

Worldwide Reactions to Forced Organ Harvesting in China

(July 2015)

Since 1999 China claims to have performed over 150,000 transplants. Due to the lack of transparency, the number is not verified and the real figure could be different. China admitted that the majority of organs used for these transplants did not come from voluntary organ donors. Most Chinese don't donate their organs, because cultural beliefs and traditional values block them. Findings from Dr. Sharif and colleagues (AJT, 2014) quote statistics from China that from 2003 to 2009, there were only 130 freely donated organs in China. Evidence collected by researchers, including Canadian lawyers David Matas and David Kilgour, American journalist Ethan Gutmann and American medical academic Prof. Kirk Allison, conclude that the bulk of Chinese transplant organ sources are prisoners of conscience, who are killed in the process of the organ extraction. Of these prisoners of conscience, according to reports by UN Special Rapporteur on Torture, Prof. Manfred Nowak, the primary victims are practitioners of the Chinese meditation practice Falun Gong. It is estimated that from 2000 to 2008, approx. 65,000 Falun Gong practitioners were victims of forced organ harvesting while 2,000-4,000 Uighurs, Tibetans, and house Christians were subject to forced organ harvesting during the same time period.

The International Responses to the Forced Organ Harvesting Crimes

2015:

- On **June 25, 2015**, **House Resolution 343** has been introduced in the U.S. Congress. The resolution draws attention to the forced harvesting of organs from Falun Gong practitioners in China.
- On **June 13, 2015**, the **Taiwanese Yuan** passes amendments to the Taiwanese transplant law. The new law bans organ trafficking and makes it more difficult for Taiwanese to travel to China for organs. Amendments include:
 - 1-5 year criminal sentence against any broker, organ trade and organ tourism, within Taiwan or outside Taiwan, no matter the foreign laws punish so or not. If doctors engage in brokerage, their license will be revoked.
 - If organ transplant is done abroad, patients need to file a report with Taiwanese hospitals about the country and hospital where the transplantation took place and which organ was transplanted when seeking aftercare in Taiwan. If failing to do so, hospital will be fined.
- **March 2015**, the **Council of Europe** opens world's first anti-organ-trafficking treaty; a few months later, at an international conference in Spain, 14 countries signed the treaty demanding passage of laws preventing and criminalizing collusion.
- On **Feb 3, 2015**, the Canadian House of Commons' all-party subcommittee on International Human Rights released a statement condemning the pillaging of organs from Falun Gong. It expressed "*deep concern over credible allegations that prisoners of conscience and members of*

religious and ethnic minority groups, including but not limited to practitioners of Falun Dafa [commonly known as Falun Gong] and Uighurs, in the People's Republic of China are being executed for the purposes of harvesting and transplanting their organs..." In a call to end the transplantation of organs from living or deceased donors without consent, the subcommittee

- *"Encourages Canadian medical professionals, scientists, researchers and their professional organizations as well as regulatory bodies to continue their efforts to put an end to illegal and unethical transplantation practices."*
- *"Calls on medical and scientific professional and regulatory bodies to name, shame and ostracize individuals, institutions and their affiliates involved in the forced harvesting and trafficking of human organs."*
- *"Calls on the Government of Canada to consider ways to discourage and prevent Canadians from taking part in transplant tourism, where the organs have not been obtained in an ethical, safe and transparent fashion."*
- **Jan 2015:** The White House formally acknowledges that unethical organ harvesting from executed prisoners and severe human rights abuses of spiritual and religious groups are an unacceptable reality in China. The U.S. vows to continue to *"monitor the situation and actions that Chinese authorities take to fulfill the commitment."*

2014:

