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**Special consultative status with United Nations ECOSOC**

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**September 2008**

## **Organ harvesting of Falun Gong Practitioners in China: An Update**

by David Matas

Former Canadian Minister of State David Kilgour and I wrote a report on organ sourcing in China released first June 2006 and, in a second version, January 2007 under the title "Bloody Harvest: Organ Harvesting of Falun Gong practitioners in China"<sup>1</sup>. In that report we concluded that between 2001 and 2006 China killed Falun Gong practitioners in the tens of thousands so that their organs could be sold to foreign transplant tourists. Falun Gong is an exercise regime with a spiritual foundation based on ancient Chinese traditions banned in 1999.

China has no national organized organ donation system, nor a law allowing organ sourcing from the brain dead, cardiac alive. There is a strong cultural aversion against both organ donations and organ sourcing from the cardiac alive. Nor does China have a national organ matching and distribution system. Organs for transplants almost exclusively come from prisoners, whether prisoners sentenced to death or Falun Gong practitioners.

Since the report was released, David Kilgour and I travelled to over forty countries and over seventy cities to seek to end the abuse we identified. Because of our travels and

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<sup>1</sup> See <[www.organharvestinvestigation.net](http://www.organharvestinvestigation.net)>.

the publicity surrounding our report, we received much additional evidence relevant to the subject of our report. Some it was just more of the same. For instance, we continued to find new examples of Falun Gong practitioners who in Chinese detention were systematically blood tested while their co-prisoners who were not practitioners were not blood tested.

The initial response of the Government of China to the report David Kilgour and I wrote was propagandistic, without addressing the substance of the research. More recently, particularly in the last few months, the Government of China has come out with specific responses - by way of letter to the United Nations Rapporteur on Torture Manfred Nowak and also by way of DVD, interviewing some of the sources of our report.

I later refer to three different ways in which the Chinese government has responded to our report. But there is much more. The three examples I have chosen are notable not only for their error, but also for their particularity. Most of the Chinese response is verbiage without content, denials without contradiction.

In the first version of our report our lack of knowledge of Chinese geography led us to misplace in the wrong provinces two cities in China to which our investigators had called. And that, in total, was it, the only mistakes large or small which we had made.

The report is now over two years old. The fact that over those two years, the report has survived the scrutiny of peer review and has not been contradicted in any way whatsoever, serves to validate the report. The sheer silliness and vacuity of the Chinese government response means that the government of China, in substance, has nothing to say in answer to our report.

The peer review to which I am referring is that of University of Minnesota Associate Director of the Program in Human Rights and Medicine Kirk Allison, of British transplant surgeon Tom Treasure, and of Yale University thesis student Hao Wang. They have all

independently from us and each other confirmed the conclusions of the Report and supported its accuracy. These independent investigations are to be found at <[www.organharvestinvestigation.net](http://www.organharvestinvestigation.net)>.

Before our report came out, the conventional wisdom amongst human rights organizations was that the sourcing of organs for transplants was prisoners sentenced to death. This conclusion goes back many years.

A Human Rights Watch Report from August 1994 provides a detailed analysis coming to the conclusion "that the bodies of executed prisoners are the source for many, in fact most of the organ transplant operations performed in China". The report relies on some documents and "a large body of anecdotal material". The report then lists some of this anecdotal evidence from sources who for reasons of personal safety cannot be identified except in general terms<sup>2</sup>.

If one compares the methodology, the quality of evidence and the Chinese government response, there is not much difference between our report and these early reports concluding that the sourcing of organs for transplants is prisoners sentenced to death. If evidence in the nineties pointing to the conclusion that organs were sourced from prisoners sentenced to death was found to be probative, evidence of that same quality pointing today to the conclusion that organs are sourced from Falun Gong practitioners should also be probative.

One Chinese government reaction to our report was propaganda. The propaganda either misrepresents our report or denies the sources without foundation. Here are a few notable examples.

### **i) A claim of rumour**

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<sup>2</sup> "Organ Procurement and Judicial Execution in China"

At the symposium on organ transplants at Beilinson hospital near Tel Aviv where I spoke on May 30, 2007, the Chinese Embassy to Israel circulated a statement at the symposium that the report David Kilgour and I wrote on organ harvesting of Falun Gong practitioners contains:

"verbal evidence without sources, unverifiable witnesses and huge amount of unconvincingly conclusive remarks based on words like "probably", "possibly", "maybe" and "it is said", etc. All these only call into question the truth of the report."

