilet area before the others rose.

A warder unlocked the cell and the men trooped down to the yard with Thermoses to collect boiled water for hot drinks or washing. Two flasks per man. For breakfast we ate plain rice congee or a steamed bun with salt pickles, and, every Sunday, a boiled egg. There was half-an-hour of exercise in the open air before breakfast in a yard the size of a basketball pitch.

After a few days, nice Captain Liu vanished and word flew round that young Captain Wei would manage our cell. Wei was notorious for persecuting inmates and stirring up incidents that led prisoners to get a beating and to be dragged off screaming to solitary, which I witnessed over and over again. "They are sending him here because of you," I was told. Indeed, Wei summoned me several times a week for a "talk". He tried to provoke my anger, insulted me, ordered me to write confessions, threatened me with an extended sentence or solitary if I refused. I never yielded.

Every week I cited my medical problems and demanded proper examinations and treatment for my prostate. "But you haven't confessed," he would say. He staged searches and threw all my things out of my bunk drawers across the cell. He often removed my private diary, so I played cat and mouse, keeping my notebook on my person. I agreed to write a separate monthly "record of my progress" for him, but I only listed his abuses. He would write "good" on each page like a teacher. He obviously did not understand my handwritten English.

The prison was a business, doing manufacturing jobs for companies. Mornings, afternoons and often during the after-lunch nap, prisoners "laboured" in the common room. Our men made packaging parts. I recognised well-known brands — 3M, C&A, H&M. So much for corporate social responsibility, though the companies may well have been unaware that prison labour was part of their supply chain. Prisoners from Chinese cell blocks worked in our factory making textiles and components. They marched there like soldiers before our breakfast and returned late in the evening. The foreigners who laboured in my cell block were Africans and Asians with no money from family, and no other way to buy toiletries and snacks. It was piece work; a hundred of this, a thousand of that. Full-time, they earned about Yn120 (£13.50) a month. But it was also about points. There was a sentence-reduction system based on points earned through labour — work such as floor cleaning, food serving, teaching and approved study. Snitching also earned favourable treatment.

"Our life was a waiting game. No family visits. No letters home. Just brief messages to lawyers"

Once or twice a year a list of prisoners went up showing who had earned reductions. Those on long terms crowded around, praying their name was on the board. Many were disappointed. Reductions had become rarer since President Xi Jinping had taken power in early 2013. Before that, a 10-year term might be cut to seven. Under Xi you would be

lucky to get one year taken off. I never qualified because I boycotted the thought reports. The officers refused to explain the system to me anyway.

Between bouts of persecution by Wei, I read books and newspapers sent by my Rotary Club community, and books from the prison “library” shelves managed by Stern Hu, a China-born Australian. Stern had led the China office of mining giant Rio Tinto before his arrest in 2009 on murky allegations of espionage and bribery, as China fought Australia over the price of iron ore. Ironically, I had commented on his case on CNN at the time. Now I was his jailmate. Tall and aristocratic-looking, hair whitened by captivity, he was highly educated and very kind. He provided me with some of his warm clothing in winter and helped me with Chinese letter writing and reading. He was struggling with heart disease, and I worry about his health to this day.

Every encounter was an education. I had spent 15 years helping to prosecute fraudsters. Now, in prison, I met many people who might easily have been my investigation targets, but who I came to believe did not deserve such harsh sentences. I came away from my captivity with sympathy for both the innocent and the guilty.

I continued to refuse to “confess”, and the captains continued to block my access to prostate treatment and warm clothing. Everybody was supposed to shave once or twice a week. Prisoners had their own razors, which were stored under lock and key. On certain days of the week the razors were handed out to their owners to shave and then handed back immediately. I applied to have my family buy me a razor, but Wei kept blocking approval. They tried to make me use a shared razor. I refused on hygiene grounds. I grew a long straggly grey beard. Hair was cut every Saturday morning by prisoners. I let mine grow. Before long, I looked like a cross between Santa Claus and the Count of Monte Cristo. This drove Wei nuts. He tried to force me to shave, and I filed complaints to the prison and my consulate. Other prisoners started winking at me as I walked along the corridor and I noticed they had started to grow beards too.

My consular saviours — Roslyn, who took over from Usha, and Susie — brought letters and books from relatives and friends each month, and relayed my complaints to the prison and the authorities. One day, they brought me a copy of the United Nations treaties on imprisonment and torture that I had requested. These confirmed to me that China failed to comply with most of the standards of treatment (on nutrition, sleep, labour, health, contact with family, etc) required by international laws that China had signed, and I urged my consul to complain. I shared the treaties among the inmates. Handwritten copies proliferated. Some of the men started citing the treaties in complaints to the governor. The officers began to grow uneasy and I could sense that some wanted to get shot of me. Wei continued to threaten me with solitary and made efforts to ban me from sitting down anywhere.

