

Criminal Justice with Chinese Characteristics

China's Criminal Process and Violations of Human Rights

Contents

I.	Introduction	1
II.	Criminal Procedure	8
	1. Arrest and Detention	10
	2. Pre-trial Investigatory Detention	17
	3. Prosecutorial Determination of Guilt	20
	4. Right to Counsel	26
	5. Right to Present a Defense	38
	6. Lawyers and Post-Tiananmen Political Cases	43
	7. Right to an Open Trial	48
	8. Judicial Independence	52
	9. Appeals and Petitions	61
III.	Administrative Sanctions	66
	1. Shelter and Investigation	67
	2. Re-education Through Labor	71
IV.	Substantive Criminal Law	77
	1. Crimes of Counterrevolution	77
	2. Other Substantive Criminal Law Issues	81
V.	Conclusions	85