

Taiwan, China and Falun Gong

Hon. David Kilgour,
Launching Chinese version of *Bloody Harvest* in
Taipei, Hsinchu, Taichung, Tainan and Kaohsiung
Taiwan
June 25-July 1, 2011



Launch of Chinese version of *Bloody Harvest* in
Legislative Building in Taipei

which serves as a reminder of political persecution and many violent deaths between from the late 1940s through the end of the 1980s. A total of 20,000 to 30,000 prisoners of conscience, including author Bo Yang and many of the defendants in the notorious Kaohsiung Incident, were imprisoned on the your version of South Africa's Robben Island.

The late Bo Yang, for example, was imprisoned in 1969 after he translated a "Popeye" comic from English to Chinese and was accused of making fun of your late president Chiang Kai-shek. Serving a ten-year sentence for "undermining the affection between the people and the government", Bo Yang sought to expose the nature of governance prevailing then on both sides of the Strait of Taiwan.



Bo Yang

December 10 also marks the Kaohsiung Incident of 1979 and its violence against so many residents of the city. (One account is found at <http://www.taiwandc.org/hst-1979.htm>.) Fortunately, it proved a major turning point in your transition to democracy, in part because many of the defendants and their lawyers became prominent leaders in the movement.

Modern Taiwan is what China could and should be in terms of governance. When China adopts your form of governance, the living standards of those now left behind (the per capita GDP for China in 2010 was estimated at \$US 7400, the 136th highest) should also rise briskly. At present, about 60 percent of the world's "unfree" people live across the strait from Taiwan.

It is important that Canada and other rule of law countries continue to strengthen their relationships with Taiwan. Approximately 800,000 Taiwanese might live mostly in China, but the Beijing party-state's hope that economic interdependence would win hearts and minds here for unification simply hasn't occurred. The best indication I can find is that support for the concept of "one country, two systems" understandably has the support of only 6-7 percent of Taiwanese.

Taiwan is a major good governance success story, where, as only one indicator, gross domestic product over about five decades has grown from about \$US 150 per capita yearly to an estimated \$US 35,800, the 32nd highest on earth. Your emergence from a brutal one-party military dictatorship into a multi-party democracy is a source of pride to 23 million Taiwanese and free peoples everywhere.

December 10th will mark the anniversary of the ground-breaking of the human rights monument on your Green Island,

Canada's Taiwanese community, which Wikipedia says includes more than 70,000 who have either citizenship or permanent residence status in Canada, has made invaluable contributions across our country. The bilateral cultural, social, and economic links now run deeper than ever before. Taiwan is a large source of both tourists and foreign students. We hope to be a part of Taiwan's continuing transformation into an economic powerhouse as it embarks on its newest goal of becoming known around the world as the "Green Silicon Island".

Why Taiwan Matters



Nancy Tucker

At the U.S. House of Representatives Foreign Affairs Committee hearing held on June, 16, 2011 on "Why Taiwan Matters", the testimony by Nancy Tucker, a specialist on Taiwan and Professor, School of Foreign Service, Georgetown University, contained important insights. (Her entire submission is at <http://foreignaffairs.house.gov/112/tuc061611.pdf><http://foreignaffairs.house.gov/112/tuc061611.pdf>).

I'll include here only two of her points:

1. "Taiwan, moreover, remains critical strategically. Crucial sea lanes of supply and communication pass near Taiwan's shores. Japan in particular depends on these trade routes...Taiwan also is the one point of friction that could lead to a military conflict between the US and China. Its future will say a lot about China and the United States. It serves as a predictor of China's behaviour toward, and intentions in, Asia and beyond. Coercion or military threats from ... China would signal a decision by Beijing to give up its long standing policy of peaceful development. We should note that at present there is little reason to believe Beijing seeks to alter a negotiation strategy that produced 15 cross-Strait agreements before the end of 2010, including a milestone Economic Cooperation Framework Agreement (ECFA)."
2. "Although the Obama administration approved \$13 billion in arms sales for Taiwan in the last two years, it, like the George W. Bush administration, has delayed a decision on the most important potential sales: whether to upgrade Taiwan's existing F-16 A/B fighter aircraft, sell F-16 C/Ds or both... I believe there are several reasons why arms sales to Taiwan should occur. Arms sales provide Taiwan a necessary deterrent, raising the potential cost to Beijing of any belligerent action. Beijing would have to decide whether Taiwan could be successfully intimidated or forced to capitulate before it could receive outside assistance. Arms sales strengthen morale among Taiwan's population...Indeed, arms sales have become a symbol of US support for Taiwan making it possible for government leaders to take risks to advance relations with China..."

