

# UPDATE ON MEDICAL GENOCIDE

CHINA CONTINUES TRANSPLANT ABUSE DESPITE CLAIMS OF REFORM



### Foreword to the 2018 COHRC Report\*

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China is a highly sophisticated nation with rapidly evolving capabilities in medicine and the life sciences. China's organ transplant services are relatively young but have quietly emerged as the largest in the world. Unfortunately, China's policies for obtaining organs to meet both internal demand and requests from transplant tourists from outside China, have not kept pace with the skill and expertise present in the nation's transplant community. China, as this outstanding, thorough and well-documented report shows, continues to permit abuses of human rights and the minimal ethical treatment of its citizens, in permitting killing in order to obtain organs for transplant.

A core moral rule articulated with the arrival of technologies that permit the use of cadaver sources for organs for transplant is that the donor must be dead prior to procurement. Moreover, transplant teams cannot cause the deliberate death of donors nor can they accept organs known to originate from persons who have been killed for their parts. These aspects of what has come to be known as the 'dead donor rule' are recognized by the international transplant community, professional associations of those working in the field of transplant, and the regulatory requirements of governments where cadaver procurement is allowed. China, as the report shows, is not, despite protests to the contrary, following the ethical and legal obligations it bears in order to conduct cadaver organ procurement.

China continues to lack a well-organized cadaver procurement system. It has no law recognizing brain death. As the numbers and testimony and history documented in this report show, the nation continues to rely on a flow of organs from executed prisoners to provide a supply of organs for internal use and to sell to foreigners who come to gain rapid access to transplants they could not secure in their native lands.

Using executed prisoners for obtaining organs is morally abhorrent in many ways. Prisoners selected for execution cannot provide persuasive consent to the use of the organs after death. Nor is there any monitoring or auditing going on by independent authorities to show the validity of

prisoner consent. Prisoners are being killed, and organs taken, with little attention to brain death and their humane treatment as donors. And some who are being executed are being killed for reasons that legal and ethical experts around the world do not accept as legitimate rationales for capital punishment. This is especially true when prisoners are executed for political, religious or spiritual beliefs.

This report must be attended to by both the transplant community and governments all over the world. They must make it clear that a 'killing for parts' policy will result in China's being excluded from full participation in transplantation, medical research and medical meetings no matter the prowess displayed by Chinese transplant medicine. There continues to be an abhorrent violation of basic human rights at the core of Chinese transplant procurement policy. Killing cannot be a component of any ethical cadaver procurement system. Read this report and then push your government to act to redress what must end.

Arthur L. Caplan, Ph.D.

\* The full report is available at ChinaOrganHarvest.org

uestions surrounding organ transplant abuse in China have long troubled Western academics, media, and government entities and its use of organs from prisoners has become a hotly debated issue in the international transplant community.

In 2015, China asserted that it had discontinued the practice of extracting organs from executed death-row prisoners and transitioned completely to ethical organ sourcing.<sup>1</sup> As a result of an international public relations campaign using falsified data, presentations of unimplemented plans, and hosting foreign experts on guided tours of Chinese hospitals, its "Chinese mode of donation and transplantation" and claimed reform have gained acceptance by many international transplantation organizations and governments.<sup>2</sup>

However, in October 2017, a major South Korean TV station sent investigative journalists to the Oriental Organ Transplant Center in Tianjin, one of China's largest transplant centers.<sup>3</sup> The journalists discovered that despite government claims to the contrary, foreign patients were still flocking to China for new organs that were promised in days to weeks, with additional monetary "donations" from patients resulting in expedited surgeries. A nearby hotel housed the overflow of foreign patients. This center is estimated to perform thousands of transplants each year.<sup>4</sup>

This is but one example that reflects the current scale, on-demand nature, and abundance of organs in China's transplant system. The number of voluntary donations is far from sufficient to support the on-demand transplants being performed. International observers have raised concerns that the Chinese reforms were only a "semantic trick."<sup>5</sup>

Then what is the current scale and trajectory of China's organ transplant industry? What is the extent of China's transition to an ethical transplant framework? What evidence exists to indicate continued harvesting of organs from prisoners for on-demand transplantation? If the number of voluntary donations is wholly insufficient to support the high volume of transplants in China, then what are the likely sources of organs? What are the factors driving the ongoing abuses?

