

## Public Statement on Forced Organ Harvesting in China – Taipei Bar Association – February 2013

Human rights are universal values, also the core values of the founding of the Republic of China, regardless of nationalities, genders, races, colors, religious beliefs and groups. It is our unshakable responsibility to protect the basic rights of the people in Taiwan and mainland China, to promote democracy, freedom as well as rule of law in China.

Over the years, Amnesty International (AI) has regarded the pro-democracy activists, Chinese human rights lawyers, Falun Gong practitioners, Tibetans, journalists detained by the Chinese government due to their political views or religious beliefs, though they did not commit any international offenses, as prisoners of conscience. AI has launched global campaigns to rescue them. It is an indisputable fact that the prisoners of conscience defined by Amnesty International are those protected by Article 18 of the International Covenant on Civil and Political Rights and Article 9 of the European Convention on Human Rights, in terms of freedom of thought and conscience, and freedom of religion.

Our country ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (hereinafter referred to as the Two Covenants) in May 2009. The Act to Implement the Two Covenants came into force on International Human Rights Day, which falls on December 10. In accordance with the provision of Article 2 of the Act, the protection of human rights specified in the Two Covenants enjoy the same legal status as domestic laws. Therefore, to protect prisoners of conscience specified in Article 18 of the "International Covenant on Civil and Political Rights" which has domestic legal status should be seriously enforced by our government.

Given above, the Legislators unanimously passed an extemporaneous motion on December 11, 2012. It stated that our country should concern about the prisoners of conscience who are incarcerated in labor camps, prisons, or detention centers by the Chinese government due to political and religious belief, and should enact laws and regulations to rescue them as well as provide assistance to them. The resolution explicitly pointed out that Falun Gong practitioners and Tibetans are among the prisoners of conscience who are subjected to most serious persecution. It also cited that the atrocities of forced organs harvested from prisons of conscience for profits in China in the human right report (2007-2009) submitted by Professor Manfred Nowak, Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In addition, the 2011 annual human rights report published by the U.S. State Department and the annual report released by U.S. Congressional-Executive Commission on China (CECC) in 2012 also stated the appalling atrocities of the practice of forced organ harvesting from living inmates on death row and prisons of conscience for organ transplants in China.

The international society has more and more concerned about Chinese government's involvements in the atrocities of forced organ harvesting. In 2012, U.S. Congress and the European Parliament respectively held hearings on the atrocities of organ harvesting for profits in China for profits. Several prominent legal and medical expert witnesses have been invited to testify in the hearings.

In view of this internationally concerned human right incident, this Association thus releases a public statement as follows:

1. Called on the Chinese government to abide by the Chinese Constitution and international human rights covenants to immediately release all prisoners of conscience incarcerated in labor camps, prisons or detention centers by the Chinese government, due to their political views and religious belief.
2. Appeal to the United Nations Human Rights Council for urging the Chinese government to conduct a comprehensive and transparent investigation into the alleged atrocities of forced organ harvesting from inmates on death row and prisoners of conscience for profits, and to bring perpetrators to justice.
3. Urge governments and parliaments of every country, including the Taiwanese government and its Legislative Yuan, to immediately enact or revise laws or regulations so as to prohibit cross border organ brokerage in the countries or areas where extracting organ from illicit sources, and the countries or areas that are explicitly alleged they are in violation of medical ethics, as well as urge them to penalize the above acts, so as to prevent their nationals from being complicity in forced organ harvesting for transplants.