Universal Declaration of Human Rights

Taiwan as a leader in democratic development knows the importance of institutions to protect every citizen. The Universal Declaration of Human Rights and its core values, including non-discrimination, equality, fairness and universality, apply to everyone, everywhere and always. As a prosecutor for about ten years in Canada, I believe fair-minded prosecutors have key roles in the justice system and must resist pressures from executive branches of government and politicians. No-one of course is above the law, including elected persons, but criminal charges must never be brought primarily for any politically partisan advantage. Prosecutors must act ethically without fear or favour in every case and be clearly seen to do so at all times by fellow citizens. Defence lawyers must be encouraged to defend anyone charged criminally vigorously and without harassment.

The media everywhere must take seriously their roles in building open societies. Journalists should

be free to expose abuses by authorities and to avoid being used to advance the interests of media owners, who might value party loyalty over public service and accountability. It is important that governments everywhere be fully committed to the best practices of the rule-of-law and dignity for all as set out in the Universal Declaration and cultures of representative democracies. Permit me here to congratulate your Chunghwa Telecom Co. for recently agreeing to renew its contract to allow New Tang Dynasty television to continue to broadcast into China.

China

For years, I allowed my respect and affection for the Chinese people generally to mute my conscience about their government. I rationalized this, especially during visits to China, by saying that at least it was no longer like the regime of Mao Tse-tung, which caused 35-45 million Chinese nationals to starve to death during his inhuman 'Great Leap Forward' (1958-62) alone. When observers noted correctly that the grinding poverty of hundreds of millions of families in the '50s, '60's and '70's is now gone because of the export market economy begun by Deng Xiaoping in 1978, I became too willing to overlook today's bad governance, environmental nightmares, continuing official violence, growing social inequalities, the absence of the rule of law and widespread Party nepotism/corruption.

Many Chinese continue to be exploited by the party-state and domestic industrial firms, often owned by or contracted for manufacturing to multinationals, which operate today across China like 19th century robber barons. This explains partly why the prices of products 'made in China' remain so low—the externalities are borne by workers, their families and the natural environment of the country. Do Canadian, Taiwanese and other foreigners so over invested in China have no loyalty to hard working families and their job needs in their home nations?

Two of the obstacles to a sustained world economic recovery are Beijing's continued swamping of export markets with its administered low currency and export of a wide range of consumer products from forced labour camps. A manipulated currency amounts to both an export subsidy and a tariff on imports.



Peter Navarro

As Professor Peter Navarro of the University of California put it in the June 21 Los Angeles Times, “...America's trade deficit is costing us close to 1% of GDP growth a year at a loss of almost 1 million jobs annually...Every business day, American consumers buy \$1 billion more in Chinese exports than American manufacturers sell to China, and China alone accounts for about 70% of America's trade deficit in goods, excluding oil imports. This ‘Chinese import dependence’ has led a democratic America to owe the largest communist nation in the world more than \$1 trillion, while China holds more than \$3 trillion in foreign reserves, most of them in U.S. dollars.”

“...In addition, there is the Chinese Communist Party’s incredibly shortsighted willingness to trade tremendous environmental damage and a surfeit of workplace deaths and injuries for a few more pennies of production cost advantage, all because of ultra-lax regulatory standards. For example, according to the World Health Organization, almost 700,000 Chinese citizens die annually from the effects of air pollution — that's like losing everybody in Wyoming every year — while Chinese officials acknowledge more than 2,000 coal mining deaths annually, compared with fewer than 50 in the United States...Make no mistake. All of these real economic weapons have led to the shutdown of thousands of American factories and turned millions of American workers into collateral damage...”

Navarro says China's trade partners should achieve fair trade by enacting legislation requiring the following:

- For currency manipulation, define it as an illegal export subsidy and add it to other subsidies when calculating anti-dumping and countervail penalties;
- Every country must respect intellectual property, adopt and enforce health, safety and environmental regulations consistent with international norms, provide decent wages and working conditions, and ban the use of forced labour;
- Adopt a 'zero-tolerance' policy for anyone who sells or distributes pirated or counterfeit goods; defective and contaminated food and drugs must be blocked effectively by measures which make it easier to hold importers liable for selling foreign products that do harm to people or pets;
- To reverse the 'race to the environmental bottom' in China, all bilateral and multilateral trade agreements should henceforth include strong provisions for protection of the natural environment.

In researching our report on allegations that Falun Gong practitioners were being killed for their organs across China, David Matas and I visited about a dozen countries to interview practitioners who had been sent to forced labour camps, but who later managed to leave the camps and China itself. They told us of working in appalling conditions for up to sixteen hours daily with no pay, little food, cramped sleeping conditions together on the floor, and torture. Their labour involved making export products, ranging from clothing to chopsticks to Christmas decorations. One estimate of the number of these camps across China as of 2005 was 340, with a capacity of about 300,000 workers. Other estimates are much higher. In 2007, a US government report estimated that at least half of the inmates in the camps were Falun Gong.

