

ENDING ORGAN TOURISM FROM CANADA TO CHINA
Notes for Hon. David Kilgour, J.D., at Senate Committee on Human
Rights hearing on Bill S-240 (Trafficking in Human Organs).
Wed, 23 May 2018, 11.30am, Room 9, Victoria Building,
Ottawa



Permit me to urge you not to become hung up over small legislative issues. This measure is long overdue, so please use friendly amendments and don't heed anyone who claims this bill will hurt relations or trade between Canada and China. You don't even have to mention China because it is the only one of about 196 nations today to my knowledge where the government kills its prisoners of conscience for their vital organs.

Probably the best legislation barring organ tourism by nationals is that of Taiwan, which was enacted by both political parties in 2015 in their Legislative Yuan. Taiwan's new measures match legislation passed in Spain and elsewhere, notes Taipei human rights lawyer Theresa Chu. "These regulations on organ transplantation are like a legal firewall that saves people from becoming accomplices to the Chinese Communist Party's brutal act of organ harvesting."

An account of the Taiwan legislative principles can be found at:

https://www.theepochtimes.com/taiwan-shuts-down-organ-transplant-tourism_1399326.html. I'll mention only two features: patients who travel abroad to receive an organ acquired by means illegal in Taiwan face large fines. Dr. Ko, a transplant surgeon who is now mayor of Taipei, learned several years ago in one city in China that all of the then "donors" there were non-consenting Falun Gong prisoners of conscience.

The new Taiwan measures sensibly place some of the responsibility of regulation on doctors and hospitals. Doctors must file a report for any patient who receives a transplant overseas and carries out follow-up treatment in Taiwan. Both doctors and hospitals are subjected to fines of up to about \$4,840 if they fail to submit reports. Medical institutions and staff face criminal liability for filing false reports.

Lee Po-Chang, chairman of Taiwan's Organ Registry and Sharing Center, said Taiwanese doctors can refer their patients to overseas hospitals that acquire organs by legitimate means. Doctors still need to submit a report on these cases upon their patients' return.

Tien Chiu-chin, a lawmaker from Taiwan's Democratic Progressive Party, said: "Organ shortage is a global issue, and organ transplant tourism has become an issue for both global medical ethics and international human rights. Forced organ harvesting and organ trafficking are not just violations of organ procurement laws but also crimes against humanity. That's why we amended the laws and penalties to ban brokerage of organs, and transplant tourism."

Bloody Harvest/The Slaughter

In mid-2006, the Coalition to Investigate the Persecution of Falun Gong in China (CIPFG) asked David Matas and me as volunteers to investigate claims of organ trafficking from Falun Gong practitioners. We released two reports and a book, *Bloody Harvest*, and have continued to investigate (Our revised report is available in 18 languages from www.david-kilgour.com). We concluded that for 41,500 transplants done in the years 2000-2005 in China, the sourcing beyond any doubt was Falun Gong prisoners of conscience.

EVIDENCE

Here are two of the 18 kinds of evidence that led to our finding:

- Investigators made many calls to hospitals, detention centres and other facilities across China claiming to be relatives of patients needing transplants and asking if they had organs of Falun Gong for sale. We obtained on tape and then transcribed and translated admissions that approximately 15 such facilities across the country were then trafficking in Falun Gong organs.
- Falun Gong prisoners, who later got out of China, indicated that they were systematically blood-tested and organ-examined while in forced-labour camps across the country. Since they were tortured, this could not have been for their health, but was necessary for successful organ transplants and for building a bank of live "donors".

Ethan Gutmann



Nobel Peace Prize nominee and co-founder of the International Coalition to end Organ Abuse in China Ethan Gutmann's 2014 book, *The Slaughter*, places the persecution of the Falun Gong, Tibetan, Uyghur, and Eastern Lightening Christian communities in context. He explains how he arrived at his "best estimate" that organs of 65,000 Falun Gong and "two to four thousand" Uyghurs, Tibetans and Christians were "harvested" in the 2000- 2008 period

The closing words of *Slaughter* are addressed to responsible governments, organizations and persons: "No Western entity possesses the moral authority to allow the (P)arty to impede the excavation of a crime against humanity in exchange for promises of medical reform. As a survival mechanism of our species, we must contextualize, evaluate, and ultimately learn from every human descent into mass murder ... The critical thing is that there is a history. And only the victims' families can absolve the (P)arty from its weight."

MID-2016 UPDATE

Matas, Gutmann and I released an *Update* on our two books in June 2016 in Washington, Ottawa and Brussels (accessible from the International Coalition to End Transplant Abuse in China www.endtransplantabuse.org):

- It provides a thorough examination of the transplant programs of hundreds of hospitals across China, drawing on medical journals, hospital websites, and deleted websites found in archives. It analyzes hospital revenues, bed counts and utilization rates, surgical personnel, state funding and other factors.
- We conclude cautiously that a minimum of 60,000 transplants per year are being done across China as of mid-2016, not the approximately 10,000 the government claims. There is a very small pool of 'volunteer donors' plus a few thousand convicted prisoners. This means that about 150 persons daily are killed for their organs.
- We provide much evidence of a state-directed organ transplantation network, controlled through national policies and funding, and implicating both the military and civilian healthcare systems.