A team of researchers at the China Organ Harvest Research Center (COHRC) has examined hundreds of China's transplant hospitals, government and industry statements, policies, legislation, regulations, and media reports as well as the history and operations of China's organ donation and transplantation system.

The 2018 report updates past research with recent developments and newly available evidence to shed light on the above questions. This publication includes a summary of the report.

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### Background

China's organ transplant industry is relatively young but quickly emerged as the most prolific in the world only a few years after 2000 despite a dearth of voluntary organ donations.<sup>6</sup>

In 2006, allegations first came to light that prisoners of conscience were being killed on demand in detention facilities and hospitals throughout China to supply its vast, lucrative organ transplantation industry.<sup>7</sup>

Since then, international researchers have continued to investigate these allegations. Among them, two Canadians—former Secretary of State for Asia-Pacific David Kilgour and human rights lawyer David Matascame to "the regrettable conclusion that the allegations are true." They later compiled their findings in the book *Bloody Harvest*.<sup>8</sup>

Nevertheless, the transplant industry in China continued to grow at a rapid pace over the next decade, a rate that would have been impossible without the help of illicit organ sourcing.

International investigators joined forces to research hundreds of transplant hospitals throughout China and published an updated report in June 2016.<sup>9</sup> Spanning 680 pages and containing nearly 2,400 references, the report uncovers the true nature and scale of these abuses. The report concludes:

"The Chinese Communist Party has engaged the State in the mass killings of innocents, primarily practitioners of the spiritually-based set of exercises, Falun Gong, but also Uyghurs, Tibetans, and select House Christians, in order to obtain organs for transplants.<sup>10</sup> Based on government-imposed minimum capacity requirements, the 169 approved transplant hospitals could have conducted 60,000 to 100,000 transplants per year, in contrast to China's official claim of 10,000 per year.<sup>11</sup>"

On April 20, 2006, the witness appeared at a rally in front of the White House and publicly exposed the forced organ harvesting taking place in China.

Israel, Spain, Italy, and Taiwan have passed la preventing their citizens from traveling to Ch to receive organ transplants from illicit source

The U.S. House of Representatives and the European Parliament have passed resolutions (H. Res. 343 and 2013/2981(RSP), respectivel condemning China's killing of prisoners of conscience for organs.<sup>13</sup> Hearings on the mat have been held by the U.S. Congress, the Brit Parliament, the European Parliament, and th Canadian Parliament.

Freedom House released a report in 2017 citi its own review of "credible evidence suggesti that ... Falun Gong detainees were killed for t organs on a large scale." It added, "the largedisappearance of young Uyghur men, accounts of routine blood-testing of Uyghur political prisoners, and reports of mysterious deaths of Tibetans and Uyghurs in custody should raise alarm that these populations may also be victims of involuntary organ harvesting."<sup>14</sup>

attention of media outlets all over the world.



laws <sup>(</sup> hina ces. <sup>12</sup>	"The [Communist] regime's ghoulish and inhumane practice of robbing individuals of their
ns ely)	freedom, throwing them in labor camps or prisons, and then executing them and harvesting
atter itish ne	their organs for transplants is way beyond the pale of comprehension and must be opposed universally and ended
ting ing their	unconditionally." —Ileana Ros-Lehtinen, U.S. Congresswoman
-scale nts	

### China's On-Demand **Organ Transplant System**

#### **RAPID GROWTH SINCE 2000**

China began to conduct research and clinical experiments in human organ transplantation in the 1960s,<sup>15</sup> but it was not until 2000 that the industry entered a period of tremendous growth.

Before 1999, there were 150 transplant institutions in mainland China.<sup>16</sup> In 2007, more than 1,000 hospitals applied for permits from the Ministry of Health to continue

#### **ON-DEMAND TRANSPLANTS**

Investigators discovered that organ transplants in China are conducted on demand, organs are taken from living sources, and transplant operations are scheduled in advance with short wait times.<sup>20</sup> Doctors are able to procure multiple organs for a single patient in quick succession in case a spare is needed due to mismatch.<sup>21</sup> It is not uncommon in China for a patient to receive multiple transplants

performing transplants.<sup>17</sup> Liver transplants increased tenfold between 1999 and 2000 and tripled between 2000 and 2005.<sup>18</sup>

The surge in transplants, while initially supplying the needs of the domestic population, rapidly resulted in a boom in transplant tourism from other countries, making China a global center for those in need of new vital organs.<sup>19</sup>

of the same organ.<sup>22</sup> Hospitals routinely perform multiple transplants a day.<sup>23</sup> It was no longer seen as a special achievement for one department to conduct more than 10 or even 20 kidney transplants within 24 hours.

