

## **SUBMISSION TO THE UYGHUR TRIBUNAL**

### **INTERNATIONAL COALITION TO END TRANSPLANT ABUSE IN CHINA (ETAC)**

**25 August, 2021**

Our submission concerns forced organ harvesting from prisoners of conscience in China. The main purpose of our submission is to provide an overview and timeline of forced organ harvesting, which will help to establish the context for understanding and assessing new evidence and testimonies related to forced organ harvesting.

We believe that some familiarity with the evidence presented to the China Tribunal, together with its conclusions, will support your assessment of new evidence presented to the Uyghur Tribunal. The China Tribunal found credible evidence of ongoing state-sanctioned, institutionalized forced organ harvesting from prisoners of conscience, occurring over the past 20 years at substantial scale and involving a large number of victims.

There are significant parallels between what happened to practitioners of the Buddhist Qi Gong practice of Falun Gong (confirmed victims of forced organ harvesting) and what is now happening to the Uyghurs. The forced organ scans in detention, the mass collection of biometric data (DNA and blood tests), the movement of large numbers of Uyghurs around the country and the disappearance of Uyghurs from detention camps display the same pattern of events inflicted upon Falun Gong practitioners. In addition, investigations revealing very short waiting times for organs and organs available on demand provide circumstantial evidence that the organ trade, based on forced organ harvesting, continues today in China, with the Uyghurs now forming a major victim group.

We also highlight a recent correspondence to China from 9 United Nations Special Rapporteurs regarding forced organ harvesting from specific ethnic, linguistic or religious minorities held in detention.

#### **About ETAC**

ETAC is an independent, non-partisan coalition of lawyers, academics, ethicists, medical professionals, researchers, and human rights advocates dedicated to ending forced organ harvesting in China. ETAC is not aligned with any political party, religious or spiritual group, government or any other national or international institution. The coalition shares a common commitment to protecting human rights and preventing and eradicating forced organ harvesting in China.

#### **Forced Organ Harvesting**

Forced organ harvesting (FOH) is a form of organ trafficking whereby people are killed for their organs for the purposes of organ transplantation. The recipients of trafficked organs,

who include Chinese citizens and transplant tourists from around the world, pay substantial sums to receive the trafficked organs<sup>1</sup>.

The victims of FOH in China are primarily prisoners of conscience including practitioners of the Buddhist Qi Gong practice of Falun Gong, and Uyghurs, an ethnic minority group indigenous to East Turkistan. In addition, some other Muslim ethnic minorities<sup>2</sup>, Tibetan Buddhists and House Christians<sup>3</sup> are also victims.<sup>4</sup> The large-scale development of China's organ transplantation system coincided with the mass arbitrary detention of Falun Gong practitioners in China which started in 1999, largely in East China. In addition to ongoing detention of Falun Gong practitioners, it is estimated that more than one million Uyghurs and other Muslim ethnic minorities residing in the northwest region of Xinjiang have been arbitrarily detained since China started heavily repressing the region on the grounds of alleged security risks, from approximately 2017.

China has engaged the State in the mass killings of innocent people to obtain organs for transplants.<sup>5</sup> The organ harvesting industry in China permeates all levels of government and the judiciary, who support these transplant activities.<sup>6</sup> The regime has mobilised the entire State apparatus in its campaign against Uyghurs, Falun Gong practitioners<sup>7</sup>, and other Muslim, Christian and ethnic minorities.<sup>8</sup>

Concerns about FOH have been raised with Chinese officials and Chinese medical practitioners on numerous occasions, however these concerns are routinely met with denials. Since 2015 there has been a claimed voluntary organ donation system but there is little credible information about the nature and scope of this, while there is evidence that what information is public is unreliable and/or falsified.<sup>9</sup> At times, Chinese medical professionals have been dismissive of evidence about FOH, despite the nature and weight of such evidence.

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<sup>1</sup> Explainer video: <https://www.youtube.com/watch?v=u2bUusvh3c0>

<sup>2</sup> Such as Kazakhs

<sup>3</sup> See <https://evangelicalfocus.com/world/2111/chinese-house-church-christians-among-victims-of-forced-organ-harvesting>

<sup>4</sup> See: Ethan Gutmann, "The Slaughter: Mass Killings, Organ Harvesting, and China's Secret Solution to Its Dissident Problem" (2014) Prometheus Books

<sup>5</sup> Former 610 Office Head Li Dongsheng Indicted MingHui.net August 24, 2015

[http://www.minghui.org/mh/articles/2015/8/24/%E6%81%B6%E6%8A%A5%E4%B8%B4%E5%A4%B4-](http://www.minghui.org/mh/articles/2015/8/24/%E6%81%B6%E6%8A%A5%E4%B8%B4%E5%A4%B4-%E6%9D%8E%E4%B8%9C%E7%94%9F%E8%A2%AB%E5%85%AC%E8%AF%89-314629.html)

[E6%9D%8E%E4%B8%9C%E7%94%9F%E8%A2%AB%E5%85%AC%E8%AF%89-314629.html](http://www.minghui.org/mh/articles/2015/8/24/%E6%81%B6%E6%8A%A5%E4%B8%B4%E5%A4%B4-%E6%9D%8E%E4%B8%9C%E7%94%9F%E8%A2%AB%E5%85%AC%E8%AF%89-314629.html) 李东生被公诉 明慧网 2015 年 8 月 24 日

<sup>6</sup> China Human Organ Donation and Transplantation Commission was set up National Health and Family Planning Commission People's Republic of China 2014-03-07

<http://www.nhpc.gov.cn/zygj/s3586q/201403/89105886fc9b4d3991c034364f52878c.shtml> <https://archive.is/tb0UM> 《中国人体器官捐献与移植委员会成立》 中华人民共和国国家卫生和计划生育委员会 2014-03-07

<sup>7</sup> Former 610 Office Head Li Dongsheng Indicted MingHui.net August 24, 2015

[http://www.minghui.org/mh/articles/2015/8/24/%E6%81%B6%E6%8A%A5%E4%B8%B4%E5%A4%B4-](http://www.minghui.org/mh/articles/2015/8/24/%E6%81%B6%E6%8A%A5%E4%B8%B4%E5%A4%B4-%E6%9D%8E%E4%B8%9C%E7%94%9F%E8%A2%AB%E5%85%AC%E8%AF%89-314629.html)

[E6%9D%8E%E4%B8%9C%E7%94%9F%E8%A2%AB%E5%85%AC%E8%AF%89-314629.html](http://www.minghui.org/mh/articles/2015/8/24/%E6%81%B6%E6%8A%A5%E4%B8%B4%E5%A4%B4-%E6%9D%8E%E4%B8%9C%E7%94%9F%E8%A2%AB%E5%85%AC%E8%AF%89-314629.html) 李东生被公诉 明慧网 2015 年 8 月 24 日

<sup>8</sup> Gutmann, Ethan, Kilgour, David & Matas, David. "BLOODY HARVEST/THE SLAUGHTER: An Update." International Coalition to End Transplant Abuse, 2016, p. 393. [[https://endtransplantabuse.org/wp-content/uploads/2017/05/Bloody\\_Harvest-The\\_Slaughter-2016-Update-V3-and-Addendum-20170430.pdf](https://endtransplantabuse.org/wp-content/uploads/2017/05/Bloody_Harvest-The_Slaughter-2016-Update-V3-and-Addendum-20170430.pdf)]

<sup>9</sup> Robertson et al 2019. Analysis of official deceased organ donation data casts doubt on credibility of China's organ transplant reform (<https://bmcmedethics.biomedcentral.com/articles/10.1186/s12910-019-0406-6>)

The denials by China and dismissals by Chinese medical professionals fail to engage with the substance of the allegations.