The party-state's current narrative asserts that all transplantation organs since Jan 2015 are voluntarily provided through the semantical trick of reclassifying prisoner organs as "voluntary donations".

Professionals who should know better, including the World Health Organization, the Transplantation Society (TTS) and the Pontifical Academy of Sciences, accept the party line, skipping over, as Louisa Greve of the International Coalition to End Transplant Abuse in China puts it (www.endtransplantabuse.org), “the admission that China’s billion-dollar transplant industry was built on prisoners’ organs”.

Last fall, after a screening of the Peabody award-winning film *Human Harvest* at a theatre in Boston’s Harvard Square, I stressed some points made earlier in Prague by David Matas (<http://endtransplantabuse.org/party-profession-organ-transplant-abuse-china/>):

- Mental health professionals globally faced the abuse of psychiatry in the Soviet Union and acted strongly against it. Today, international transplant professionals face the abuse of transplant surgery in China, but their response differs.
- The global transplantation profession today can be broken into three groups.
 - The aware who have read the research and realize that what is going on in China with transplantations is mass killing of innocents and cover up. They react accordingly, distancing themselves from the Chinese transplant profession and encouraging others to do likewise.
 - The naive do not consider the research and argue that doing so falls outside their area of responsibility. They hear research conclusions on the one hand and party-state propaganda on the other and draw no conclusions.
 - The foolish buy Chinese party-state propaganda. They parrot its line that the research demonstrating mass killing of innocents is based on rumour. They echo its line that the research is unverifiable, though it is both verifiable and verified. They repeat its claim that abuses are in the past, when they are not.
- The global transplant leadership does not have the time to read research into transplant abuse in China, or the grace to invite researchers to the events they help organize, but they might at least listen to what they themselves are saying.
- People in China, especially state officials, who deviate from the Party line are arrested. That is pervasive across all areas of policy, and not just something which happens in the transplantation field. They are released only

if they undertake, after release, to conform to the Party line. There is no other basis for release, except for extreme illness. For foreign transplant leaders to take at face value what a released official says, without investigation or verification, means that they too are adopting the Party line.

- Outside China, organ sources are either dead (at least brain dead) before the sourcing or alive both before and afterwards. China is the only country where sources are killed by organ extraction, and where sources are alive before and dead afterwards.

There is an equation here of Chinese law and policy with practice, showing a lack of awareness that the law in China cannot be enforced against the Party, since it controls all aspects of the enforcement of the legal system... The four organizations (World Health Organization (WHO), the Vatican's Pontifical Academy of Sciences (PAS), The Transplantation Society (TTS) and the Declaration of Istanbul Custodian Group (DICG)) are pleased that the Party says what they want to hear.

Beijing has no credible answers to the work of independent researchers who have demonstrated the mass killings of innocents. Given the scale of the transplantation industry in China, it is impossible to deny this research in any credible manner. Party propaganda, denying official data, pretending what is there is not there, can persuade only the gullible or the wilfully blind. One can only hope that a willingness to confront the truth about China will prevail generally in the transplantation profession before many more innocents are killed for their organs.

FORCED LABOUR CAMPS

David Matas and I visited a dozen countries to interview Falun Gong practitioners who had managed to leave both the camps and China. These prisoners of conscience have been the major source of organs since 2001 across China. They told us of working in appalling conditions for up to sixteen hours daily in these camps with no pay and little food, crowded sleeping conditions and torture. Inmates make a range of export consumer products as subcontractors to multinational companies. This constitutes gross corporate irresponsibility and a violation of WTO rules, calling for an effective response by all trading partners of China.

CONCLUSION

In 2017, Dr. Torsten Trey, founder of Doctors Against Forced Organ Harvesting (DAFOH) and David Matas published in the Journal of Trafficking and Human Exploitation an article focusing on current and past abuses by the government of China (See: http://www.david-kilgour.com/2018/JTHE_2017-2_Trey_Matas.pdf).

A first step in a better direction is to end organ tourism from Canada to China by passing the bill before this chamber. The International Coalition to End Organ Transplant Abuse and rule of law nations and their legislators have a responsibility to end all complicity with this abuse by our own nationals.

Other governments and legislators should follow Spain, Israel, Taiwan, Chile and Norway by enacting measures to ban the purchase of trafficked organs at home or abroad. They could also require reporting of 'organ tourism', ban entry of those involved in trafficking organs, and prohibit their pharmaceutical companies from doing transplant field tests and clinical trials in China.

Many of us within and beyond China ought to be having a greater impact on this grave matter, not only because it is necessary to protect innocent people from being killed, but because it is good for China and the international community as a whole.

Merci.