

March 18, 2018

Bishop Marcelo Sanchez Sorondo, Chancellor
The Pontifical Academy of Sciences

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Your Excellency,

We note that the Vatican's recent conference "Modern Slavery, Human Trafficking, and Access to Justice for the Poor and Vulnerable" held from March 12-13 included among its attendees and speakers Dr. Wang Haibo, the head of the China Organ Transplant Response System (COTRS).

COTRS purports to be the sole system for the distribution of donated organs in China since September 1, 2013. Beginning on January 1, 2015, officials claimed that COTRS no longer allocated any organs from prisoners of any kind. Since then, the claimed number of organ donations in China has risen almost exponentially — a truly remarkable feat.

Yet the People's Republic of China has passed no new laws or regulations outlawing the use of prisoner organs and has never acknowledged the extrajudicial execution of prisoners of conscience for their organs despite robust evidence indicating this has and could still be taking place. In addition, a complete absence of any due process whatever in the Chinese "judicial" system dictates that no assumption of guilt can be made in the case of any "convict" executed in China. China has not rescinded — or even publicly acknowledged the existence of — the secret 1984 order that forms the regulatory basis for organ harvesting from prisoners.¹ Meanwhile, there is a continued widespread cultural resistance to organ donation, which has not changed based on statements of a policy shift in Beijing.

The alleged reform of China's transplant system, such as it is, is vouchsafed solely by statements made by Dr. Huang Jiefu to the media. Such statements are taken to represent state policy. But with no statutory or regulatory framework outlawing use of prisoner organs, and no accountability for those who have claimed credit for leadership of a system rife with gross human rights abuses (which includes leading surgeons Huang Jiefu, Zheng Shusen, and others), these claims are scarcely credible. They are not even credited by Huang Jiefu's main supporter in the West, Francis Delmonico, former president of The Transplantation Society, who told the U.S. Congress in June 2016 that he could not verify that use of organs from prisoners has ceased.²

¹ "Temporary Rules Concerning the Utilization of Corpses or Organs from the Corpses of Executed Criminals," issued jointly by the Supreme People's Court, Supreme People's Procuracy, Ministry of Public Security, Ministry of Justice, Ministry of Health and Ministry of Civil Affairs on October 9, 1984. Available at: https://www.hrw.org/reports/1994/china1/china_948.htm#_1_21

² Joint hearing, Committee of Foreign Affairs, House of Representatives, "Organ Harvesting: An Examination of a Brutal Practice," June 23, 2016. Available at: <http://docs.house.gov/meetings/FA/FA16/20160623/105116/HHRG-114-FA16-20160623-SD006.pdf>. Delmonico said: "I am not here to verify. That is not my job... we do know that it is occurring still within China. But it is not my—it is not my job to say to you that it is eradicated or completely stopped." Regarding access to the Chinese military hospitals Delmonico stated, "No, I don't have access.. Sure it could be going on there."

China claims to maintain a transparent system of organ donation and transplantation, and yet the following facts obtain:

- China publishes minimal, and sometimes contradictory, data, on the alleged voluntary organs donated and allocated through COTRS;
- The sole public organ donation counter, available at <http://www.china-organdonation.org.cn/>, is a national total that is rarely updated (as can be seen on the right side of the page, it has not been updated since December 24 last year — nearly four months).
- No historical series is available for this figure, meaning that there is minimal accountability for data integrity;
- COTRS does not publish the kind of granular, hospital-level transplant figures that would be necessary to judge the veracity of the numbers;
- China maintains up to 12 official databases or registries of transplant activity, including four registries for heart, lung, liver, and kidney transplants respectively. None of these are open to public access;
- China, in contravention of the World Health Organization's Guiding Principles on organ transplantation, routinely makes large cash payments to the families of voluntary organ donors, the majority of which are from impoverished, rural households. Cash payments of up to 40 times annual income would be considered coercive by international standards.

In short, China's transparency regarding its claimed reform is woefully lacking, and there are no reasons yet to endorse the changes that are claimed by Chinese officials to have taken place.

A potential World Health Organization-affiliated Organ Donation and Transplantation Task Force, proposed by Dr. Huang, would not allay any of the above concerns. Such a task force would not have unfettered access to Chinese transplant facilities, personnel, and computer systems, and would thus be unable to verify that changes in transplant practice in China has taken place. At best, such a task force would merely serve as a publicity exercise, misleading the public about reform in China while distracting attention from past and ongoing abuses.

Most recently, as shown in a documentary released in November 2017, a South Korean investigative news crew travelled to the Tianjin First Central People's Hospital and found it to be a hive of transplant activity.³ Posing as potential transplant recipients, the crew was told by a nurse that the international department performed "three kidney and three liver transplants yesterday." The reporters calculated that if the known transplants during that week were extrapolated, the total would come to several thousand transplants annually. A doctor told them that waiting times may be two days, or a week. "If you want to arrange for the surgery to be done faster, you need to donate to our foundation," he said.

These gaps in data, and documented abuses, demonstrate prima facie that China's transplant system has not been thoroughly reformed. The horrendous abuses that have been extensively documented, and brought to your attention previously, cannot be

³ Annie Wu, *South Korean TV Documentary Confirms Organ Harvesting Still Occurring in China*, THE EPOCH TIMES, December 22, 2017, https://www.theepochtimes.com/south-korean-tv-documentary-confirms-organ-harvesting-still-occurring-in-china_2394332.html (last visited Mar 15, 2018). The documentary is available on YouTube (in Korean with Chinese subtitles): https://www.youtube.com/watch?v=D2LqZAfR_ZE

confirmed to be merely a thing of the past. Indeed, even if they were, the perpetrators must still be brought to justice.

We would also like to note that the attendance of Chinese representatives at the recent event has been used for domestic and foreign propaganda purposes by Chinese state-controlled media entities.⁴ Chinese transplant officials explicitly linked their participation to relations between the Vatican and Beijing.⁵

We respectfully advise the Pontifical Academy of Sciences to reserve its judgement about claims of total reform of China's transplant system, prior to demonstrated transparency and significant independent verification of the alleged 2015 reforms. If such claims are found to be false, the reputation of the Academy is at stake, along with that of China's leading organ transplant officials.

Yours sincerely,

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⁴ "China's global leadership narrative claims Vatican support (again)," Taiwan Sentinel, March 13, 2018. <https://sentinel.tw/china-global-leadership-narrative-vatican/>

⁵ "China to attend Vatican organ trafficking meeting: Beijing, Holy See exchanges promoting mutual respect," The Global Times, March 11, 2018. <http://www.globaltimes.cn/content/1092809.shtml>

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