### **China Tribunal**

In 2018 ETAC initiated the Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China (China Tribunal).<sup>10</sup> The China Tribunal is an independent people's tribunal established to consider evidence regarding forced organ harvesting from prisoners of conscience in China and determine whether international crimes have been, and continue to be, committed.<sup>11</sup> Chaired by Sir Geoffrey Nice QC, the China Tribunal held public hearings in London on 8, 9 and 10 December 2018 and 6 and 7 of April 2019. During these public hearings, the Tribunal's seven-member panel<sup>12</sup> heard evidence from thirty (30) fact witnesses, including refugees from China, medical experts, and investigators. The China Tribunal also reviewed thousands of pages of additional material and received expert legal opinions from Edward Fitzgerald QC and Datuk N. Savanathan.

Though ETAC initiated the Tribunal, it acted with complete independence; ETAC was at no stage privy to the Tribunal's work or its deliberations over the evidence it heard and assessed.

After 12 months scrutiny of all available evidence, the Tribunal's members unanimously and beyond reasonable doubt, concluded that in China forced organ harvesting from prisoners of conscience has been practised for a substantial period of time involving a very substantial number of victims. While the PRC has changed its rhetoric about the sources of organs for transplantation, the Tribunal found that its claims are unbelievable and that official statistics have been falsified.

The Judgment includes the following conclusions:

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<sup>10</sup> [https://chinatribunal.com/final-judgment-report/chinatribunal\\_judgment\\_1stmarch\\_2020/](https://chinatribunal.com/final-judgment-report/chinatribunal_judgment_1stmarch_2020/)

<sup>11</sup> <https://chinatribunal.com/tribunal-charter/>

<sup>12</sup> The Tribunal Panel: Sir Geoffrey Nice QC (Chair), an English barrister and part time who between 1998 and 2006, led the prosecution of Slobodan Milošević, former President of Serbia, at the UN International Criminal Tribunal for the Former Yugoslavia. Professor Martin Elliott (MD FRCS), Professor of Cardiothoracic Surgery at University College London, a thoracic transplant specialist since 1988 and non-Executive Director at the Royal Marsden Hospital London and Emeritus Gresham Professor of Physic. Andrew Khoo, Lawyer Kuala Lumpur, Malaysia who chaired/co-chaired the Human Rights Committee of the Bar Council Malaysia for nine years and current co-chairs the Constitutional Law Committee of the Bar Council Malaysia. Regina Paulose, a United States attorney and 2014-2016 Chair of the Steering Committee of the United Kingdom Child Sex Abuse People's Tribunal. Shadi Sadr an Iranian human rights lawyer and co-founder of Justice for Iran (JFI), a member of the panel of judges for the 2015 International People's Tribunal (IPT) 1965 and the 2017 People's Tribunal on Myanmar. Nicholas Vetch, a businessman, and co-founder of two public companies and a number of private entities. Professor Arthur Waldron, an American historian, and the Lauder Professor of International Relations in the Department of History at the University of Pennsylvania, working chiefly on Asia. In addition to the Tribunal Panel, Hamid Sabi served as Counsel to the Tribunal. Hamid Sabi is a London-based lawyer who acted as Counsel and Rapporteur to the Iran Tribunal, an independent people's tribunal investigating mass killings of political prisoners by the Islamic Republic of Iran in the 1980s.

**“Forced organ harvesting has been committed for years throughout China on a significant scale and ... Falun Gong practitioners have been one – and probably the main – source of organ supply.”<sup>13</sup>**

**“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’.”<sup>14</sup>**

**“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.”<sup>15</sup>**

**“Commission of Crimes Against Humanity against the Falun Gong and Uyghurs has been proved beyond reasonable doubt...”<sup>16</sup>**

**“Governments and any who interact in any substantial way with the PRC [People’s Republic of China] ..... should now recognise that they are, to the extent revealed above, interacting with a criminal state.”<sup>17</sup>**

### **Evidence about Forced Organ Harvesting in China**

Chinese officials have provided shifting explanations about the source of organs available for transplantation. In 2001, a Chinese spokesman said: “The major source of human organs comes from voluntary donations from Chinese citizens.” Testimony about the retrieval of organs from death row prisoners was denounced as sensational lies,<sup>18</sup> despite the fact that there was no volunteer organ donor program in China at that time.

In 2006, there was an official admission that most organs were sourced from executed prisoners who had been sentenced to death by the judicial system.<sup>19</sup>

Under pressure from the international community, China introduced a pilot volunteer organ donor scheme in selected hospitals, which functioned from 2010-2014. On December 3, 2014, Dr Huang, announced that after 1 January 2015 only voluntarily donated organs would

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<sup>13</sup> Final Judgment of the Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China, 1<sup>st</sup> March 2020, page 151 paragraph 461

<sup>14</sup> China Tribunal Final Judgment Op. cit. paras 458-460

<sup>15</sup> China Tribunal Final Judgment Op. cit. para 467

<sup>16</sup> China Tribunal Final Judgment Op. cit. paras 480 - 481

<sup>17</sup> China Tribunal Final Judgment Op. cit. para 499

<sup>18</sup> Craig Smith, “Doctor Says He Took Transplant Organs From Executed Chinese Prisoners,” The New York Times, June 29, 2001

<sup>19</sup> Huang J. Ethical and legislative perspectives on liver transplantation in the People’s Republic of China. *Liver Transpl* 2007;13:193-6, p. 194; Allison, K. C., Caplan, A., Shapiro, M.E., Els, C., Paul, N.W. & Li, H. (2016). Historical development and status of organ procurement from death-row prisoners in China. *BMC Med Ethics*. 16(1), 85.

be used for transplantation in China and China would discontinue the use of organs from prisoners.<sup>20</sup>

### **Evidence of organ harvesting from prisoners of conscience**

There is evidence that Uyghurs, Tibetans, and some House Christians have been victims of forced organ harvesting.<sup>21</sup> However, at the time of the China Tribunal, the evidence indicated that the primary victim group was practitioners of Falun Gong.<sup>22</sup> Evidence that the Uyghurs are now also a major organ source has been building. We address this new evidence in further detail later in our submission. What follows is a summary of the evidence amassed by the China Tribunal.