Why did Beijing declare war on Falun Gong in the summer of 1999? The main reason no doubt was Party paranoia. The movement had grown so fast that its participants were more numerous than the membership of the Communist Party of China. Its values were fortunately very different from those of then President Jiang Zemin and others governing the country since 1949. When thousands of Falun Gong practitioners held a silent protest at Party headquarters in Beijing on April 25th that year, the persecution began. Hundreds of thousands were initially imprisoned, tens of thousands went to labour camps and thousands were killed for their vital organs. The party-state media continues to demonize them across China; the persecution continues.

Matas and I are not practitioners, but we have both been impressed by those we have met in about 45 countries. Almost with no exception, they are intelligent, hard-working, peaceful and caring individuals with great personal dignity. In my judgment, the party-state's war on this large group of its own citizens began and continues today only because of totalitarian governance combined with 'anything-is-permitted capitalism'. Those involved with this crime against humanity should expect to face the International Criminal Court.



Grace Li

“Grace” Li, a former district court judge in China, spoke at a forum on organ pillaging held last month at the University of San Diego. Despite her high government position, she was sent to a labour camp for three years and four months without any species of hearing for being a Falun Gong practitioner. She explained: “In China, corruption is common in the judicial system...Through practicing Falun Dafa... I was perhaps the only judge that refused bribes and was known as a fair and just judge... in April 2002, I went to Tiananmen Square and I pleaded with the government to stop persecuting Falun Gong practitioners...I was taken to the police station. They punched me, and my nose was bleeding...In order to force me to give up my beliefs, they deprived me of sleep for three days and three nights.”

Li was later fired as a judge because she would not sign a statement denouncing Falun Gong. Authorities forced her husband to divorce her. She now lives in California as a refugee.



Chen Ying

Consider the experience of Falun Gong practitioner Chen Ying, who was later awarded refugee status by the government of France:

« In 1998... I rejoined my ex-husband, who worked in the cultural service of the Chinese embassy in France. In December, 1999, I returned to China for a family visit. Because I would not renounce my Falun Gong convictions, between February 2000 and November 2001, I was imprisoned three times without any judicial process...

“Each time, I was mistreated and tortured by the police...At the end of September, 2000, as I would not tell them my name, I was called out by the police and taken to a hospital for a complete medical examination: cardiac, blood, eyes, etc. I had to carry chains on my legs and I was attached to a window frame. The police injected me with unknown substances. After the injections, my heart beat abnormally quickly. Each one gave me the impression that my heart was going to explode... »

Courts as Theatres

Many are concerned about numerous prisoners of conscience across China, including Gao Zhisheng and the 2010 Nobel Peace Prize laureate Liu Xiaobo.

Gao, 47, is a twice Nobel Peace Prize-nominated lawyer in the tradition of Nelson Mandela and Mahatma Gandhi. His family was so poor that they lived in a cave in rural China and he could not attend university. Despite this, he passed the bar exams and in 2001 was named one of the country's top ten lawyers by China's ministry of Justice. His advocacy on behalf of disabled children, Falun Gong, evicted tenants and coal miners, earned him the sobriquet "the conscience of China". During the past four years, Gao has been repeatedly tortured by agents of the party-state. The persecution began with removing his permit to practise law, an attempt on his life, police harassing his wife (Geng He) teenage daughter (Grace) and son (Peter) and denying the family any income.



Gao Zhisheng

It intensified when Gao, responding in the nonviolent tradition of Gandhi, launched hunger strikes, calling for dignity for all Chinese. In his most recent article, he wrote about several weeks of torture in prison in full violation of China's domestic and international legal obligations. Gao has been disappeared now since April 20 of last year; and over one year before that after brief reprieve of less than a month. He is a shining beacon of courage.

Another example was the sentencing in 2009 of Liu Xiaobo, China's first Nobel Peace Prize winner and Charter 08 co-author, to eleven years in prison for advocating democracy peacefully. It is hard for many of us outside China to understand that trials there are mere theatres. The deciding 'judges' don't even hear the evidence given in 'courts' for cases considered important to the Party. Clive Ansley of Canada practised law in Shanghai for 13 years, handling about 300 cases in their courts, before returning to British Columbia. His article in the March 2007 British Columbia trial lawyers' publication, The Verdict, explains the reality of what happened to Liu and so many others. It observes in part:



Clive Ansley

"There is a current saying amongst Chinese lawyers and judges who truly believe in the Rule of Law and this saying, familiar throughout all legal circles in China, vividly illustrates the futility of Canadian attempts to 'assist China in improving its legal system' by training judges. It is 'Those who hear the case do not make the judgment; those who make the judgment have not heard the case' ".

