

ORGAN TRANSPLANTATION ABUSES ACROSS CHINA

Notes for Hon. David Kilgour, J.D.

For International Coalition to End Organ Transplant Abuse in
China (ETAC)

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Bilateral relations between Canada and China are currently at rock bottom. A Nanos opinion survey across Canada last month indicated that nine in ten Canadians held a “negative” or “somewhat negative” impression of the Government of China.

This is no doubt in part due to the ‘hostage diplomacy’ of Xi Jinping, with the arbitrary arrests of Canadians Michael Kovrig and Michael Spavor, who remain months later in harsh prison conditions, and the suspension of Canadian canola, soybeans and pork imports, following Canada’s arrest of Huawei executive Meng Wanzhou under an extradition treaty request by the U.S. Justice Department.

Following an academic outreach workshop last year of the Canadian Security Intelligence Service (CSIS), the published highlights note: “Under (Xi’s) leadership as well, the Party-state is staging a vehement attack on Western democracy and values.” This strongly appears to be continuing.

For example, the government of China agreed to special status for Hong Kong in the 1984 Sino-British Joint Declaration. It promised a “high degree of autonomy,” and declared that democracy, the rule of law, and basic human rights would be maintained under the “one country, two systems” model for 50 years.

The Beijing party-state has systematically violated these commitments since the 1997 handover. The appointed Hong Kong government has opted not to safeguard its cherished autonomy

and the rule of law. This harms the city and the important amounts of foreign investment and exchange that now enters China through Hong Kong in large measure because of its still sound legal system. Beijing's 2014 White Paper on Hong Kong even dismissed the continued applicability of the Joint Declaration.

The world-renowned Chinese artist and democrat Ai Weiwei's comments in late 2013 are timely: "... The Communist Party is ethically and philosophically too weak to meet any challenge in public discussion. Over the coming years, the Communist government will finally... realize that it can only continue to govern if supported by the constitution and true rule of law..."

Isaac Fish, a senior fellow at the Asia Society's Center on U.S.-China Relations, observed: "Beijing goes on insisting — despite its lack of free and fair elections, uncensored media, or an independent judiciary — that it's a democracy... One of ... Xi Jinping's favourite slogans refers to the 12 'core socialist values' — of which democracy is second only to national prosperity. "

'LEGAL SYSTEM'

Canadian Clive Ansley practised law in Shanghai for 14 years until 2004 and says: "China does not have a legal system in any meaningful sense. It is a completely bogus system, which was introduced in 1979 for reasons having little or nothing to do with any desire to implement Rule of Law... China is a brutal police state... Our position (on organ pillaging) is based on irrefutable evidence of what is actually happening...; we can prove the statistics on actual transplants carried out; we can prove that these numbers are utterly irreconcilable with the available sources, in the absence of mass murder perpetrated against prisoners of conscience."

Gao Zhisheng, an independent lawyer imprisoned because of the clients he supported, was twice nominated for the Nobel Peace Prize. In 2015, in his first interview in five years Gao told Associated Press that he was tortured and had spent three years in

solitary confinement since 2010. “Every time we emerge from the prison alive, it is a defeat for our opponents,” Gao told AP. He says he survived only because of his unwavering hope for China and faith in God.

Gao’s advocacy for the Falun Gong community includes evidence he gave to the UN’s torture rapporteur, Dr. Manfred Nowak, in 2006. On official corruption, Gao concluded, “What family of past or current Politburo Standing Committee members is not as rich as a small nation? In the end, whether it is Mao, Deng or Xi, in terms of political logic, motives and *modus operandi*, they are birds of a feather, and the result is a continuation of historic disasters.”

TRANSPLANT ABUSE

Over two decades, the Beijing regime has been directing the vast network of organ-harvesting from prisoners of conscience—primarily Falun Gong since 2001, but also Tibetans, Christians and Muslim Uyghurs. By some estimates, two million Uyghurs are confined to camps and have all been blood-tested, which is necessary for organ transplant purposes.

In mid-2006, the Coalition to Investigate the Persecution of Falun Gong in China (CIPFG) asked David Matas and me, as volunteers, to investigate persistent claims of organ pillaging/trafficking from Falun Gong. We released two reports and a book, *Bloody Harvest*, and have continued to investigate. We concluded that for 41,500 transplants done in the years 2000-2005 in China, the sourcing beyond any reasonable doubt was predominately Falun Gong prisoners of conscience.

Our main conclusion was 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”.

EVIDENCE

Here are two among 18 kinds of evidence that led to our conclusion:

1. 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 a number of facilities were trafficking in Falun Gong organs.
2. 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. This could not have been for their health since they were regularly tortured, but it was necessary for successful organ transplants and for building a bank of live “donors”.

THE SLAUGHTER

Ethan Gutmann, author of *The Slaughter* (2014), places the persecution of the Falun Gong, Tibetan, Uyghur, and house 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 house Christians were “harvested” in the 2000- 2008 period.

