WHAT IS FORCED ORGAN HARVESTING IN CHINA?
UNDERSTANDING THE EVIDENCE

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Extensive reports since 2006 have documented the scale and severity of state-sanctioned forced organ harvesting from prisoners and prisoners of conscience in the People’s Republic of China. Independent reporting and pressure from international medical and governmental institutions have prompted the Chinese government to announce multiple reforms. Official statements claim that reforms are designed to bring China’s transplantation system into line with international standards and enable China’s transplantation system and professionals to gain international legitimacy and acceptance. Despite these claims and the gradual development (since 2010) of a voluntary organ donation system, evidence continues to emerge regarding large-scale and severe human rights violations in the sourcing of organs for transplants in China.

The most recent and comprehensive assessment of the evidence about forced organ harvesting in China was conducted by the China Tribunal. This was an independent people’s tribunal established to investigate forced organ harvesting from prisoners of conscience in China and determine what criminal offences, if any, have been committed by state or state-approved bodies, organisations or individuals in China that may have engaged in forced organ harvesting. The Tribunal’s Final Judgment, delivered in June 2019, unanimously found that forced organ harvesting continues in China.

FORCED ORGAN HARVESTING

"Forced organ harvesting has been committed for years throughout China on a significant scale."

"Falun Gong practitioners have been one—and probably the main—source of organ supply."

"In regard to the Uyghurs, the Tribunal had evidence of medical testing on a scale that could allow them, amongst other uses, to become an ‘organ bank’."

"Commission of Crimes Against Humanity against the Falun Gong and Uyghurs has been proved beyond reasonable doubt."

"The Tribunal has no evidence that the significant infrastructure associated with China’s transplantation industry has been dismantled and absent a satisfactory explanation as to the source of readily available organs concludes that forced organ harvesting continues till today."
RELEVANT TERMS IN UNDERSTANDING FORCED ORGAN HARVESTING

Organ Trafficking
• illicit removal of organs from living or dead persons
• absence of free, voluntary informed consent
• removal of organs for financial or other benefit

Forced Organ Harvesting (FoH)
• killing a person without their consent so that their organs may be removed for transplantation into another person

Prisoners’ Organs
• removal of organs from persons who are imprisoned and, therefore, unable to give free voluntary consent
• use of prisoners’ organs is prohibited by international ethical and professional guidance from bodies including World Health Organization, The Transplantation Society, World Medical Association, Declaration of Istanbul Custodian Group, United Nations and Council of Europe

Types of Executed Prisoners
• prisoners of conscience, who are imprisoned for their beliefs or opinions and who do not advocate for or condone personal violence
• convicted or criminal prisoners, who are imprisoned and sentenced to death on the basis of being found guilty of a crime by the criminal justice system

Falun Gong Practitioners
• people who practice Falun Gong—an ancient Chinese spiritual discipline in the Buddhist tradition that consists of moral teachings, meditation and four qigong exercises
• Falun Gong's core values are truthfulness, compassion and tolerance

Uyghurs
• Uyghurs (or Uighurs, Uygurs) are ethnically and culturally a Turkic people living in areas of Central Asia including Xinjiang Uyghur Autonomous Region (XUAR)/East Turkestan in north-western China
• Uyghurs are predominantly Sunni Muslims, practise a moderate form of Islam and lead mainly secular lives

Blood Tests
• examination of a person’s blood to screen for infectious diseases and do cross matching for transplantation

Cross Matching
• type of testing to find out whether an organ will be compatible with the intended recipient

Organ Scanning
• using medical equipment to check the health of organs in a living prisoner (includes ultrasounds, x-rays and CT scans)

Waiting List
• names of people who need a transplant who are put in a queue to wait their turn for an organ to be available
• in Australia and other countries, the waiting list is approximately three years for a kidney, and 9-12 months for a liver
• in China, the waiting list is often weeks rather than months or years
TIMELINE OF FORCED ORGAN HARVESTING

- **Pre-1999**: Little transplant activity
- **1996**: Human Rights Watch reports forced organ harvesting from executed prisoners including political offenders and other non-violent criminals
- **1999**: Persecution of Falun Gong practitioners begins
- **2000**: Rapid increase in transplant numbers, Denial of using prisoners' organs
- **2005**: Official admission about using organs from executed prisoners
- **2006**: First investigation into forced organ harvesting in China: Bloody Harvest: The Killing of Falun Gong for their Organs (Matas and Kilgour)
- **2010**: Start of pilot volunteer donor program
- **2014**: Investigation released: The Slaughter: Mass Killings, Organ Harvesting and China's Secret Solution to its Dissident Problem (Gutmann)
- **2015**: Official claim that all organs now sourced from volunteers
- **2016**: Analysis of Chinese data in the Update shows 60,000-100,000 transplants performed each year (Kilgour, Matas and Gutmann)
- **2017**: President Xi issues directive to repress Uyghur religious practices and inter large numbers of Uyghurs in camps
- **2019**: Statistical analysis shows China's official transplant data is falsified
- **2019**: China Tribunal Judgment: Forced organ harvesting has been happening and continues
HOW DO WE KNOW FORCED ORGAN HARVESTING OCCURS?