"This saying reflects the function of the 'Judicial Committee', the most important body within each 'court'. The 'Judicial Committee' is a standing committee composed of between five and seven 'judges', depending on the size of the 'court'. It meets regularly, usually once a week. It is here, behind closed doors, completely away from public view and scrutiny, that most cases are decided. Nothing which has transpired in the 'courtroom' has any impact on the 'judgment'."

The entire article is at http://organharvestinvestigation.net/events/verdict112_mar07.pdf

The recent releases on a form of bail of China's famous artist Ai Weiwei and human rights advocate Hu Jia are further indications of the abusive nature of its criminal justice system and its use in effectively silencing dissidents who have substantial international support.

'Organ Tourists' and Falun Gong

Falun Gong contains features of Buddhism and Daoism, combined with a set of exercises. Its core principles are "truth, compassion and forbearance". In China, where it first became public in 1992, the movement grew within seven years to 70-100 million by the government's estimate. The first vilification of it in 1999 led to protests by practitioners. A large demonstration at Party headquarters in Beijing enraged then party-state leader Jiang Zemin. The incitement to hatred against them across China in Party media since mid-1999 has had many tragic consequences, most notably the widespread commercial trafficking in their vital organs to 'organ tourists' and wealthy Chinese nationals.

After 1980, the party-state began withdrawing funds from the health system as a whole across China. Selling the organs of executed convicts soon became a major source of funds because of world demand created by chronic organ shortages. Falun Gong later became a major additional source of organs for patients from China and elsewhere. Many Falun Gong were sent to labour camps after mid-1999 without any form of hearing on only a police signature. Organ price lists were posted on Chinese websites.

41,500 Transplants

Falun Gong today comprise about two-thirds of the torture victims and half of those in forced labour camps across China. According to research David Matas and I have done, set out in our book *Bloody Harvest*, practitioners have been killed in the thousands since 2001 so that their organs could be trafficked to Chinese and foreign patients. For the period 2000 -2005 alone, Matas and I concluded that for 41,500 transplants done the only explanation for sourcing was Falun Gong.

Our book concludes 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." Our revised report is accessible in 18 languages from www.david-kilgour.com.

Recent Developments

Have the efforts of many in China and around the world to stop these appalling crimes against humanity made any difference? Our book points at various developments within and beyond China occurring since our first report in 2006, but, to save time, I'll only mention two:

- The government of China now accepts that sourcing of organs from prisoners is improper. Deputy Health Minister Huang Jieifu in 2009 stated that executed prisoners "are definitely not a proper source for organ transplants." In 2005, he was reported to say that as many as 95% of the transplanted organs in China derived from executions.
- Belgian senator Patrik Vankrunkelsven and former Canadian MP Borys Wrzesnewskyj have each introduced into their respective parliaments extraterritorial legislation banning "transplant tourism". Both would penalize any transplant patient who receives an organ without consent of the donor where the patient knew or ought to have known of the absence of consent.

Unfortunately, such developments have not yet ended the murders and trafficking in organs across China. Since we began our work, the number of convicted persons sentenced to death and then executed across China has decreased quite dramatically, but the number of transplants later rose to earlier levels. Since the only other substantial source of organs for transplants in China besides Falun Gong is prisoners sentenced to death, a decrease of sourcing from that population means an increase of sourcing from Falun Gong.

Those profiting include surgeons, hospitals and the military, whose surgeons do a good deal of the organ pillaging and whose aircraft fly organs from rural labour camps to hospitals in major cities where patients await compatible organs based on prior computer matching of blood and tissue types.

Recommendations

For organs trafficked in China, David Matas and I would encourage each of you and your friends across Taiwan and beyond to consider our recommendations, including:

- Medical professionals across Taiwan should actively discourage their patients from going to China for transplant surgery;
- Refuse visas to Chinese MDs seeking training in Taiwan in organ or body tissue transplantation;
- Pharmaceutical companies here should be barred from exporting to China any drugs used solely in transplant surgery;
- Your parliament should enact extra-territorial legislation, penalizing participation in organ transplants without informed consent.



Some participants at Kaohsiung launch

June 2011

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 all rule-of-law countries today would produce very similar findings.

The attempted crushing of democracy movements, truthful journalists, Falun Gong, Tibetan Buddhists, Christian, Muslim and other independent faith groups, human rights lawyers and civil society communities in recent years indicates that China's party-state must always be engaged with great caution.

Its people, however, have the perseverance, self discipline, entrepreneurship, intelligence, culture and pride to help make this new century better and more peaceful for the entire human family. Most of them want the same things as Taiwanese, Canadian and all peoples, including, respect for all, education, to be safe and secure, good jobs, the rule of law, good governance and a sustainable natural environment.

Thank you.