In April 2015, something shifted. Consular lobbying and my relentless complaints forced the prison to send me for a PSA blood test and an MRI at a local hospital. Wei used the moment to parade me in front of the public at hospital in handcuffs and prison uniform. But the MRI result was a milestone. Within weeks, they had to admit that I had a tumour in my prostate, although they concealed the result of the blood test. The next step should have been a biopsy. Instead, they began to fake the paperwork for a sentence reduction for good behaviour.

It emerged from this that the real commander of cell block eight was one Captain Shang. He, and eventually the prison governor, spent long sessions pleading with me to sign an admission of guilt so that I could leave prison with Ying, whose sentence would expire on July 9 that year. "Even your wife could get a small reduction too," said Shang. He and I argued over the wording of a compromise statement that I would sign to satisfy the paperwork. He went back and forth to his superiors with my position. I finally signed a statement expressing qualified, conditional remorse if I had done anything wrong but not admitting that I had done anything wrong at all. Somehow they fudged it.

"I came away from my captivity with sympathy for both the innocent and the guilty"

On June 4 2015, the prison smuggled me to the Shanghai Prison Hospital where I never saw a doctor but where they pretended I was getting medical attention for five days. The vice-governor came to me with a Gillette Turbo razor and begged me to use it. In my final act before leaving Qingpu, I shaved.

On June 9, they released Ying and me into house arrest in the Magnotel, a small hotel that sources said belonged to the security apparatus, pending our deportation. On June 17, the PSB men who had originally arrested and interrogated us in 2013 conveyed us to Pudong Airport to deport us on a Virgin flight to London. Just before we climbed aboard, the PSB handed us a bill for our nine-day stay in the Magnotel. We didn't have the cash with us, so we signed an "IOU".

Postscript (by FT)

After deportation to the UK in 2015, Peter Humphrey was diagnosed with advanced prostate cancer, and spent 18 months in cancer treatment and one year in PTSD treatment. He fought a 21-month legal battle against the Home Office over Yu's right to stay in the UK and won in court. He filed a detailed report to the Beijing government on Shanghai's abuse of China's judicial system and awaits a reaction. He and his wife have filed suit against GSK in US courts on racketeering charges. His damaged health has prevented his return to business and he has reverted to his journalistic and academic roots as a sinologist and writer. He was banned from China for 10 years but does not rule out a return when conditions are favourable.

Doing business in Xi's China

By Tom Mitchell in Beijing



Peter Humphrey during his "confession" on Chinese state TV, August 27 2013

When Peter Humphrey was arrested by Chinese police in July 2013, the world still knew very little about China's new president and Communist party general secretary, Xi Jinping.

It seems naive now, but five years ago many people hoped Xi's administration would press ahead with difficult economic and perhaps even political reforms. The cases brought against Humphrey, his wife Yu Yingzeng and their corporate client GSK were some of the first indications that the international business community was about to enter uncharted territory as Xi quickly established himself as China's most powerful leader in decades.

GSK was one of the first corporate casualties of Xi's anti-corruption campaign, which has been unprecedented in scope. Shanghai police charged the UK company's staff with paying doctors billions of dollars in kickbacks.

Humphrey, a former Reuters reporter turned private investigator, was charged with illegally obtaining private information. His case was never officially connected to the GSK investigation, but few people doubted that he had appeared on the authorities' radar because of his work for the UK pharmaceutical giant.

Humphrey's ordeal also presaged a dramatic deterioration in China's human rights environment.

His "confession" while under detention, which was broadcast by state television long before his trial, is now a common tactic employed in government prosecutions of Chinese human-rights lawyers, labour organisers and other activists.

Inside China's prison system

By Ian Trueger

According to the Ministry of Justice, under which the Bureau of Prison Administration operates, there are about 700 corrections facilities throughout China. The official reported rate of incarceration is 119 per 100,000, with 1,649,804 sentenced prisoners, but this statistic excludes pre-trial detainees and those held in administrative detention.

A 2009 report from the deputy procurator-general of the Supreme People's Procuratorate found that an additional 650,000 prisoners were held in detention centres throughout China.

Although the Chinese government officially states that its correctional institutions do not use torture as a method to extract information, a Human Rights Watch report from 2015, quoted in a US State Department report, found "continued widespread use of degrading treatment and torture by law enforcement authorities" and revealed: "Some courts continued to admit coerced confessions as evidence, despite the criminal procedure law, which restricts the use of unlawfully obtained evidence."

The state department report went on to note "a lack of due process in judicial proceedings, political control of courts and judges, closed trials, the use of administrative detention, failure to protect refugees and asylum seekers, extrajudicial disappearances of citizens, restrictions on non-governmental organizations (NGOs), discrimination against women, minorities, and persons with disabilities".