#### **1. Direct evidence**

##### *a. Witness accounts*

The China Tribunal received direct evidence in the form of statements from individuals to the Tribunal about personal involvement in forced organ harvesting, or hearsay statements about individuals whose evidence, if it were direct to the Tribunal, would be about their personal involvement.<sup>23</sup>

#### **2. Indirect evidence**

##### *a. Witness accounts*

The China Tribunal received indirect evidence including witness statements from which incidents of FOH could be inferred, or hearsay of other sorts allowing such inferences.<sup>24</sup>

##### *b. Evidence of medical testing of Falun Gong and Uyghur prisoners*

Blood testing is a prerequisite for organ transplantation as donors need to be matched with recipients so that antibodies present in the recipient do not interact with antigens present on the donor organs, leading to rejection. The only way for transplantation to succeed at scale is to have databases matching donor with recipient tissue types.<sup>25</sup> Experts, victims and their families have provided credible evidence that Falun Gong practitioners<sup>26</sup>, and more recently Uyghurs,<sup>27</sup> Tibetans and some House Christian groups held in places of detention in China, are being frequently and forcibly subjected to blood tests and medical examinations such as ultrasound examinations and x-rays, without their informed consent, while other prisoners receive no such

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<sup>20</sup>Kirk C. Allison, Arthur Caplan, Michael E. Shapiro, Charl Els, Norbert W. Paul, and Huige Li Op. cit.

<sup>21</sup> See: Ethan Gutmann, "The Slaughter: Mass Killings, Organ Harvesting, and China's Secret Solution to Its Dissident Problem" (2014) Prometheus Books

<sup>22</sup> See primarily David Kilgour & David Matas, "Bloody Harvest," and Gutmann's "The Slaughter."

<sup>23</sup> China Tribunal Final Judgment Op. cit. paras 159-174

<sup>24</sup> Ibid pages 55-63 paragraphs 175 - 198

<sup>25</sup> Ibid Appendix 3, item 10, Bloody Harvest pp. 50 et seq. Gutmann

<sup>26</sup> Ethan Gutmann interviewed over 50 Falun Gong who had been detained, many claiming to have received forcible blood tests and unusual exams see Gutmann, Ethan, Kilgour, David & Matas, David. "BLOODY HARVEST/THE SLAUGHTER: An Update." *International Coalition to End Transplant Abuse*, 2016, p. 408. [endtransplantabuse.org/wp-content/uploads/2017/05/Bloody\_Harvest-The\_Slaughter-2016-Update-V3-and-Addendum-2070430.pdf]

<sup>27</sup> See Case study

treatment.<sup>28</sup> The results of these medical investigations have been registered in a database of living organ sources to enable quick tissue matching for allocation.<sup>29</sup>

Ethan Gutmann interviewed over fifty Falun Gong practitioners who had been detained, many claiming to have received forcible blood tests and unusual organ exams.<sup>30</sup> In April 2014, police entered the homes of Falun Gong practitioners across China and forcibly took blood samples and cheek swabs.<sup>31</sup>

The China Tribunal heard several witnesses describe blood being taken from them when they were prisoners of China for tests whose purpose was undefined. Many also described other tests, including ultrasound, radiographic and physical organ examinations.<sup>32</sup> If they refused initially to take the tests or give blood samples, guards forced them to do so.<sup>33</sup> Further, the China Tribunal noted that while detained Falun Gong practitioners were “systematically subjected to blood tests and organ examinations”, other detainees were not.<sup>34</sup> The Tribunal also accepted that the quantity of blood taken was not sufficient for transfusion purposes, and that organs were assessed via ultrasound to determine how they looked structurally.<sup>35</sup>

Ethan Gutman gave evidence to the China Tribunal, stating that in the last eighteen months (from December 2018), “literally every Uyghur man, woman and child – about 15 million people – have been blood and DNA tested, and that blood testing is compatible with tissue matching”.<sup>36</sup> This evidence is consistent with written and oral statements made to the China Tribunal by Uyghur victims and their family members.

c. *Evidence of torture of Falun Gong and Uyghur prisoners*

The China Tribunal found that, every witness who appeared before the Tribunal and who identified as a Falun Gong practitioner while in China, and who had been either detained and/or arrested by law enforcement authorities in China, and/or sentenced by a court in China, for being a Falun Gong practitioner, stated that they had been tortured while incarcerated. It would appear that these acts of torture occur(ed) all across the country.<sup>37</sup> Witnesses

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<sup>28</sup> Gutmann, Ethan, Kilgour, David & Matas, David. op. cit., p. 393.

<sup>29</sup> Ibid. p. 408.

<sup>30</sup> Ibid. p. 393

<sup>31</sup> Falun Gong Practitioners Forced to Submit to Blood Tests <http://en.minghui.org/html/articles/2014/7/19/2101.html> 《明慧网》多地警察上门逼迫法轮功学员验血 <http://www.minghui.org/mh/articles/2014/7/5/多地警察上门逼迫法轮功学员验血-294315.htm>

<sup>32</sup> China Tribunal Final Judgment Op. cit. paras 199 – 226.

<sup>33</sup> Ibid Appendix 2B, item 47 [www.dafoh.org/implausible-medical-examinations-Falun-Gong-forced-labour-campworkers](http://www.dafoh.org/implausible-medical-examinations-Falun-Gong-forced-labour-campworkers)

<sup>34</sup> China Tribunal Final Judgment, Op. cit. para. 72.

<sup>35</sup> Ibid. para. 76.

<sup>36</sup> Ibid. para. 88.