How is this done in a country where organ donation is culturally taboo and there is no effective organ donation system?

#### Transplants Scheduled Ahead of Time

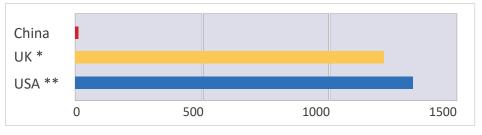
In addition to pre-scheduled surgeries, many individual and institutional accounts in hospital profiles, media reports, and other sources show multiple transplants being conducted simultaneously, which would have required planning in advance:

- An Israeli patient traveled to China for a heart transplant scheduled two weeks ahead of time in 2005.<sup>24</sup>
- A hospital conducted 5 liver transplants and 6 kidney transplants simultaneously in 2006.<sup>25</sup>

- A hospital performed 4 heart transplants simultaneously in one afternoon in 2013.<sup>26</sup>
- A liver failure patient received a same-day transplant upon transfer to a hospital in 2016.<sup>27</sup>
- A hospital performed 16 organ transplants (10 heart, liver, and kidney and 6 cornea) in one day in October 2016.<sup>28</sup>
- A hospital quoted wait times of just days or weeks in October 2017, with patients receiving expedited surgeries if additional monetary "donations" were made.<sup>29</sup>

#### Short Wait Times

Median Kidney Wait Time in Days



Sources: \* The Guardian \*\* United States Renal Data System

Most patients in other countries with advanced The China Liver Transplant Registry reported healthcare capabilities and well-organized in 2006 that more than 25% of cases were organ donation and allocation systems have to emergency transplants, for which organs were wait years for a transplant.<sup>34</sup> In China, hospitals found within days or even hours.<sup>36</sup> This took have quoted wait times between days and place when China had no organ donation system weeks, including for re-transplants in case of at all and continued even after China announced failure.<sup>35</sup> its transition to voluntary donations, a source less readily available than death-row executions.

#### Living Organ Sources

Unlike the rest of the world, it is common practice in China to excise whole vital organs from living bodies, thus killing the unwilling "donor."

Liver extraction procedures with warm ischemia times of under 5 minutes became a Chinese industry standard well before 2009.<sup>30</sup> Such short warm ischemia times could not have been obtained using "no-heartbeat cadavers" as claimed, given that China had no donation system before 2010. Another technique was developed for the rapid extraction of an abdominal organ by excising surrounding organs simultaneously, which could further reduce both organ damage and warm ischemia time.<sup>31</sup> This procedure is also widely used in many hospitals throughout China.



"We carry out kidney transplants from living sources ... It's completely different from cadaveric kidney transplants ..." "Our department has adopted a guick combined abdominal organ-cutting technique to cut the liver, shorten the warm ischemia time, reduce the rate of organ rejection, and facilitate the recovery of graft function."

-Archived web page of the China International Transplantation Network Assistance Center(2004)<sup>32</sup>

"We will continue to perform transplants until one is successful and will not charge for repeat surgeries in case of failure ..."

-Kunming Kidney Disease Hospital, advertising "donors seeking matched recipients" (2008)<sup>33</sup>

# **Volume of Transplants**

#### **CONTINUED GROWTH**

### AFTER INTERNATIONAL ATTENTION IN 2006

After allegations of forced organ harvesting from prisoners attracted international scrutiny in 2006, the Chinese government attributed illicit transplants to a chaotic, criminal market.<sup>37</sup> The Ministry of Health enacted a new approval system and issued permits to 164 transplant centers.<sup>38</sup> Meanwhile, the government systematically falsified data and deflated transplant volumes.<sup>39</sup> It created a false impression that most hospitals stopped performing transplants in July 2007 and that there were gradually fewer transplants being performed in China.

