

## ORGAN TRANSPLANTS FROM PRISONERS OF CONSCIENCE IN CHINA

Message (virtual) by Hon. David Kilgour, J.D.,

for International Coalition to end Organ Transplant Abuse in China (ETAC)

(<https://endtransplantabuse.org/>)

Annual General Meeting (virtual) of UOSSM\* at McMaster University, Hamilton

Feb 6<sup>th</sup>, 2021

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Time is short, and hopefully there will be some questions, so permit me to address immediately the topic: government-run organ pillaging in China. The PRC is unique among about 200 independent countries today in that its organ transplant commerce is state-run rather than a criminal offence done by unscrupulous surgeons.

In mid-2006, David Matas and I as volunteers investigated independently claims of forced organ harvesting from Falun Gong practitioners across China. David is a refugee and human rights lawyer; I was a prosecutor for most of a decade. We released two reports and a 2009 book entitled *Bloody Harvest*.

We concluded that since 2001 the Beijing party-state directed a network of forced vital organ-harvesting from prisoners of conscience--primarily Falun Gong killed for their organs. They were then sold to wealthy patients in China and foreign 'organ tourists'. We concluded from 18 kinds of evidence that beyond any doubt between the years 2001 and 2005, about 41,500 organs were sourced from Falun Gong prisoners of conscience. Normally, all their vital organs were removed and their bodies were then cremated.

Canada's much loved and highly respected Rabbi Emeritus Dr. Reuven Bulka, who is now unfortunately gravely ill, wrote: "This is murder, brutal murder: taking organs from the bodies of live people... Even though there was irrefutable evidence this was happening, the Chinese authorities denied it... They are liars as well as murderers..."

Ethan Gutmann, author of *The Slaughter* (2014), later placed the persecution of the Falun Gong, Tibetan, Uyghur, and house Christian communities in context. He explained his "best estimate" that organs of 65,000 Falun Gong and "two to four thousand" Uyghurs, Tibetans and house Christians were pillaged in the 2000- 2008 period.

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\*UOSSM is a coalition of medical, humanitarian non-governmental organizations licensed in Canada, the U.S., U.K., France, Germany, Netherlands, Switzerland, and Turkey. L'union des organisations de secours et soins médicaux (UOSSM) was formed in Paris in 2012 and provides humanitarian support with medical aid delivered internationally. In Canada it also aims to enhance the quality of medical care delivered across the country by in part addressing the needs of vulnerable populations, including Canada's First Peoples, newcomers and refugees. This year, it is addressing common medical issues prevalent in primary care with a special focus on the needs of First Nations. UOSSM has become one of the largest providers of medical relief services and has expanded its work to several other countries affected by crises. It provides humanitarian and medical aid to victims of crises, regardless of ethnicity, religion or political affiliation.

Matas, Gutmann and I released an Update in 2016 in Ottawa, Washington, and Brussels (accessible from [www.endorganpillaging.org](http://www.endorganpillaging.org)). It provided an examination of transplant programs at hundreds of hospitals across China, drawing on medical journals, hospital websites, and deleted websites found in archives. We concluded cautiously that over two decades, the party-state directed a network of organ harvesting from prisoners of conscience— primarily Falun Gong since 2001. The US Congress and the European Parliament passed nearly identical resolutions condemning Beijing for these crimes against humanity.

Organ pillaging from Uyghurs preceded that from Falun Gong. Dr. Enver Tohti, a Uyghur, has detailed how in 1995, as a general surgeon in a Ürümqi hospital in Xinjiang, he was sent to an execution ground to remove the kidneys and liver from a living prisoner. In 2019, Tohti publicized a photograph of the “Human Organ Transportation Green-Path (HOTGP)” at Ürümqi Airport, which expedites the transport of organs to global recipients. Xi Jinping himself has been quoted saying that Uyghurs should be shown “absolutely no mercy”.



Chair Sir Geoffrey Nice, Q.C.

Tribunal presents its findings in UK

The U.K.-based Independent People’s Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China was instituted by ETAC. It heard 54 witnesses on the persecution of Falun Gong members and the harvesting of their organs to determine whether or not criminal offenses had been committed by the PRC government.