<sup>37</sup> Ibid. paras 227 - 240

detailed forms of torture toward detainees including “being forced into particular physical postures for long periods of time, being hanged from a height using handcuffs, being stretched using cloth belts, being deprived of sleep and food, being prodded with electric batons often on the genitals, being forced to do manual labour, being denied access to the toilet or bathing facilities, being forced to consume medication or drugs, and being publicly humiliated (including by sexual violence). Psychological torture included being made to write ‘confessions’”.<sup>38</sup>

d. Evidence of incarceration of Falun Gong and Uyghur prisoners

Falun Gong practitioners, Uyghurs and Tibetans continue to be charged with “separatism” for peacefully exercising their rights to freedom of expression and maintaining their cultural identity.<sup>39</sup> Since 1999 hundreds of thousands of Falun Gong practitioners have been displaced or have disappeared.<sup>40</sup> Police detain Falun Gong practitioners and keep them in secret detention facilities.<sup>41</sup> Those who refuse to denounce the practice have disappeared into China’s detention system, which includes prisons, secret camps, and the labour camps and centers constituting the ‘laogai’ system.<sup>42</sup> Authorities often do not inform family members when a Falun Gong practitioner has been detained in a “re-education through labour” camp.<sup>43</sup>

It is estimated that more than one million Uyghurs and other Muslim ethnic minorities residing in the northwest region of Xinjiang have been arbitrarily detained since the security crackdown began there in 2017. Faced with mounting concerns, China initially denied the existence of detention centers, then, claimed these were needed to combat terrorism, and now asserts that they were vocational training centers from which all people previously held have now “graduated”. Xinjiang’s carceral system is the coercive backbone that underpins all other aspects of the government’s crackdown against Uyghurs and other ethnic minorities. The PRC’s official messaging seeks to characterise the lower security detention facilities as ‘vocational schools’ and pivot global attention away from them.

e. Evidence from telephone calls to hospitals

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<sup>38</sup> Ibid. para. 81

<sup>39</sup> Amnesty International, London (United Kingdom of Great Britain and Northern Ireland) Submission in respect of China’s Universal Periodic Review , p.7 as cited in Human Rights Council Working Group on the Universal Periodic Review Thirty-first session 5-16 November 2018 A/HRC/WG.6/31/CHN/3\*. See also Chinese People’s Association for Peace and Disarmament, Beijing (China) . para. 7 as cited in Submission in respect of China’s Universal Periodic Review , p.7 as cited in Human Rights Council Working Group on the Universal Periodic Review Thirty-first session 5-16 November 2018 A/HRC/WG.6/31/CHN/3\*

<sup>40</sup> Gutmann, Ethan, Kilgour, David & Matas, David.Op. cit. p. 394.

<sup>41</sup> Insider Testimony of Senior Military Doctor in Shenyang Military Command Regarding Sujiatun Concentration Camp Source: The Epoch Times March 31, 2006 <http://www.epochtimes.com/gb/6/3/31/n1271996.htm> 大纪元》沈阳军区老军医指证苏家屯集中营内幕

<sup>42</sup> Ibid, p. 6.

<sup>43</sup> Ibid..p. 393.

The China Tribunal examined the evidence of Investigations by the World Organization to Investigate the Persecution of Falun Gong (WOIPFG), making the following conclusion:

*“Conclusions about the Evidence of Telephone Calls, On the basis of all evidence: the Tribunal concludes, with certainty, that telephone calls were made to hospitals and individual medical staff including senior surgeons and that the translations of the recorded calls are accurate. The Tribunal further concludes, with certainty, that the hospitals telephoned were offering organs for sale, that those organs were from people who were alive at the time of the calls and that those organs were available to the callers on short notice. The Tribunal is also certain that responsibility for forced organ harvesting by the PRC itself is also demonstrated through things said by those who were agents of the state. The Tribunal has no reason to doubt the accuracy of these recordings. The PRC has been given a chance, through the hearings at the Tribunal, and material posted on the Tribunal website, to challenge the accuracy of these calls. No challenge has been made to the Tribunal publicly or otherwise.”<sup>44</sup>*

In a later section we outline further phone call evidence collected after the China Tribunal’s Judgment was issued.

*f. Scale of transplant activity in China*

There are no reliable official figures for transplant volume in China. There are no accessible official databases that show hospital-level figures, or regional tallies of transplants. Researchers are therefore unable to cross-check the official claim by China that for the period of 2000 to 2014 there were around 10,000 transplants per year.<sup>45</sup>

Since 2015 there have been official statements about numbers of donors and transplants published each year, but these are not supported by access to regional or hospital level data or a national database of any kind – that is, they are unverifiable. There has been no change in reporting or auditing practices of the organ and transplantation system in China. Therefore, the China Tribunal’s conclusion that there is no evidence that official transplant numbers in China are credible, audited and traceable back to individual hospitals remains current.<sup>46</sup> Until China has an independently audited system the true scale of transplant activity in China is unknown, however the evidence

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<sup>44</sup> The China Tribunal Final Judgment Op. cit. page 105

<sup>45</sup> Given the lack of any reliable official data on the question, researchers have used a range of investigative techniques to estimate actual hospital transplant volume. This is time consuming, painstaking research that requires individually evaluating the transplant volume of dozens or hundreds of individual hospitals, and then aggregating the results. Such work has been performed in the Kilgour, Matas, Gutmann report of 2016, available at: <http://endorganpillaging.org/2016-report/>

<sup>46</sup> Ibid para 373

indicates transplant activity is of a magnitude much greater than official reports suggest.

#### Prior to 2015

From 2000 several indicators point to a rapidly increasing volume of transplants taking place in China. These include:

- Up to 1000 hospitals offering transplants.
- 164 Ministry-approved hospitals with minimum activity/volume requirements for gaining approval.
- Many staff trained in all aspects of transplant medicine.
- Involvement of military-medical complex in transplant activity and research.
- State subsidies of nascent immunosuppressant industry.
- Dramatic fall in organ transplant waiting times.

Data from just one hospital throws doubt on the official figure of 10,000 transplants per year. Transplant volume at the Tianjin First Central Hospital, one of the largest in northern China, appears to have been at least 3,000 organ transplants beginning in around 2006.<sup>47</sup> From 2011 to 2015, the hospital performed around 1,000 liver transplants each year.<sup>48</sup> Many other centers were operating at a similar capacity. However, during this period, the officially reported number of liver transplants annually across all of China<sup>49</sup> was around 2,000. It is implausible that 50% of all transplants were performed by one hospital. The rates of activity at Tianjin First Central and other hospitals are not accounted for in official figures, casting doubt on the claim that there were only 2,000 liver transplants per year during this period.

Other indicators of rapidly increasing transplant volume in the post-2000 period come from remarks made by Chinese surgeons. For example, one of China's senior medical administrators in the transplant field stated: "The year 2000 was a watershed for the organ transplant industry in China...the number of liver transplants in 2000 reached 10 times that of 1999; in 2005, the number tripled further."<sup>50</sup>

Similarly, the director of the Organ Transplantation Institute at Peking University People's Hospital has said: "Our hospital conducted 4,000 liver and

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<sup>47</sup> Matthew Robertson, "A Hospital Built for Murder," *Epoch Times*, February 2016. (The article was shortlisted for the 2016 Amnesty International Media Awards.)

<sup>48</sup> This number comes from figures presented by surgeons at the hospital to official Communist Party media: see <https://archive.is/tlspG> and <https://archive.fo/CEEQ9>

<sup>49</sup> Figures come from the official China Liver Transplant Registry. Source: Researcher files. Available upon request.

