

ORGAN TRAFFICKING CRIMES IN CHINA

Hon. David Kilgour, JD.

Committee Room

Swedish Parliament,

Stockholm

Nov 20, 2013

Honourable members of Parliament,

Thank you for holding this event and coming in such encouraging numbers.

Many of us in the international coalition to end organ trafficking in China can be very pleased that you're doing this. You have within your legislative and persuasion roles the capacity to combat this crime against humanity in various ways.

Time is very much of the essence; I am certain that innocent men and women are currently being killed in China for their organs in the 350 or so forced labour camps across China, which are something between Hitler's concentration camps and Stalin's gulags and were created across China by Mao in the 1950s to imprison his opponents. They still require only a police signature to send anyone to them for up to four years. No charges, no hearings, no appeals. All friends of the Chinese people can be pleased that the new Xi government has announced again that it intends to close the camps, but after 60 years seeing will be believing here.

David Matas and I visited about a dozen countries to interview Falun Gong practitioners, who managed to leave both the camps and the country. They told us of working in appalling conditions for up to sixteen hours daily with no pay and little food, crowded sleeping conditions and torture. Inmates made a range of export products as subcontractors to multinational companies, including Christmas decorations, garments, chopsticks and slippers. This constitutes both corporate irresponsibility and a violation of WTO rules and calls for an effective response by all trading partners of China. All our governments should ban forced labour exports by enacting legislation which places an onus on importers in each country to prove their goods are not made in effect by slaves.

Falun Gong Victims

In order to understand what the party-state in China is doing, it helps to understand the principal victims. Falun Gong (or Falun Dafa) is an ancient spiritual discipline from the Buddha school that seeks to improve body and mind. For the body, it contains a set of gentle exercises that improve health. For the mind, its core principles are "truthfulness, compassion and forbearance," which echo those of many faiths.

In China, it was introduced to the general the public only in 1992, but grew within seven years to 70-100 million practitioners by the government's own estimate. It has a belief system entirely different from the Communist Party's materialism/atheism. It is, moreover, not an organised religion which made it impossible for the Party to control.

On July 22, 1999, the then Party leader, Ziang Zemin, launched a violent campaign, whose stated purpose was to "eradicate" Falun Gong. A U.S. government report estimated that at least half of the inmates in the labour camps were Falun Gong. Other detainees

interviewed by Human Rights Watch consistently observed that Falun Gong were the largest group in the labour camps and were singled out for torture and abuse. Millions of non-violent Falun Gong have been deemed subhuman by the government. They can accordingly be killed on demand without any recourse whatsoever in China. This national policy is simply inhuman/barbaric.

Independent Reports

In May 2006 the Coalition to Investigate the Persecution of Falun Gong in China (CIPFG) asked David Matas and me to investigate the claims of organ harvesting from living Falun Gong practitioners. We released two reports and one book and have continued to investigate the matter to the present time.

We found numerous pieces of evidence. Based on our research for the period 2000-2005 alone, Matas and I determined that for 41,500 transplants done the only plausible explanation for sourcing was Falun Gong.

Our main conclusion is that there “continues today to be large-scale organ seizures from unwilling Falun Gong practitioners... Their vital organs, including kidneys, livers, corneas and hearts, were seized involuntarily for sale at high prices, sometimes to foreigners, who normally face long waits for voluntary donations of such organs in their home countries.”

Chen Ying

The experience of Falun Gong practitioner Chen Ying, who was later awarded refugee status by the government of France, is fairly typical:

“Because I would not renounce my Falun Gong convictions, between February 2000 and November 2001, I was imprisoned three times without any judicial process...Each time, I was mistreated and tortured by the police...At the end of September, 2000, as I would not tell them my name, I was called out by the police and taken to a hospital for a complete medical examination: cardiac, blood, eyes, etc. I had to carry chains on my legs and I was attached to a window frame. The police injected me with unknown substances. After the injections, my heart beat abnormally quickly. Each one gave me the impression that my heart was going to explode...”

