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Subject: FW: VISIT OF PRIME MINISTER HARPER TO CHINA AND ORGAN PILLAGING
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**VISIT OF PRIME MINISTER HARPER TO CHINA AND ORGAN
PILLAGING**

Hon. David Kilgour

**Press Conference
11:00 a.m. November 25, 2009
Charles Lynch Conference Room,
130-S Centre Block, Parliament Buildings, Ottawa**

David Matas and I visited about a dozen countries to interview Falun Gong practitioners sent to China's forced labour camps since 1999, who managed later to leave the camps and the country itself. They told us of working in appalling conditions for up to sixteen hours daily with no pay, little food, being cramped together on the floor for sleeping, and being tortured. They made export products, ranging from garments to chopsticks to Christmas decorations at times as subcontractors to multinational companies. This, of course, constitutes gross corporate irresponsibility and violations of WTO rules and calls for an effective response by all governments who are trading partners of China.

The labour camps, being outside the legal system, allow the party to send anyone to them for up to four years with neither any form of hearing nor appeal. There is a causal link between the involuntary labour done since 1999 by Falun Gong practitioners and other prisoners in these camps and the resulting loss of manufacturing jobs in Canada and elsewhere. One estimate of the number of the camps across China as of 2005 was 340, having a capacity of about 300,000 inmates. In 2007, a US government report estimated that at least half of the inmates in the camps were Falun Gong. It is the combination of totalitarian governance and 'anything is permitted' economics that allows such practices to persist. Canada and other countries should ban forced labour exports by legislation, which puts an onus on all importers to prove before entry that their products are not made in effect by

slave labour. Prime Minister Harper should raise this issue at the highest level during his visit to China.

Killing of Falun Gong practitioners for their organs

The closely- related crime against humanity our Prime Minister should raise in China is the killing of Falun Gong practitioners for their vital organs. David Matas and I came to the conclusion that Falun Gong practitioners in China have been and are being killed for their organs. We wrote a report that came to this conclusion, which came out first in July 2006. There was a second version in 2007. A third in book form was published this month as *Bloody Harvest*.

Falun Gong is a set of exercises with a spiritual foundation which began in China in 1992. Initially the government encouraged the practice as beneficial for health. By 1999, it had grown so popular that the Party became afraid that its own ideological and numerical supremacy was being threatened. The numbers of persons practising Falun Gong across China had grown from virtually none in 1992, according to a government estimate, to 70-100 million. The practice was accordingly banned.

Practitioners were asked to recant. Those who did not and continued the practice and those who protested the banning were arrested. If they recanted after arrest, they were released. If they did not, they were tortured. If they recanted after torture, they were then released. If they did not recant after torture, they disappeared into the Chinese detention and forced labour system.

What happened to the disappeared? Our conclusion is that many of them were killed for their organs, which were sold to transplant tourists. It would take too much time to set out how we came to that conclusion. We invite you to read our report, which is on the internet (accessible at www.david-kilgour.com), or our book. Briefly, two only of the dozens of evidentiary trails we followed which led to our conclusion are these:

- 1) Only Falun Gong practitioners in work camps and prisons are systematically blood tested and physically examined. This testing cannot be motivated by concerns over the health of practitioners, because they are also systematically tortured. Testing is necessary for organ transplants because of the need for blood type compatibility between the organ source and the recipient.

- 2) Traditional sources of transplants-prisoners sentenced to death and then

executed, voluntary donors, the brain dead/cardiac alive-come nowhere near to explaining the total number of transplants in China. There is no organized system of organ donations. There is a cultural aversion to organ donation. There is no national organ matching or distribution system in China.

The only significant source in China of organs for transplants before the persecution of Falun Gong practitioners began was prisoners sentenced to death and then executed. The volume of organ transplants in China went up dramatically shortly after the banning of the practice of Falun Gong. Yet, the numbers of those sentenced to death and then executed did not increase.

Since our report came out, laws and practices in China have changed: A Chinese law on transplants in May 2007 required that transplants be performed only in registered hospitals. The Ministry of Health announced that from June 26, 2007 Chinese patients would be given priority access to organ transplants over foreigners. The announcement also banned all medical institutions from transplanting organs into foreign transplant tourists. The government announced in August 2009 that the Red Cross Society of China was launching an organ donation system, but only as a pilot project in ten locations.

With these changes, however, severe abuse continues. The recipients have changed from foreign to local, but the sources remain substantially the same. The government denies that organs for transplants are being sourced from prisoners who are Falun Gong practitioners. Yet, it accepts that organs for transplants are being sourced from prisoners. The only debate we have with the Government is which group of prisoners is the source of organs.

"Non consenting parties"

Sourcing of organs from prisoners is done without consent. Deputy Health Minister Huang Jieifu, at a conference of surgeons in Guangzhou in November 2006, said in a speech, "too often organs come from non consenting parties". The government of China accepts that sourcing of organs from prisoners is wrong. Huang at the time of the announcement of an organ donor pilot project stated that executed prisoners "are definitely not a proper source for organ transplants". This principle, that prisoners are not an acceptable source for organs, is followed by the Transplantation Society and the World Medical Association.

So the question becomes, what is the rule of law world going to do about the Chinese party-state's abuse of global transplant ethics? Our report and book have a long list of recommendations. Given the shortness of time, I mention here only two.

One possibility is extraterritorial legislation. The 2007 policy giving priority to Chinese patients has cut down on transplant tourism to China, but such legislation would nonetheless be a useful statement of universal principle. The sorts of transplants in which the Chinese medical system engages are illegal everywhere else in the world. But it is not illegal for a foreigner from any country to go to China, obtain a transplant which would be illegal at home, and then return home. Foreign transplant legislation everywhere is territorial; it has no extraterritorial reach. Many other laws are global in their sweep. For instance, child sex tourists can be prosecuted not just in the country where they abuse children, but often at home as well. This sort of legislation does not exist for transplant tourists who pay for organ transplants without bothering to determine whether the organ donor has consented.

A second recommendation is that any person known to be involved in trafficking in the organs of prisoners in China should be barred entry by all foreign countries.

Conclusion

In a 2007 UPI/Zogby opinion poll, 79 percent of Americans said they had a favourable opinion of the Chinese people, but 87 percent had an unfavourable opinion of their government. My guess would be that a similar survey done in Canada or any rule-of-law nation today would produce very similar findings. What would the vast majority of the Chinese people tell a pollster, if they could without serious risk of consequences, about the Party?

The attempted crushing of democracy movements, truthful journalists, Buddhist, Falun Gong, Christian, Muslim and other independent faith groups, human rights lawyers and other civil society communities in recent years indicates that China's party-state must be engaged with great caution despite the severe ongoing world economic problems. If it stops abuses of human rights and takes steps to indicate that it wishes to treat its trade partners in a mutually-beneficial way, the new century will bring harmony for China, its trading partners and neighbours. Its people have the numbers, perseverance, self-discipline, entrepreneurship, intelligence, culture and pride to help make this new century better and more peaceful for the entire human family.