The reality is, however, that under this new system, large, Ministry-approved institutions achieved even greater development with decreased competition and full government support. Many other hospitals continued performing transplants without permits. On the whole, organ transplantation in China has continued to grow steadily.<sup>40</sup> Transplant centers have expanded significantly with the addition of more beds and new wards, wings and buildings.<sup>41</sup>

"Our country's liver transplantation business has entered a period of stable development. The liver transplant business at the First Affiliated Hospital of Zhejiang University is flourishing. It moved into a new building in 2007. Liver transplantation has become more systematic, professional, and large-scale."

-Website of the Liver Transplant Center of the First Affiliated Hospital of Zhejiang University (2011)<sup>42</sup>

#### "The speed of development has caught up to that of high-speed rail."

-Du Yingdong, deputy director of the liver transplant center at No. 107 Hospital of Jinan Military Command (2012)<sup>43</sup>



Since the year 2000, the United States has performed an average of 6,000 liver transplants annually.<sup>44</sup> In China, this figure is matched by just a few hospitals. For instance, Tianjin Oriental Organ Transplant Center, which predominately focuses on liver transplants, has more than 500 dedicated transplant beds. This corresponds to a capacity of 6,000 to 8,000 transplants per year.<sup>45</sup>

### imposed bed count requirements<sup>47</sup>

Permit Type	Hospitals	Minimum Bed Requirement	Annual Transplants Per Hospital *	Annual Transplants in Category *
Liver	21	25	300	6,300
Kidney	65	30	360	23,400
Liver & Kidney	60	55	660	39,600
Heart & Lung	18	15	180	3,240
All	164			72,540

#### \* Calculated based on 100% bed utilization rates and 1-month hospitalization time

Furthermore, evidence shows that most of the 164 approved hospitals exceed the minimum bed counts, including some with hundreds of beds dedicated to organ transplantation and bed utilization rates between 100% and 200%.48

It should also be noted that more than 1,000 hospitals applied for permits in 2007 to continu

"Our hospital conducted 4,000 liver and kidney transplants within a particular year."

-Zhu Jiye, Director of the Organ Transplant Institute of Peking University (2013)<sup>51</sup>



China's official figure of 10,000-15,000 transplants per year is also surpassed by just a few hospitals. Based on government-imposed minimum capacity requirements for transplant centers and other data, the 164 Ministry-approved transplant hospitals could have conducted more than 70,000 transplants per year. Thus, these approved hospitals had the capacity to perform more than one million total transplants since 2000.<sup>46</sup>

Table: Minimum transplant capacity of the 164 Ministry-approved transplant hospitals based on government-

	performing transplants. <sup>49</sup> This suggests they
	also met the Ministry's minimum capacity
	requirements for certified transplant centers.
d	Many continued to perform transplants despite
	not having received approval. <sup>50</sup> Therefore, the
	actual number of transplants performed yearly
	in China is likely an order of magnitude greater
ıe	than the official figure.
	-

"Tens of thousands of patients have received liver or kidney transplants here."

-First Affiliated Hospital of Sun Yat-Sen University  $(2010)^{52}$ 

## Latest Developments

#### **2017 ON-SITE INVESTIGATION**

In October 2017, a major South Korean TV station sent investigative journalists to the Oriental Organ Transplant Center at Tianjin Central Hospital, one of China's largest transplant centers.<sup>53</sup>

The journalists reported that the center generally quoted to patients wait times for organs ranging from days to weeks. They also noted that the hospital solicited monetary "donations" from patients in exchange for scheduling transplants even more quickly. Operating rooms were observed to be in use around the clock. Even though China claims to have ceased performing transplants for foreign patients, the international department

alone performed eight transplants the day before the journalists' visit. The center also housed foreign patients in a nearby hotel in addition to its own 500 transplant beds and three dedicated international transplant wards. These findings suggest that the center continues to perform thousands of transplants per year.

Tianjin Oriental is but one example that reflects the current scale, on-demand nature, and abundance of organs in China's transplant industry even after officials announced that voluntary donations had become the sole organ source. Furthermore, transplant tourism to China continues to thrive despite official statements to the contrary.