Gao Zhisheng

Chinese human rights advocates, such as the twice Nobel-Peace Prize nominated Gao Zhisheng, and their international supporters care deeply about improving the well-being of the Chinese people. Gao is often called “the conscience of China”. He gained world acclaim for donating his lawyer’s skills to defend workers, evicted farmers, miners, dissidents and the disabled. His criticism of the persecution of Falun Gong practitioners, however, triggered seven weeks of torture for himself. It stopped only when he agreed to “confess” in an article saying that the party-state treated his family well and that Falun Gong had tricked him into writing a letter to the U.S. Congress. Shortly after his release for a brief period, Gao wrote a letter detailing his ordeal and authorized its release to the public in February, 2009, although threatened with death if he spoke publicly about his torture. The UN Working Group on Arbitrary Detention has called on the party-state of China to release Gao, terming his detention a violation of international law.

It was originally Gao who invited Matas and me to China to investigate allegations of organ pillaging from Falun Gong practitioners. We could not go to China, but we located 52 proofs that large scale trafficking of their organs was and is occurring. We continue Gao’s struggle for elemental human dignity on the issue.

Evidence

Very briefly, I'll mention some of the evidence that led us to our conclusion.

Investigators made many calls to hospitals, detention centres and other facilities across China claiming to be relatives of patients needing transplants and asking if the hospitals had organs of Falun Gong for sale. We obtained on tape and then transcribed and translated admissions that hospitals were using Falun Gong organs throughout China.

Falun Gong practitioners, who were detained and later got out of China, testified that they were systematically blood-tested and organ-examined while in detention in forced labour camps across the country. The blood testing and organ examination could not have been for their health, since they were regularly tortured, but it would have been necessary for organ transplants and for building a bank of "donors".

In a few cases, family members of Falun Gong practitioners were able to see mutilated corpses of their loved ones between death and cremation. Organs had been removed. We even have some photos of that.

We interviewed the ex-wife of a surgeon from Sujiatun district in Shenyang City in Liaoning. She told us that her surgeon husband told her that he removed corneas from 2,000 Falun Gong practitioners between 2001 and 2003, at which time he refused to continue. The surgeon made it clear to his wife that none of these sources survived the experience because other surgeons removed other vital organs and all of the bodies were then burned.

Finally, there's no other explanation for the transplant numbers than sourcing from Falun Gong. China's the second-largest country in the world after the U.S. for transplantation, yet until 2010 China did not have a deceased donation system, and even today that system produces donations that are statistically insignificant. The living donor sources are limited in law to relatives of donors and are officially discouraged because live donors suffer health complications from giving up an organ.

The number of prisoners sentenced to death and executed, that would be necessary to supply the volume of transplants in China, is far greater than even the most exaggerated death penalty statistics and estimates, in the tens of thousands. Moreover, in recent years death penalty volumes have gone down, but transplant volumes, except for a short blip in 2007, have remained constant.

INTERNATIONAL RESPONSE

China

The Government of China dismissed our report out of hand upon its release. After a few weeks, they gave a more considered response to our report and stated that there were two errors of placing two cities in the wrong provinces in the introductory headings of text (though the errors were not in the text itself). If this is all that the Chinese government, with all its resources and inside knowledge, can produce to question the facts in our report, then our report sits on a solid foundation.

UN

Over the years, different UN Special Rapporteurs have asked the Chinese government for an explanation of the serious allegations of organ harvesting from Falun Gong practitioners. They pointed out to the government that a full explanation would disprove the allegations, but the government has provided no meaningful answer, simply denying the charges.

NGOs

Various medical organizations have issued statements urging for investigation and measures to stop organ pillaging in China. For example, in 2006 the World Medical Association demanded that China stop using prisoners as organ donors. Recently the policy of the World Medical Association includes a paragraph that organ donation from prisoners is not acceptable in countries where the death penalty is practiced.

I should single out for praise mention Doctors against Forced Organ Harvesting who have also been very active in this issue in a growing number of nations.