<sup>50</sup> The Maze of Organ Donation," Southern Weekend, <http://news.163.com/10/0326/10/62MP5K0G00011SM9.html> March 26, 2010.

kidney transplant operations within a particular year, and all of the organs are from prisoners sentenced to death.”<sup>51</sup>

An independent report published in June 2016 estimates that there have been at least 60,000 transplants in China annually.<sup>52</sup> This figure was obtained by adding up estimates of transplant activity - the bed numbers, occupancy levels, surgical teams, new buildings, and so on - at hundreds of hospitals across China.

### Post 2015

Post 2015, Chinese sources have published annual figures for donations and numbers of transplants, but these are not verifiable through access to public data of any kind. In a television interview, Dr Huang, who is a leading figure of China’s transplant system, noted that one of the main factors limiting expansion of Chinese transplants was a lack of trained staff, rather than a shortage of donors, despite the claimed shift in sourcing organs from prisoners to 100% volunteers. He said:

*‘The first is an economic reason. A transplant surgery is very expensive, and not many citizens can afford the medical costs. The second is that, even though we have such well-qualified hospitals, there aren’t that many experienced and skilled doctors. Only the third is that there are not that many donor bodies; even though donor bodies are abundant right now, there aren’t that many hospitals and that many doctors that can [perform transplants].’<sup>53</sup>*

Whatever the true number of organ transplants, there is compelling evidence that it is far larger, perhaps by an order of magnitude, than the number of death row prisoners China has been executing. As shown by the research of Robertson et al,<sup>54</sup> official claims about current Chinese transplant data is not credible nor reliable and should not be trusted.

#### *g. Short waiting times*

Throughout both periods, prior to and after 2015, there has been evidence of short organ transplant waiting times, which indicates an abundant supply of organs not seen in any credible voluntary organ donation system anywhere in the world. At times, the evidence has indicated that organs were available on demand, suggesting the existence of a captive population from whom a person

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<sup>51</sup> Liu Yanqing, “Sharing System Moves Chinese Organ Transplantation into the Public Welfare Era,” China Economic Weekly, 2013, Issue 34. [http://paper.people.com.cn/zgjjzk/html/2013-09/06/content\\_1295101.htm](http://paper.people.com.cn/zgjjzk/html/2013-09/06/content_1295101.htm)

<sup>52</sup> David Kilgour, David Matas, Ethan Gutmann, “Bloody Harvest/The Slaughter: An Update,” <https://endtransplantabuse.org/an-update/>

<sup>53</sup> Huang Jiefu, televised interview in January 2015

<sup>54</sup> Robertson et al 2019. Analysis of official deceased organ donation data casts doubt on credibility of China’s organ transplant reform (<https://bmcmedethics.biomedcentral.com/articles/10.1186/s12910-019-0406-6>)

could be selected for killing to meet the demands of the client/patient and his/her doctor.<sup>55</sup> During the early and mid-2000s, Chinese hospital websites openly advertised waiting times of one to four weeks for an organ transplant. Patients were booked in advance for their organ transplants at pre-scheduled times. This fact was noted by Israeli heart transplant surgeon, Professor Jacob Lavee, when his patient announced that he was going to China for a heart transplant in two weeks' time, and duly received a heart on the allotted date.

Advance booking of transplants is not compatible with a voluntary donation system which relies on the unpredictable death of donors. Nor is it compatible with Chinese death penalty statutes as these require that execution be carried out within seven days of sentencing. If organs were sourced solely from death row prisoners, it would not be possible to schedule transplants more than seven days in advance.

The China Tribunal's Judgement notes that, "Transplantation is not like elective surgery. One cannot 'book' most transplants unless the organ is coming from a live donor. With transplantation from deceased donors, the transplant can only go ahead when the team managing the recipient is made aware of a suitable donor. Since 2000 China has prioritised organ transplantation in its national strategy."<sup>56</sup> In general terms, waiting times for organs can be months or years. For example, the average waiting time for a liver transplant in the UK is 135 days for adults, while for children it is 73 days.<sup>57</sup> For kidneys, the average wait is 2.5 to 3 years.<sup>58</sup> For hearts, the wait is described as months or years<sup>59</sup> and for lungs the wait is even longer. The China Tribunal was presented with evidence of waiting times in China that are much shorter than is usual in the rest of the world.<sup>60</sup>

*h. Veracity of official Chinese transplant data*

The detailed and rigorous work of Robertson et al (2019) has not been repeated, but as there has been no change in transparency or auditing, the finding of the China Tribunal that official Chinese transplantation statistics have been falsified remains current.

*i. Transplant tourism*

The illicit commercial trade in human organs has been estimated by the research advisory organisation Global Financial Integrity to be worth between

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<sup>55</sup> This is apparent in a wide variety of sources, but the most basic is the widespread performance of "emergency" transplants. According to 2005 and 2006 liver transplant registry data, up to a quarter of liver transplants were performed on this basis. This means that the patient, who presented at hospital with liver failure, was found a match within typically 24 hours (in some cases as short as four hours).

<sup>56</sup> See Appendix 2A, Witness 36 (China organ Harvest Research Centre report Nov 28 2108, p3 113

<sup>57</sup> <https://www.nhs.uk/conditions/liver-transplant/waiting-list/>

<sup>58</sup> <https://www.nhs.uk/conditions/kidney-transplant/waiting-list/>

<sup>59</sup> <https://www.nhs.uk/conditions/heart-transplant/waiting-list/>

<sup>60</sup> The China Tribunal Final Judgment Op. cit. pages 112 - 114

US \$840 million and \$1.7 billion globally each year.<sup>61</sup> This illicit trade is enabled by complex transnational criminal networks involving predatory brokers, human traffickers, unscrupulous clinicians, and corrupt officials.<sup>62</sup> Medical professionals are complicit in this trafficking. For example, “118 patients who underwent organ transplants in China were questioned by their Department of Health, and 69 reported that their transplants were facilitated by doctors.”<sup>63</sup>

In March 2006, a senior military doctor claimed that China was the center of international live organ trading, accounting for over 85% of the total number of live organ transplants in the world since 2000.<sup>64</sup> Chinese hospitals targeted wealthy foreigners to receive organ transplants,<sup>65</sup> who were charged much more than domestic patients. Organ tourism became a factor in driving up organ transplant prices.<sup>66</sup> International patients paid hundreds of thousands to millions of dollars for these organs.<sup>67</sup>

Transplant prices stabilised after organ harvesting crimes were revealed in 2006, leading to shrinkage of the international market.<sup>68</sup> However, the international market has since seen a resurgence, and transplant prices are once again increasing.<sup>69</sup> China has trained thousands of medical students to do transplants.<sup>70</sup>

### **China Tribunal Witness Testimonies**

Of the witness testimonies submitted to the China Tribunal, 4 testimonies were from the Uyghur community. The following testimony excerpts from the China Tribunal hearings have been extracted from an ETAC resource document “Forced Organ Scans in Detention – Testimonies from the China Tribunal”<sup>71</sup> to provide examples of the medical tests forced upon Falun Gong (Buddhist Qi Gong) practitioners and Uyghurs while detained in China.

