

## **The sourcing of organs for transplants in China**

*(Remarks prepared for a rally at Hong Kong Government headquarters 21 August, 2016)*

by David Matas

I have a question to ask the Government of China: Where do you get your organs for transplants?

You are by far the world leader in organ transplants by volume. According to an update David Kilgour, Ethan Gutmann and I released in June this year, you are transplanting between sixty thousand to ninety thousand organs a year.

Your law does not allow sourcing of organs from accident victims - the brain dead, the cardiac alive. You restrict living donations to immediate family members. As well, you discourage live donations because losing an organ is bad for health.

So what has been the source for your huge number of transplanted organs?

This is not just my question. It was also the question of Manfred Nowak, a former United Nations rapporteur in torture. But you did not answer him.

Asma Jahangir, a former United Nations rapporteur on religious intolerance also asked you this question. But you did not answer her either.

The Committee against Torture established under the Convention against Torture, they too asked you this question when you reported to the Committee. Again you gave no answer.

Your initial public answer, before David Kilgour and I released our first report in July 2006, was that organs for transplants were coming from donations. Yet, at the time, China had no organ donation system.

You then changed your answer to say that most organs for transplants come from prisoners sentenced to death and then executed. Yet, that answer was unbelievable.

Prisoners sentenced to death must be executed within seven days of sentence. Yet transplant patients reported they could come to China at their convenience and get transplants in days. That meant prisoners were being killed for their organs when patients were ready for them.

There was no coordination in the timing of transplants amongst patients. As well, there was no national organ distribution system. When a prisoner was killed for an organ a patient has ordered, the other organs were wasted.

Over 60% of prisoners in China have hepatitis. That means the organs of most prisoners are unusable.

Transplants need blood type compatibility. It is impossible to match organs of every prisoner with every patient.

Put that all together and you would need to be executing 600,000 prisoners sentenced to death a year to provide 60,000 transplants. That is an unbelievable number.

Moreover, death penalty execution volumes have been going down in recent years. There is a decrease in the number of death penalty crimes.

Also you have moved the decision to execute a person sentenced to death from regional courts to the Supreme People's Court in Beijing. That too cuts down on the number of death penalty executions.

Yet, transplant volumes have remained constant. So what is the source of all these many organs for transplants?

You now have switched back to your original answer, that everything is coming from donations. Yet, investigations we have conducted from donation centres across China for our update released this June show that donations at these centres are tiny, far below the number of transplants.

You have stated prisoners sentenced to death can donate their organs. How many organs for transplants are coming from the same old source, prisoners, now relabelled as donations?

You have instituted an official purchase and sale system for organs. Poor rural families are being paid from 21 to 39 times their annual net income for the organs of a loved one near death. What you now call a donation system is, for the most part, a purchase and sale system with hospitals as brokers. How many of what you call donations are in reality purchased organs?

When hospitals now buy organs from the poor, they may be replacing the organs which came from prisoners sentenced to death. But those organs were never enough to explain the volume.

You run four different transplant registries - for heart, liver, kidney and lung - which post aggregate data. Yet the data of all these registries is secret. The public used to be able to see the aggregate data posted on the liver transplant registry in Hong Kong. I started to quote these numbers and you shut down public access.

I have an answer for the sourcing of organs in China. Your organs for transplants come

mostly from prisoners of conscience - Uighurs, Tibetans, Eastern Lightning House Christians and primarily practitioners of the spiritually based set of exercises Falun Gong convicted of nothing and sentenced to nothing. You have banned the practice of Falun Gong without reason and vilified its practitioners. You have arrested the adherents and tortured them into recantation. Those who do not recant, in the hundreds of thousands, have disappeared into arbitrary detention where they have become vast forced organ donor banks.

You disagree. Well first of us then tell us what your real transplant volumes are. Give us the figures in your transplant registries. Tell us how many organs are coming from your donation centres. Tell us how many organs are still coming from prisoners. Tell us how much you pay for organs and how many organs you have bought.

And tell us what your death penalty numbers were in the past and are now. You were asked that question many times at the United Nations Universal Periodic Review in 2009 and again in 2013. Canada asked you. Switzerland asked you. The United Kingdom asked you. France asked you. Austria asked you. Italy asked you.

In 2009, in response to these many questions, you were not just silent. You said, no, we will not give you those figures.

Say what you want about my explanation for the numbers - that the source of organs for transplants in China is primarily prisoners of conscience, and, amongst those prisoners of conscience, primarily Falun Gong. The onus does not rest on me to prove that this is so. It is your duty to explain where you get your organs.

The United Nations Committee against Torture, the United States House of Representatives and the European Union Parliament have all asked you to cooperate with an independent

investigation into the sources of your organs. You have refused.

The World Health Organization Guidelines on Organ Transplantation require transparency of sources, open to scrutiny, and traceability. The head of this organization, I remind, you is Chinese. Where is the transparency? Where is the traceability? Where is the accountability? From where are your organs coming?

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