In delivering the unanimous judgement, Sir Geoffrey Nice, QC, stressed the independence of the Tribunal and reluctance to find Beijing complicity on the basis of its unwillingness to engage in the proceedings. Despite silence from the party-state and refusal to defend its role in the organ commerce, the Tribunal found there was enough evidence to reach a damning verdict. The final report (Mar 2020) is 608 pages.

Short waiting times for organs promised by doctors and hospitals, the number of transplant operations performed, which far outnumbered the government and hospital statistics for voluntary donations, and a “massive infrastructure development of facilities and medical personnel for organ transplant operations,” even before the voluntary donor scheme was planned, were some of the realities, which, when combined, led to the unavoidable final conclusion that forced organ harvesting has been committed for years throughout China.

The Tribunal concluded that Falun Gong members were the primary victims of the harvest, but since 2017 a comprehensive DNA collection of every man, woman, and child from Xinjiang's indigenous Uyghur community in China has created a large pool of potential donors from which evidence of harvesting might later emerge. The incarceration since 2017 of up to 3 million Uyghurs in concentration camps has added to the concern that this has become a particularly vulnerable group. The Tribunal summary judgement report states that "it has had no evidence that the significant infrastructure associated with China's transplantation industry has been dismantled and the absence of a satisfactory explanation as to the source of readily available organs concludes that forced organ harvesting continues till today."

The Tribunal, assessing the anomalous data provided by the PRC became convinced that the government's official statistics had been falsified. Taking as credible that between 60,000 and 90,000 transplant operations are carried out each year, and the number of official eligible donors in 2017, stood at 5,146, the Tribunal concluded there was "an incomprehensible gap," leading to the conclusion that, "there must have existed another source or other sources of tissue-typed organs." The stark deduction was "there must have existed a body of donors unidentified in the PRC material."

The Tribunal was unanimous in declaring it a crime against humanity.

Responding to the publication Tribunal's final judgement, Dr John Chisholm, British Medical Association (BMA) ethics committee chair, stated: "The practice of forced organ harvesting represents a gross and continuing violation of a series of inalienable, fundamental human rights, including the right to life and in some cases, the right to be free from torture or from cruel, inhuman or degrading treatment or punishment.... Any involvement of physicians in the forced harvesting of organs is therefore unlawful, unethical and in contravention of the professional codes set down by the World Medical Association. The primary duty of all physicians is to promote the wellbeing of their patients – and, first and foremost, to ensure they do no harm."

The BMA called on the People's Republic of China to "facilitate a thorough, independent investigation into forced organ harvesting, and to protect physicians' core professional obligations by ensuring that physicians are never involved in such practices."

The Tribunal concluded by calling on governments and individuals, activists and motivated politicians to decide for themselves whether crimes had been committed in the face of the findings, and "do whatever they might think is their duty in the face of any revealed wickedness of the kind shown in any finding that forced organ harvesting has happened or is continuing to happen in the PRC."

## Conclusion/call to actions:

China's party-state does not hesitate to use trade and business incentives to silence governments and persons; nor does it hesitate to continue to undermine Western democracy and values to advance totalitarian objectives. Accordingly,

- Canada and all rule of law nations must take all opportunities to condemn publicly the Beijing regime on its ongoing persecution of prisoners of conscience;
- Canada, the U.S., U.K, France, Germany, Netherlands, Switzerland, and Turkey should join the countries that ban travel to China for transplant surgery. Any deal with China's regime on any matter must include an insistence that this barbaric practice stop immediately, coupled with a mechanism whereby such stoppage is verifiable;
- Canada should apply its Magnitsky laws and other targeted sanctions against any Chinese government official known to be involved in the persecution of organ harvesting; if we and other democracies show more commitment to our values, the despicable commerce might soon end;
- Canada should, like Australia, adopt a 'Foreign Interference Law' to stop Chinese officials from interfering with Canadians anywhere in our nation;
- All United Front organizations posing as community groups should be registered as Foreign Agents in Canada; and
- Ottawa must actively call for the release of Canadian citizens, including the two Michaels who has been suffering in prison for more than two years.

Thank you.