EU Parliament

In September of 2006, European Parliament conducted a hearing, at which David Matas and I both testified; and adopted a resolution condemning the detention and torture of Falun Gong practitioners and expressing concern over reports of organ harvesting.

There were also hearings this past December and January where Tunne Kelam on the EP Foreign Affairs Committee, mentioned that "if we don't take knowledge seriously about this practice, we have become morally and politically co-responsible for what's going on."

Ireland

In Ireland, this past July, the Joint Committee on Foreign Affairs and Trade conducted a hearing and unanimously passed a motion which called on the Irish Government to support the UN and Council of Europe initiatives to oppose the practice of forced organ harvesting in China.

U.S.

From June 2011, the online U.S. non-immigration visa application, Form DS-160, asks the applicants if they have been involved in transplant abuse.

In July 2013, Congresswoman Ileana Ros-Lehtinen (R-Fla.) and Rep. Robert Andrews (D-N.J.) introduced House Resolution 281 in the House Committee on Foreign Affairs that calls on China immediately to stop the practice of organ harvesting from its prisoners.

The resolution says that "persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience" is the basis for concern, and then provides a summary of the evidence that links the majority of the organ harvesting with a single-minded campaign to persecute and "eradicate" the practice of Falun Gong.

Australia

Earlier this year in the parliament of New South Wales legislation was proposed against organ trafficking, which would bar any resident of the state from buying a trafficked organ anywhere. In March, the Australian Senate unanimously passed a motion urging the government to oppose the practice of organ harvesting in China. The motion also calls on the government to follow the example of the United States in implementing a new visa requirement.

Israel

Israel passed legislation banning the sale and brokerage of organs. The law also ended funding of transplants in China, through the health insurance system, for Israeli nationals. Transplant surgeon Jay Lavee, in his contribution to the book *State Organs*, explains this law as a reaction to transplant abuse in China.

Spain

Finally, Spain as a leading country in Europe for organ donation and transplant adopted the penal code in 2010 to sentence those who participated in illegal organ transplant in the third country. The Spanish national transplant organisation (ONT) launched a lawsuit in June 2013 against one Spanish patient who went to China for organ transplant and promoted this behaviour. There is zero tolerance towards organ harvesting and trafficking wherever it takes place.

Sweden

Do Swedish nationals travel to China for organ transplants and subsequently receives transplant aftercare in Sweden?

Over the course of our investigation, we engaged in extensive interviews of organ recipients and their family members. Organ transplant surgery is conducted in almost total secrecy. Recipients and their support network are not told the identity of the donors, nor are they shown written consent of donors. The identities of the operating doctor and support staff are often not disclosed, despite requests for information.

One interviewee told us that a military doctor tested the compatibility of seven prior kidneys before a successful match for one was found at a hospital. The doctor carried sheets of paper containing lists of prospective sources based on tissue and blood characteristics, from which he would select the source. The doctor was observed at various times to leave the hospital in army uniform and return two or three hours later with containers holding kidneys.

If Swedish nationals do go to China as organ tourists, it is likely that they do not understand the true horror inflicted on the organ “donors”.

RECOMMENDATIONS

The international coalition to end organ pillaging in China will not rest until the vile commerce ends in China completely, but until a growing loss of face both internationally and at home for those involved in the vile commerce, including the party-state, reaches the necessary tipping point, other countries at least hold the power to end complicity with the abuse within our own countries.

Sweden and other responsible nations could enact measures to combat international organ transplant abuses through extraterritorial legislation, mandatory reporting of transplant tourism, health insurance systems not paying for transplantations abroad, barring entry of those involved in trafficking organs.

Many of us in and beyond China ought to have a greater impact on the future of this grave matter, not only because it is necessary for tens of millions of Chinese Falun Gong practitioners and their families, but also because it is good for China and the international community as a whole. We all want a China that enjoys the rule of law, dignity for all and democratic governance.

Thank you.