Yet, all one has to do to is to look at the report to see that every statement we make in our report is independently verifiable. There is no verbal evidence without sources. Where we rely on witnesses we identify them and quote what they say.

The report is on the internet and is word searchable. Anyone who searches it can see that the words "probably", "possibly", "maybe" and the phrase "it is said" are not used in our report, not even once.

## **ii) Shi Bingyi**

One basis for our conclusion that Falun Gong practitioners were the primary source of organs for transplants was the large increase in transplants coincident with the start of persecution of the Falun Gong. Yet, the only other significant source of organs for transplants, prisoners sentenced to death, remained constant.

To document the overall increase in transplants, our report cited Shi Bingyi, vice-chair of the China Medical Organ Transplant Association. We indicated that he said that there were about 90,000 transplants in total up until the end of 2005.

Yet there were approximately 30,000 transplants done in China before the end of 1999 and 18,500 in the six year period 1994 to 1999 inclusive. That meant that transplants went up from 18,500 in the six year period prior to the persecution of the Falun Gong

to 60,000 in the six year period after the persecution of the Falun Gong began. Since the death penalty volume was constant, that left 41,500 transplants in the six year period 2000 to 2005 where the only explanation for the sourcing was Falun Gong practitioners.

UN rapporteur on torture Manfred Nowak asked the Chinese government to explain the discrepancy between organs available for transplants and numbers from identifiable sources. The Chinese government, in a response sent to Professor Nowak by letter dated March 19, 2007 and published in the report of Professor Nowak to the UN Human Rights council dated February 19, 2008, that

"Professor Shi Bingyi expressly clarified that on no occasion had he made such a statement or given figures of this kind, and these allegations and the related figures are pure fabrication."

Moreover, the Government of China, lest there be any doubt, asserted that

"China's annual health statistics are compiled on the basis of categories of health disorder and not in accordance with the various types of treatment provided"<sup>3</sup>

Shi Bingyi was interviewed in a video documentary produced by Phoenix TV, a Hong Kong media outlet. That video shows Shi Bingyi on screen saying what the Government of China, in its response to Nowak, indicates he said, that the figures we quote from him he simply never gave. He says on the video:

"I did not make such a statement because I have no knowledge of these figures I have not made detailed investigation on this subject how many were carried out and in which year. Therefore I have no figures to show. So I could not have said that."

Yet, the actual source of the quotation is footnoted in our report. It is a Chinese source, the Health News Network. The article from the Network was posted on the

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<sup>3</sup> UN Document A/HRC/7/3/Add.1

official website for transplantation professionals in China, <[www.transplantation.org.cn](http://www.transplantation.org.cn)>. The text, dated 2006-03-02, stated, in part, in translation:

"Professor Shi said that in the past 10 years, organ transplantation in China had grown rapidly; the types of transplant operations that can be performed were very wide, ranging from kidney, liver, heart, pancreas, lung, bone marrow, cornea; so far, there had been over 90,000 transplants completed country-wide; last year along, there was close to 10,000 kidney transplants and nearly 4,000 liver transplants completed."

Though the Government of China has taken down many of the citations in our report, this citation, the last time I looked and had it translated in June 2008, remained. The original source of the information remained available within China through an official website source.

Moreover, the information in this article continues to be recycled in Chinese publications. The official web site of the Minister of Science and Technology of the People's Republic of China posts a newsletter of June 20, 2008 at <<http://www.most.gov.cn>> which states:

"Up to date, China has performed some 85,000 organ transplants, only next to the United States in number. In recent years, China performed organ transplants on more than 10,000 patients a year...Liver transplants have exceeded 10,000 in number... Heart transplants went over 100 in number..."

The number of 90,000 transplants in 2006 and 85,000 transplants in 2008 do not match and call for an explanation only those who provide the statistics can give. What is striking about the later article, aside from the statistical mismatch, is that it flies in the face of the official Chinese statement to Professor Nowak that China's health statistics are compiled on the basis of categories of health disorder and not in accordance with the various types of treatment provided.