MID-2016 UPDATE

Matas, Gutmann and I released an Update on our two books in 2016 in Washington, Ottawa and Brussels (accessible from the ETAC website at www.endorganpillaging.org).

- It provided 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.

- We concluded cautiously that a minimum of 60,000 transplants per year were being performed across China as of mid-2016, not the approximately 10,000 its government had claimed.
- We provided much evidence about a state-directed organ transplantation network.

Gutmann adds: “For governments and the media, our (2016 update) represented the final tipping point: Our report was covered by global press ranging from the *New York Times* to the (UK) *Daily Mail* while the US Congress and the European Parliament passed nearly identical resolutions in the summer of 2016 condemning the Chinese State for the harvesting of prisoners of conscience. In short, the Chinese medical establishment effectively lost the argument”

WHAT LEGISLATORS AND GOVERNMENTS CAN DO

Belgium, Italy, Israel, Norway, Spain, Taiwan and other nations now ban transplant tourism by their nationals.

Dr. Jacob Lavee, a retired member of the Transplantation Society (TTS) Ethics Committee, said to journalist Didi Kirsten Tatlow of the *New York Times*: “I’m a simple Jewish heart transplant surgeon and the son of a Holocaust survivor, and the reason I spend so much time on this is that I can’t keep silent in the face of a new crime against humanity...I have tried and failed to persuade the TTS leadership to refrain from moving the TTS 2016 Congress, originally planned to be conducted in Bangkok, to Hong Kong...”

Human Rights Watch recommended in May that governments use our Magnitsky laws and other targeted sanctions against Beijing officials implicated in organ pillaging. Canada has already listed a number of officials alleged to be involved in gross human rights violations or corruption from Russia, Venezuela, South Sudan, Myanmar and Saudi Arabia, but no-one from China. If Americans, Canadians and others showed more commitment to our values, the dreadful commerce might end quickly.

GLIMPSES OF CONTEMPORARY CHINA

Joe Nocera in the *International New York Times* wrote a few years ago that China's "debt load today is an unfathomable \$28 trillion". The *Financial Times* reported that a "national team" of state-owned investment funds and institutions spent about \$200 billion attempting to prop up the Shanghai stock market.

Bloomberg News reported that the highest echelons of the Party have amassed unimaginable wealth and that in 2012 Xi Jinping's family was "worth" several hundred million dollars.

A World Bank study some years ago concluded that pollution in China was then causing about 750,000 preventable deaths a year. Greenhouse gases from industrial coal burned across the country wreak environmental havoc well beyond its borders. Nearly half a billion Chinese citizens cannot access safe drinking water.

David Shambaugh, named one of America's top 20 China watchers by the China Foreign Affairs University (affiliated with its ministry of foreign affairs), is now convinced that we are witnessing the "endgame of Chinese communist rule." He writes:

"In 2014, Shanghai's Hurun Research Institute... found that 64% of the 'high net worth individuals' whom it polled—393 millionaires and billionaires—were either emigrating or planning to do so. Rich Chinese are sending their children to study abroad in record numbers..."

LONDON TRIBUNAL

ETAC announced in 2018 that an independent people's tribunal to inquire into organ harvesting from prisoners of conscience in China had been established to determine what criminal offences, if any, have been committed by forced organ harvesting.

This June, the Tribunal, chaired by Sir Geoffrey Nice QC, who was a prosecutor at the international criminal tribunal for the former Yugoslavia, said in a unanimous determination after its hearings that it was "certain that Falun Gong was a source - probably the principal source - of organs for forced organ harvesting". He

added: “There is no evidence of the practice having been stopped and the tribunal is satisfied that it is continuing.”

The tribunal took evidence from over 50 fact witnesses, medical experts, human rights investigators and others. Among those killed, were members of religious minorities such as Falun Gong. The tribunal heard reports of extraction of kidneys from executed prisoners from as far back as the 1970s. Most of the evidence, however, came from 2000 onwards.

In its final judgment, the Tribunal stated, “The conclusion shows that very many people have died indescribably hideous deaths for no reason...(from) those, for the time being, running a country with one of the oldest civilizations known to modern man.”

Among the Tribunal’s recommendations:

- The UN Committee against Torture should continue its earlier quest: [China] should ... commission an independent investigation to look into claims that some Falun Gong (and now Uyghur) practitioners might have been subjected to this practice [removal of organs without consent].
- Many more states, including Canada and the UK, need to create and enforce restrictions banning patients from travelling to China for transplant surgery. The adoption of more comprehensive national legislation against transplant tourism is essential because partial legislation by a few key States has not succeeded in bringing it to an end.

Permit me to invite all of you to join our International Coalition against Transplant Abuse in China, which you can do at www.endorganpillaging.org.

Thank you.

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