There are two key lines of evidence about forced organ harvesting in China: direct and indirect evidence.

DIRECT EVIDENCE

Direct evidence comes from people who were personally involved in forced organ harvesting. China Tribunal Witness 26 (name withheld) described being ordered to participate in forced organ harvesting in the 1990s, from an incompletely executed prisoner.

In 1995, Enver Tohti was ordered to remove organs from a prisoner who was not dead:

"The victim was a man in his 30s, unshaved with long hair and civilian clothes. The bullet gone through his right chest. The man seems already dead anyway, so I start my incision ... cutting his skin, blood could be seen, it implies that his heart was still beating, he was alive! My chief surgeon whispered to me ‘Hurry up’."

WITNESS ACCOUNTS

Multiple witnesses have described incidents and conversations indicating that forced organ harvesting took place. The following are several examples of this evidence.8 Prisoners were threatened with organ harvesting if they did not comply with various orders or were told that, if they resist, their ‘heart, liver, spleen and lungs will be taken’. Israeli heart surgeon, Dr Jacob Lavee, reported that a patient of his went to China in 2005 for a heart transplant booked in advance. This could only happen if a prisoner was killed to order on the agreed date. In 2006, a Chinese doctor at the World Transplant Congress in Boston explained that all the organs for transplant came from Falun Gong practitioners. In 2018, a Japanese journalist interviewed three Japanese patients who had travelled to China for transplants. The recipients waited only two weeks for liver or kidney transplants, and they paid for these.

George Karimi, in prison for matters not related to Falun Gong, gave an account of executions and of conversations about organ harvesting from executed prisoners, specifically about ‘prisoners not needing organs after death’. He gave one account of a guard, who knew of or dealt with 24 or 25 Falun Gong prisoners being executed and only one being spared, and explained that the one spared was unwell—‘if sick, organs are of no use’. 9

MEDICAL TESTING OF PRISONERS

Medical tests conducted on prisoners provide indirect evidence of forced organ harvesting.10 Many witnesses have described having blood taken for unknown purposes. Medical tests, including ultrasounds, x-rays and physical examinations, were performed on prisoners who did not consent to the tests. No reason was provided for the tests, and prisoners were not given any results. Only prisoners of conscience, including Falun Gong practitioners, Uyghurs, Tibetans and some House Christians, were tested.
TORTURE OF PRISONERS OF CONSCIENCE

The China Tribunal received evidence of the torture of prisoners of conscience. This evidence is important because it provides context about the overall treatment of prisoners of conscience and helps in understanding the full range of crimes that may have been committed. The fact that prisoners were tortured reveals the widespread and systematic nature of the persecution. Evidence about torture came from Falun Gong practitioners and Uyghurs.

INCARCERATION OF PRISONERS OF CONSCIENCE INCLUDING FALUN GONG PRACTITIONERS AND UYGHURS

As with evidence of torture, evidence of incarceration provides context for forced organ harvesting and demonstrates the systematic nature of the repression of Falun Gong practitioners and Uyghurs. In 1999, the Chinese president, Jiang Zemin, ordered the establishment of the 610 Office for the persecution of Falun Gong practitioners. There are multiple accounts from Falun Gong practitioners of being imprisoned and tortured for their beliefs. Since 2017, mass incarceration of Uyghurs has also occurred. Uyghur witnesses to the China Tribunal described their imprisonment in Laogai camps, including being required to sing ‘red’ songs and speak only Mandarin, witnessing and suffering torture and undergoing blood and medical tests. Mass blood and DNA testing in Xinjiang has been reported. Credible reports of Uyghur forced organ harvesting have been supplied by Dolkun Isa, Erkin Sidick and Ethan Gutmann.