- **Dec 2014:** Chinese officials announce an end of organ harvesting from executed prisoners by January 2015. The announcement does not include a commitment to end forced organ harvesting from prisoners of conscience, and it carries an ethical gap, allowing death row prisoners to "freely donate their organs", a practice that is banned by the medical community.
- **On Dec 10, 2014,** Doctors Against Forced Organ Harvesting (DAFOH) presents the results of the *2014 DAFOH Petition to the United Nations* to newly appointed UNHRC High Commissioner Zeid Ra'ad Al Hussein, informing him in an open letter about the petition which gathered two million signatures within 3 years, urging him to review the evidence of forced live organ harvesting from prisoners of conscience in China.
- **Oct 2014:** the Congressional-Executive Commission on China releases its annual report, which includes recommendations that the U.S. administration urge China to cease harvesting transplant organs from executed prisoners.
- **On Oct 8, 2014,** the **Pennsylvania General Assembly** unanimously passes House Resolution 1052 to help bring awareness of unethical organ harvesting practices in China.
- **March 2014:** the **European Economic and Social Committee (EESC)** aligns with the EU Parliament condemning China's organ procurement practices, calling it a "scandalous" practice.
- **On Mar 12, 2014,** the representative from **Canada** raises the organ harvest issues in China at the UN Human Rights Council meeting:
 - *"We remain concerned that Falun Gong practitioners and other religious worshippers in China face persecution, and reports that organ transplants take place without free and informed consent of the donor are troubling."*
- **On Feb 26, 2014,** the **Illinois State House of Representatives** unanimously passes House Resolution 730 and condemns the forced organ harvesting from Falun Gong practitioners.

2013:

- **In Dec 2013,** the **European Parliament** passes a unanimous resolution on forced organ harvesting condemning the inhumane practice in China and calling for measures to end the abuse.

- **Nov 2013:** Within five months 1.5 million people from over 50 countries sign the DAFOH Petition to the U.N. High Commissioner for Human Rights calling for an end to China's forced organ harvesting.
- **June 2013:** U.S. representatives introduce H.Res. 281 demanding the Chinese government to end organ pillaging from all prisoners in China.
- **March 2013:** An Italian Senate commission on human right passes a binding resolution declaring that the Chinese Communist Party has harvested the organs of tens of thousands of prisoners and calls on the Italian government to take a range of measures against the practice, including collecting further information about the organ harvesting practices in China through diplomatic and other channels, and to prosecute, in accordance with international conventions, individuals involved in organ trafficking. The Senate commission also calls on local training programs to reconsider their training of Chinese doctors.
- **March 2013:** The Australian Senate passes a motion urging the government to appose forced organ harvesting from prisoners.

2012:

- **Nov 22, 2012:** The Taiwanese Legislative Yuan passes a legally-binding resolution asking that the Dept. of Health require major medical institutions and physicians to login the transplant country and hospital information (including surgeons) of those who received organ transplant in a foreign country while they apply for postoperative health insurance payment after returning home, to avoid becoming accomplices of organ harvesting.
- **Oct 2012:** The policy of the World Medical Association, adopted by the 63rd WMA General Assembly in Bangkok, Thailand, includes a paragraph that states:
 - *"In jurisdictions where the death penalty is practised, executed prisoners must not be considered as organ and/or tissue donors. While there may be individual cases where prisoners are acting voluntarily and free from pressure, it is impossible to put in place adequate safeguards to protect against coercion in all cases."*
- **Sept 2012:** U.S. Congress holds a hearing on "Organ Harvesting of Religious and Political Dissidents by the CCP," condemning the practice.
- **July 2012:** representatives of the U.S. Congress introduce **House Resolution 343**, which draws attention to the forced removal of organs from prisoners in China.

2011 and before:

- **June 2011:** Change in the US non-immigrant visa application Form DS-160 includes a question about involvement in forced organ harvesting.
- **17 November 2009:** Spain passes a law making it illegal to go to China for an organ transplant. The new Spanish Penal Code punishes individuals engaging in transplant tourism and organ brokering. The new law makes the illegal trafficking of human organs a felony and establishes penalties of up to 12 years in prison for people who encourage, promote, facilitate or advertise the procurement of illegal human organs trafficking.
- **March 2008:** Israel writes an "Organ Transplant Law," bringing transplant tourism between Israel and China to a complete halt.
- **Dec 2006:** Australian transplant hospitals are among the first to restrict training for surgeons from China, requiring that they sign an agreement not to engage in forced organ harvesting from prisoners upon return.
- **July 2006:** David Kilgour and David Matas publish an independent investigative report on unethical organ harvesting from Falun Gong practitioners in China.