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<sup>61</sup> C May, ‘Transnational crime in the developing world’, Global Financial Integrity, March 2017, p. 29.

<sup>62</sup> The Echo Project, China UPR Submission 13, p. 6

<sup>63</sup> Silke Meyer, Trafficking in Human Organs in Europe: A Myth or an Actual Threat?, 14 EUR. J. CRIME CRIM. L. & CRIM. JUST. 208, 218 (2006).

<sup>64</sup> Gutmann, Ethan, Kilgour, David & Matas, David. Op. cit., p. 330.

<sup>65</sup> Ibid. p. 333.

<sup>66</sup> Ibid. p. 334.

<sup>67</sup> Ibid. p. 335.

<sup>68</sup> Ibid. p. 334.

<sup>69</sup> Hubei Ranked the Country's Second Place in Organ Donation Amount Experts called for incorporating Organ Transplantation into Health Insurance Source: Sports Network Dated: August 8, 2015

<http://news.cnhubei.com/xw/jk/201508/t3343169.shtml> <https://archive.is/oBIxB> 湖北器官捐献量全国第二 专家呼吁器官移植纳入大病医保 来源：荆楚网 2015-08-08

<sup>70</sup> A 'Panacea' for Treating End-Stage Liver Disease" Hbver.com, Source: Health News December 30, 2004

<http://www.hbver.com/Article/gyhjt/gyz/200412/3427.html> <https://archive.is/WoUyJ> “对付终末期肝病这里有‘金刚钻’”

文章来源：健康报 《战胜乙肝网》更新时间：2004-12-30. See also, Introduction of Department of Kidney

Transplantation, Xi'an Jiaotong University <http://www.dyyy.xjtu.edu.cn/jypt/yyks/lcks/zbyysyzk.htm>

<https://archive.is/XzGJs> 西安交通大学附一院 - 肾移植科科室简介

<sup>71</sup> [https://endtransplantabuse.org/wp-content/uploads/2021/04/ETAC-China-Tribunal-Testimonies\\_Final.pdf](https://endtransplantabuse.org/wp-content/uploads/2021/04/ETAC-China-Tribunal-Testimonies_Final.pdf)

Gulbahar Jelilova, Uyghur, incarcerated for 1 year, 4 months  
*No. 3 Prison in Urumqi, No. 2 Detention Centre, Urumqi Women's Prison*  
*(May 2017 to September 2018)*

On the night of my arrival at No. 3 Prison, I was stripped naked for a medical examination. They took a blood sample and urine sample before placing me in a cell. In less than one week, I, along with other prisoners with black hoods over our heads, were taken to an unknown place. There was medical equipment in the corridor. We were examined, blood samples were taken, and we also had ultrasound tests. We were examined once a week. In No. 2 Prison, there is a big medical clinic where we were examined regularly.

I, and everyone else, had a full check-up once a month and I had an ultrasound scan three times. They also performed an X-ray to check my lungs. Many ladies were taken from the cells (including from my cell) and they did not come back.<sup>72</sup>

Abduweli Ayup, Uyghur, incarcerated for 1 year, 10 months  
*Urumqi Tengritagh Detention Centre and Liu Da Wan Prison (August 2013 to*  
*November 2014, December 2014, July 2015)*

When I was taken to Urumqi, before being transferred to the centre, I was taken for health check. As I was wearing the black hood, I don't know which hospital I was taken to. The procedure was first a blood sample, urine sample, then a saliva sample. I believe then I went through an x-ray because I remember I felt something on my chest. at the time, I didn't know what was happening. I had cold gel on my body and something on top doing the check. After this check-up, I was taken to the detention centre.<sup>73</sup>

Omira Bekali, Uyghur, incarcerated for 5 months  
*Karmay City Prison & Karmay reeducation camp, Jarenbulak District (March*  
*2017 to January 2018)*

I was taken to a medical clinic or a hospital in Pichan, on 26 March 2017. They gave me water to drink before taking me to the toilet, insisting that I provide them with a urine sample. About half an hour later, they took blood samples from my arm. Then, I was placed on a bed for a full body check.

They handcuffed me and placed a black hood over my head. I was taken to a hospital (or a clinic) first, where I was given a full body examination, including blood samples. The hood was never removed. After the procedure

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<sup>72</sup> The China Tribunal Final Judgment Op. cit. pages 323-328

<sup>73</sup> The China Tribunal Final Judgment Op. cit. pages 182-185

had been completed, I was taken to a prison where I had to change into a prison uniform before being placed in a cell among 13 other young men. They were all Uyghur men in shackles.

After their completion, I was taken to a police station where I was given an eye test. My eyelids were held open, and I was instructed to look left, right, up and down, and, at the same time, they took photographs of the positions of the irises of my eyes. The second time I had a full body examination was in the Karmay Hospital after I had been interrogated and tortured. I remember clearly that it was on the 7th of April.

They used ultrasound, applying cold gel, and checked my kidneys, then an ECG for my heart and my lungs. I believe they were using ultrasound as a cold gel was placed on different parts of my body. They checked my lungs, as I was told to breathe in deeply and out slowly; the tests lasted for about two hours.<sup>74</sup>

*Mihrigul Tursun, Uyghur, incarcerated for 8 months*

*Urumqi Detention Centre (May 2015 to July 2015; April 2017 to July 2017; January 2018 to April 2018)*

On 22 April, I was taken to the hospital in Chechen Town, and a black hood was placed over my head. I could not see which channels or which kind of gates we went through to the examination room. I do know, however, that I did not go through the normal route where the normal people go to have a health check.

Despite having a hood over my head, I knew that they took blood out of my veins twice, but I do not know how much. They also checked my blood pressure and checked my heartbeat. Another machine was used, and I was told to take a deep breath. Then, I believe they took me to a basement. I felt I was in a lift, so I am quite sure it was a basement. I was taken into a very dark room, and they removed the black hood and the handcuff and the shackles. They removed all my clothes, put me completely naked.

Each time when I and others were taken to the camps, prior to being categorised and put into certain cells, they had to go through a detailed health check—a blood test and an ultrasound—and the women had to go through a very intimate examination, something was inserted inside. There were young women aged 23–26, and I saw that, on occasions, when they stopped breathing, they were then dragged by their feet and taken away. I also witnessed women between 14–18 years of age being taken away and never returning.

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<sup>74</sup> The China Tribunal Final Judgment Op. cit. pages 277-290

They placed equipment above my breast and used another machine and examined my front and back. Then, they put a liquid on my forehead and both shoulders and just below my heart, both legs, and they then put me into a glass machine and made me circle inside that machine while shouting the number ‘1, 2, 3, 4 to 10’. I could not hear anything while I was in the machine.<sup>75</sup>

In order to demonstrate the parallel between the organ scanning of Falun Gong practitioners and that of Uyghurs we include the following testimony from Jintao Liu.