HOSPITAL PHONE CALLS

Since 2006, various investigators have made calls to Chinese hospitals posing as patients needing organs. Doctors in these hospitals have admitted using Falun Gong practitioners as organ sources, offered Falun Gong practitioners as organ suppliers, stated they use live organs from prisoners and refused to divulge the source of organs. For example, on 26 May 2017, in a call verified by the China Tribunal, Director Wang of Yaasntai Yuhuangdong Hospital made these comments about a kidney transplant:

Wang: ... it will be within half a month, within two weeks.
Investigator: So you can still find that kind from the prison?
Wang: You need to find the ones under 30 years old.

Wang confirmed that the hospital circumvents the official Red Cross organ distribution system, performs hundreds of procedures and has its own channels to source organs. For example, young person kidneys are available within 10 days.
In one forensically verified phone call, Bai Shuzhong, the former People’s Liberation Army (PLA) Minister for Health, confirms that a direct order to harvest organs from Falun Gong was issued by former Chinese president, Jiang Zemin:

Investigator: "... regarding taking organs from the detained Falun Gong people for organ transplantation, was it an order from the director of the PLA General Logistics Department?"

Bai Shuzhong: "Back then, it was Chairman Jiang. There was an order. It instructed to carry out this thing, that is, organ transplantation."  

Further calls made in 2019 continue to indicate that organs are readily available and that they are from healthy young sources.  

**SCALE OF TRANSPLANT ACTIVITY**

Evidence regarding the scale of transplant activity is vital because it indicates that there was and is a plentiful supply of organs. Evidence about transplant volumes in China was compiled in the 2016 Update. This report provides a very detailed examination of the transplant programs of hundreds of hospitals in China. The Update draws on media reports, official propaganda, medical journals, hospital websites and a large number of deleted websites found in archives. The report analyses hospital revenue, bed counts, bed utilisation rates, surgical personnel, training programs, state funding and more. This evidence shows that China is performing 60,000–100,000 transplants per year, as opposed to the much smaller numbers (10,000–20,000) that are officially reported.

**SHORT WAITING TIMES**

Short waiting times provide further indirect evidence about forced organ harvesting in China. The China Tribunal heard evidence from the 2000s to 2018 of pre-scheduled operations (including heart transplants) and short wait times. The average kidney wait time in China is close to several days or weeks, compared to 1000–1,500 days in the UK and USA. This is a critical piece of evidence because short waiting times and pre-booked transplants cannot occur in voluntary systems, which rely on the accidental or unpredictable deaths of donors. Short waiting times and pre-booked transplants show that organs are available on demand. This is evidence of a group of living people who can be killed to order for their organs. Numerous undercover phone calls confirm waiting times as short as two weeks.
FALSE OFFICIAL CHINESE DATA

Since 2015, China has published data about the numbers of donors and transplants performed each year, claiming that all organs come from volunteers. However, these figures are not reliable. In 2019, a detailed statistical analysis of official Chinese data found evidence of systematic falsification and manipulation of official organ transplant datasets.\(^\text{21}\) This study is important because it shows that official Chinese claims about the numbers of transplants performed in China cannot be trusted.

TRANSPLANT TOURISM

Finally, transplant tourism is another key source of indirect evidence. Evidence of historic transplant tourism includes archived websites advertising organs for sale and the experience of Dr Lavee’s patient who had a heart transplant in China in 2005.\(^\text{22}\) Websites promote or have promoted organ transplantation in China\(^\text{23}\) and Japanese and Korean organ tourism to China.\(^\text{24, 25}\)

In 2017, a Korean TV station conducted an investigation at Tianjin Central Hospital.\(^\text{26, 27, 28}\) The transplant centre staff quoted wait times for organs ranging from days to weeks and solicited monetary ‘donations’ from patients in exchange for scheduling transplants even more quickly. Although China claims to have stopped performing transplants for foreign patients, the international department performed eight transplants the day before the visit.
SYSTEMATIC, INSTITUTIONAL AND INTENTIONAL ORGAN HARVESTING

The evidence regarding forced organ harvesting in China is complicated. However, central questions demand answers:

How can China perform so many transplants?

Where do all the organs come from?

There is relatively little direct evidence to answer these questions. Firsthand testimony of organ harvesting from the victims themselves is impossible because the victims die in the process. Whistleblowers such as surgeons are rare. However, there are multiple lines of indirect evidence for forced organ harvesting (as outlined above), including the personal testimony of fellow internees and relatives of deceased victims, the short waiting times, the gaps in the medical statistics, the conversations with government officials, the advertisements and the admissions of university and military hospital personnel.

“The overall value of the collective body of evidence is greater than the mere sum of its parts. Individual lines of evidence, when brought together, paint a backdrop of planned, systematic, institutional and intentional organ harvesting.”

Andrew Khoo, China Tribunal Member

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