So what we have is a statement from Shi Bingyi on an official Chinese web site which remained extant at the time of the denial, a statement which Shi Bingyi publicly denied ever having said. Moreover, despite the continued presence on this official website of a statement showing that Shi Bingyi said what we wrote he said, the Chinese government accused us of fabricating the words we attributed to Shi Bingyi.

Neither the Government of China nor Shi Bingyi claim that Health News Network has misquoted or misunderstood what Shi Bingyi said. There has been no effort to hide or mask or take down from the internet the publicly posted article of the Health New Network where Shi Bingyi is quoted. The continuation of this article on an official Chinese web site amounted to a continuation to assert what is to be found in this article.

### **iii) Lu Guoping**

If the statement from Shi Bingyi is strange, the statement from Lu Guoping is stunning. One trail of evidence which led to our conclusion of organ harvesting was investigator phone calls. Our investigators called hospitals throughout China, pretending to be relatives of patients who needed transplants, asking the hospitals if they had organs from Falun Gong practitioners for transplant. The justification for the questions was that, since Falun Gong is an exercise regime, the Falun Gong practitioners would be healthy and their organs would be healthy. Our callers got recorded admissions throughout China that hospitals did have Falun Gong organs for sale.

One such admission came from Lu Guoping at Minzu Hospital of Guangxi Autonomous Region. He said, on a recording, that his hospital used to have organs from Falun Gong practitioners, but no longer has them. He referred the caller to a hospital in Guangzhou and assured the caller that this hospital had Falun Gong organs. Here are some of the exchanges:

"Q: Didn't you use Falun Gong practitioners' organs before?"

A: Now it has changed from before.

...

Q: Then they [the hospital in Guangzhou to which the caller was referred] use organs from Falun Gong practitioners?

A: Right, right, right.

...

Q: It is said that the organs from Falun Gong practitioners are relatively healthy and better. Do they use this kind as well?

A: Right, right, right. Usually the healthy ones are chosen.

Q: What I mean is that the organs from Falun Gong practitioner are better. Do they use this kind as well?

A: Right, right, right.

...

Q: ...what you used before, were they from detention centres or prisons?

A: From prisons.

Q: Oh, prisons. And it was from healthy Falun Gong practitioners, the healthy Falun Gong right?

A: Right, right, right. We would choose the good ones, because we will assure the quality of our operations.

Q: That means you choose the organs yourself?

A: Right, right, right.

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Q: ...Usually how old is the age of the organ supplier?

A: Usually in their 30s.

Q: In their 30s. Then you will go to the prison to select yourself?

A: Right, right, right. We must select it."

The Phoenix TV documentary which interviewed Shi Bingyi also interviewed Lu Guoping. In this documentary, Lu Guoping acknowledges having received the call from our caller. He confirms that he referred our caller to a hospital in Guangzhou. He acknowledges

that the caller asked whether that hospital used organs from Falun Gong practitioners. What changes in the documentary is the answer he said he gave. In the TV interview, he says:

"I told her I was not involved in the surgical operations and had no idea where the organs come from. I told her I could not answer her questions. She then asked me whether these organs come from prisons. I replied no to her in clear-cut terms"

On the video, Dr. Lu is presented with a partial transcript of the call made to him found in our report. He reacts by saying:

"The record of the phone call does not conform to the truth. Many parts of it have been distorted or mutilated. The report says that when I was asked where the organs removed from Falun Gong people came from, prisons or detention, houses I said they came from the prisons. But this was not my answer....The report also says that when the person who called me asked whether we have to go to the prison to select body organs I answered yes and added we have to go there to make the choice. This question was actually not raised at all then."

There is no indication in the Phoenix TV documentary that we have a recording where Dr. Lu says in his own voice the words attributed to him in our report. Nor does either the doctor or the interviewer make any attempt to explain how we could possibly have got the voice of the doctor on a recording saying what he denies saying, interspersed seamlessly with what he admits saying, if he did not say what he denies saying. The suggestion left by the documentary is that we have altered a transcript. Because there is no acknowledgement of a recording, there is no suggesting we have altered the recording.

So here we have on our recording an admission from a doctor that he used to go to a prison to select Falun Gong practitioners for their organs. He does not just say that someone else did this. He says that he used to do this himself. Moreover, we have a

further admission that the voice we have on our recording is the voice of the very person our recording says he is.

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