*Jintao (Tony) Liu, Falun Gong practitioner, incarcerated for 2 years, 2 months*

*Beijing Changping Brainwashing Class, Beijing Changping Detention Centre, Beijing Tuanhe Labour Re-education Dispatch Centre, and Beijing Tuanhe Labour Re-education Camp (November 2006 to January 2009)*

Every year during my detention, the authorities would force us to have blood taken and X- rays but never notified me of any result. I was locked in a cell with about eight drug addicts, who were commonly induced to abuse Falun Gong practitioners. These drug addicts were rostered on shifts to persecute me by the guards’ order. The cell had a surveillance camera installed, so the guards knew everything that happened inside.

One day a drug addict inmate was beating my back and waist and another inmate came in from outside and yelled at him, “Don’t injure his organs!” I felt strange—why these guys did not care about my wellbeing but cared about my organs?<sup>76</sup>

### **Evidence Continues to Emerge: Uyghurs as a bank of human organs**

Since the conclusion of the China Tribunal, evidence continues to emerge about the Chinese Government’s ongoing transplant crimes. ETAC believes that Uyghurs have been drawn into the victim pool and are being systematically killed for their organs in China. Our view is based on recent undercover phone calls together with independent evidence of mass incarceration of Uyghurs and interview data collected by Ethan Gutmann.<sup>77 78</sup>

### **2019 Undercover Phone Call Investigations to Chinese Hospitals**

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<sup>75</sup> The China Tribunal Final Judgment Op. cit. pages 335-342

<sup>76</sup> The China Tribunal Final Judgment Op. cit. pages 200-205

<sup>77</sup> Ethan Gutmann, “The “Nine Points” Memo: China’s Forced Organ Harvesting in Xinjiang/East Turkestan”, [https://endtransplantabuse.org/wp-content/uploads/2021/01/Chinas-Forced-Organ-Harvesting-from-Uyghurs-Memo-EthanGutmann\\_ETAC\\_12Dec2020.pdf](https://endtransplantabuse.org/wp-content/uploads/2021/01/Chinas-Forced-Organ-Harvesting-from-Uyghurs-Memo-EthanGutmann_ETAC_12Dec2020.pdf)

<sup>78</sup> Ethan Gutmann, “The Killing of Innocents for the Organs: Forced Organ Harvesting from Uyghurs and other Ethnic Minorities in Xinjiang/East Turkestan” [https://endtransplantabuse.org/wp-content/uploads/2021/08/TheKillingOfInnocentsForTheirOrgans\\_FOH\\_Xinjiang\\_EastTurkestan\\_byEthanGutmann.pdf](https://endtransplantabuse.org/wp-content/uploads/2021/08/TheKillingOfInnocentsForTheirOrgans_FOH_Xinjiang_EastTurkestan_byEthanGutmann.pdf)

ETAC reviewed 100 phone call transcripts from 2019 phone call investigations conducted by the World Organisation to Investigate the Persecution of Falun Gong (WOIPFG).<sup>79</sup> From these calls, ETAC selected thirteen calls that we found to reveal extremely short waiting times, payments for organs and organs available on demand.<sup>80</sup> The China Tribunal assessed similar evidence by WOIPFG and found their work to be authentic.<sup>81</sup> The following calls have been extracted from the ETAC resource document of the thirteen selected calls. (see attached document)

*HOSPITAL: People's Liberation Army No. 107 Hospital, Yantai, Shandong Province*

*CALL RECIPIENT: Dr Feng Zhendong*

*DATE: September 1, 2019*

Investigator: Oh, if the registration is okay, in the fastest case, how long do we have to wait?

Dr Feng Zhendong: It depends on if we have the liver source. If you had called earlier, then we would have had it today.

Investigator: What does it mean that if I had called earlier?

Dr Feng Zhendong: It means that I would have done it for you today.

Investigator: Ah, is that so? That means...

Dr Feng Zhendong: Today...

Investigator: So it can be done quickly, right?

Dr Feng Zhendong: Right.

Investigator: So they have a friend that recommended... a classmate recommended that we go to the military hospitals, saying that your hospital does a good job and also quickly. So I think, yes.

Dr Feng Zhendong: Because our hospital generally has relatively abundant liver sources, many donated organs. So our liver sources are relatively abundant...

Investigator: Registration means waiting in line, right?

Dr Feng Zhendong: Yes. It would be good if you had called last week.

Investigator: Is that so?

Dr Feng Zhendong: We would have had it today...

Investigator: So almost every day you have [organs]. Whether it matches or not is another issue. Is that what you mean?

Dr Feng Zhendong: Not almost every day, but we basically have [organs] almost every month.

Investigator: Ah, every month.

Dr Feng Zhendong: Yes, in the fastest cases, we basically have organs every week.

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<sup>79</sup> <https://www.upholdjustice.org/node/460>

<sup>80</sup> [https://endtransplantabuse.org/wp-content/uploads/2021/07/2019-Undercover-Phone-Call-Investigations-to-Chinese-Hospitals\\_1.pdf](https://endtransplantabuse.org/wp-content/uploads/2021/07/2019-Undercover-Phone-Call-Investigations-to-Chinese-Hospitals_1.pdf)

<sup>81</sup> The China Tribunal Final Judgment Op. cit. paras 338-339

Investigator: Ah, that's fine. So if we are lucky, maybe we can get it done on the same day or the next day. That is also possible.

Dr Feng Zhendong: Yes, if you come here to register, maybe a liver source will become available immediately. But the surgery can be done at least three days later. It cannot be done as soon as you come over.

*HOSPITAL: Second Affiliated Hospital, Hainan Medical University*

*CALL RECIPIENT: Dr Zhang Shanbin, Nurse name unknown*

*DATE: March 19, 2019*

Investigator: [...] Do you do kidney transplants yourself?

Dr Zhang Shanbin: Yes, I do!

Investigator: Oh, you do. Then I'd like to ask, is my relative going to have his examination done as an inpatient, or at the outpatient clinic? How would you arrange all this?

Zhang Shanbin: An inpatient examination is more convenient for the patient, since all organs are allocated nationwide... allocated across the entire country, you see? ...

Investigator: What I'm saying is that the time is needed from admission, examination, and all the way to the transplant surgery—the entire time?

Zhang Shanbin: Now listen, if he is admitted first and gets his examination done first, it would probably take another four or five days or so after his examination is completed, okay?

Investigator: Okay. You can do it [the surgery] in just four or five days after his examination is done, right?

Zhang Shanbin: Yeah, we can do it right after the examination.

*HOSPITAL: First Affiliated Hospital, Zhengzhou University, Henan*

*CALL RECIPIENT: Nurse Wang*

*DATE: June 10, 2019*

Investigator: Right, you are right, because after the confirmation, is your liver source supply tight? Can we get a liver organ soon? Can we get it in a month?

Nurse Wang: Well, in some fast cases, wait time is only two to three days, but in slow cases, it's about a month. This will need.... [...]

Investigator: Then how long will it take us to get discharged, if the postoperative recovery is good?

Nurse Wang: Normally it'll take two to three weeks. [...]

Investigator: Director Guo is the chief surgeon, right?

Nurse Wang: Director Guo is our liver transplant surgeon here, Director of Liver Transplant. [...]

Investigator: How many years has he been doing [liver transplantation]? How many years have your doctors been doing liver transplants?

Nurse Wang: [We] started that just a few years after 2000. The number of cases in the past two years went higher, because of our more marketing efforts and the slightly higher public recognition we got.

### **Ongoing evidence of incarceration of Uyghurs**

In December 2019, officials in Xinjiang claimed that all those ‘studying’ in ‘vocational’ camps had been released, however this claim is contradicted by the new evidence provided to the China Tribunal, and since the China Tribunal delivered its Judgment. In its 24 September 2020 report, “*Documenting Xinjiang’s detention system*” the Australian Strategic Policy Institute (ASPI) identified and mapped more than 380 suspected detention facilities in the Xinjiang Uyghur Autonomous Region, highlighting ‘re-education’ camps, detention centers and prisons that have been newly built or expanded since 2017.<sup>82</sup> The report presents satellite imagery evidence that shows newly constructed detention facilities, along with extensions to several existing facilities, that occurred across 2019 and 2020. At least 61 detention sites have seen new construction and expansion work between July 2019 and July 2020. This includes at least 14 facilities still under construction in 2020, according to the latest satellite imagery available. Of these, about 50% are higher security facilities, which may suggest a shift in usage from the lower security, ‘re-education centers’ toward higher security, prison style facilities.

### **Additional Witness Testimonies**

In 2020, Investigator Ethan Gutmann interviewed Uyghur and Kazakh refugees from the Xinjiang camps. The majority of the interviewees reported regular disappearances of individuals in the 25 to 35 year old age range.

Gutmann’s, “The “Nine Points” Memo: China’s Forced Organ Harvesting in Xinjiang/East Turkestan” points out the following:

In 2015 construction of camps and a mass surveillance structure began developing across the Xinjiang region. Satellite imagery and witness accounts confirmed that by the end of 2016, at least 1 million Uyghurs had been detained in the camps.

During 2016, approximately 10 million Uyghurs over the age of 12 were subjected to forced “health checks” that included blood testing compatible with cross matching for organ transplantation.

Between 2016-2018 witnesses describe several mass executions of male camp prisoners. As early as 2017, new crematoriums were constructed across Xinjiang. Around this time the first “Green Passage” lanes – airport fast lanes

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<sup>82</sup> “*Documenting Xinjiang’s detention system*” the Australian Strategic Policy Institute, 24 September 2020 available at: <https://cdn.xjdp.aspi.org.au/wp-content/uploads/2020/09/25125443/documenting-xinjiangs-detention-system.cleaned.pdf>

for human organ transport – were initiated and then appeared in Kashgar and Urumqi airports.

Witness testimony obtained by Ethan Gutmann revealed that following a camp-wide health check, results showed that three people had a pink check mark next to their name. Over the next ten days, those people disappeared in the middle of the night.

Further details are outlined in the report “The Killing of Innocents for the Organs: Forced Organ Harvesting from Uyghurs and other Ethnic Minorities in Xinjiang/East Turkestan”<sup>83</sup>. Further information is also available in confidence from Ethan Gutmann.

### **Recent Development – United Nations Special Procedures**

#### *United Nations Special Rapporteurs Correspond with China*

Reflecting the growing evidence, in June 2021, nine United Nations Special Rapporteurs raised the issue of forced organ harvesting with the Chinese Government, in response to information that Falun Gong practitioners, Uyghurs, Tibetans, Muslims and Christians are killed for their organs in China.

In the correspondence, UN human rights experts called on China to “*promptly respond to the allegations of ‘organ harvesting’ and to allow independent monitoring by international human rights mechanisms.*”

“Forced organ harvesting in China appears to be targeting specific ethnic, linguistic or religious minorities held in detention, often without being explained the reasons for arrest or given arrest warrants, at different locations,” they said. “We are deeply concerned by reports of discriminatory treatment of the prisoners or detainees based on their ethnicity and religion or belief.”

“According to the allegations received, the most common organs removed from the prisoners are reportedly hearts, kidneys, livers, corneas and, less commonly, parts of livers. This form of trafficking with a medical nature allegedly involves health sector professionals, including surgeons, anaesthetists and other medical specialists.”

“Despite the gradual development of a voluntary organ donation system, information continues to emerge regarding serious human rights violations in the procurement of organs for transplants in China,” the UN experts said.

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<sup>83</sup> Ethan Gutmann, “The Killing of Innocents for the Organs: Forced Organ Harvesting from Uyghurs and other Ethnic Minorities in Xinjiang/East Turkestan” [https://endtransplantabuse.org/wp-content/uploads/2021/08/TheKillingOfInnocentsForTheirOrgans\\_FOH\\_Xinjiang\\_EastTurkestan\\_byEthanGutmann.pdf](https://endtransplantabuse.org/wp-content/uploads/2021/08/TheKillingOfInnocentsForTheirOrgans_FOH_Xinjiang_EastTurkestan_byEthanGutmann.pdf)

The official press release from the UN OHCHR can be viewed here:

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27167&LangID=E>

Full correspondence to China:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26382>

China's response to the press release: <http://www.china-un.ch/eng/ryrbt/t1883752.htm>

### **Final comments**

In summary, ETAC submits that there are strong reasons to believe that Uyghurs are being subject to forced organ harvesting in China. The Chinese government has a 21 year history of killing condemned prisoners and prisoners of conscience for their organs. The pattern of incarcerating prisoners of conscience and forcing them to undergo blood and other medical tests has been established since the early 2000s. Initially the major victim group was Falun Gong practitioners. More recently, large numbers of Uyghurs have been incarcerated and subject to tests aimed at establishing the health of their transplantable organs. Alongside the detainment of a victim group to act as an organ supply chain, there is ongoing evidence of ready availability of organs for transplantation, with short wait times that are incompatible with a voluntary organ donation scheme. Direct and indirect evidence points to the ongoing crime of forced organ harvesting in China.

We commend the Uyghur Tribunal for investigating this issue and thank you for the opportunity to make this submission.

Kind regards

Professor Wendy Rogers

*Chair, International Advisory Committee,*

*International Coalition to End Transplant Abuse in China (ETAC)*

Susie Hughes

*Executive Director*

*International Coalition to End Transplant Abuse in China (ETAC)*