Tianjin Oriental Transplant Center opened in 2006 with 500 beds. Its bed utilization reached 90% in 2009 and 131% in 2013 before more beds were added. With 500 beds, a 100% utilization rate, and an average hospitalization time of 3 to 4 weeks, its transplant volume could have reached 6,000 to 8,000 per year.<sup>54</sup>

#### SUSTAINED ABUNDANCE OF ORGANS

In phone surveys conducted between July 2016 and June 2017 of nearly one hundred transplant hospitals, most doctors and transplant coordinators claimed that organ sources remained ample, with some hospitals claiming to have surplus organs.<sup>55</sup> One hospital offered free liver transplants for the first ten children to register.

Despite knowing little about brain-death criteria, most doctors claimed the organs used were from "brain-dead donors" and thus were of better quality than deathrow organs. They also revealed that most transplant organs did not come from the national organ allocation system (COTRS) because they could not access the system at all.



10 Free Liver Transplants. (2017) Commercial on Jilin Travel Radio: These kids' lives are in danger, and here's millions of RMB worth of aid.

"We often have a lot of [organ sources] here and use those people from their teens to twenty years old, those kids, that kind of quality is very good ... and we can't use them all. For example, after procuring 100 livers, maybe our own center only does 20 transplants ..."

-Dr. Liao Jixiang, an organ coordinator at People's Liberation Army Hospital No. 303 in Nanning (May 30, 2017)

"[The national organ sharing system] is all a lie ... you know that website can't do anything, it's all just a formality... all the donors are found by each hospital itself, not centrally allocated by that national system. It is impossible, its website does not allow entry."

-Kidney transplant coordinator Director Wang at Yuhuangding Hospital in Shandong Province (June 10, 2017)

#### **AGGRESSIVE PLANS FOR GROWTH**

There is enormous demand for transplants in China and the increased hospital capacity is still insufficient to meet it. Huang Jiefu, China's top transplant official, attributed the limiting factor not to organ availability but rather to a lack of qualified hospitals and experienced doctors.<sup>57</sup> He has also advocated making organs procured in China available to other regions. This implies that China has an abundance of transplantable organs.<sup>58</sup>

Since 2015, Huang Jiefu has announced plans on different occasions to increase the number of approved transplant hospitals from 169 to 300 and even to 500 over the next few years.<sup>59</sup> In August 2017, he declared that China would increase the number of approved transplant hospitals and perform the most transplants in the world by 2020.<sup>60</sup> In February 2018, the government increased the number of approved transplant hospitals from 169 to 178.<sup>61</sup>

All these developments have occurred in the absence of sufficient voluntary donations and regulatory oversight in China's transplant system.

## **Unidentified Organ Sources**

In response to international criticism since 2006, Chinese officials acknowledged that almost all transplant organs came from death-row prisoners and, later, from voluntary donations.

#### **DEATH-ROW PRISONERS**

International organizations estimate that death-row executions in China have numbered in the thousands each year since 2000. However, the rate of executions appears to be in decline.<sup>62</sup> A decade later, transplants that relied on death-row organs were becoming "a stream without a source."<sup>63</sup>

# APPARENT OVERNIGHT TRANSITION TO VOLUNTARY DONATION

China did not have an organ donation system until March 2010, when it first piloted a program in 19 provinces and cities.<sup>64</sup> Despite receiving only 207 donations in its first two years,<sup>65</sup> the program was expanded nationwide with the announcement of a national organ allocation system, the China Organ Transplant Response System (COTRS), in August 2013.<sup>66</sup>

Chinese government figures stated in September 2013 that 23% of organs used came from donations.<sup>67</sup> Huang Jiefu later stated that 80% of transplant organs in 2014 came from donations and that China stopped using death-row organs completely in January 2015.<sup>68</sup> Huang Jiefu claimed that China built up its organ donation and transplant framework in only several years, whereas in other countries this process has required decades.<sup>69</sup>

However, upon examining the evidence, this miraculous jump in donation figures appears to have been contrived after the fact to bridge the gap to China's supposed "new era" of ethical organ procurement.

#### Implausible Transition to Ethical Organ Sourcing

Before 2010	2010-2015	2015 to present
No organ donation system Almost complete reliance on death-row prisoners and prisoners of conscience	<ul> <li>2010: First organ donation systems piloted</li> <li>2013: National donation/allocation system starte</li> <li>23% of organs said to be donated</li> <li>2014: 80% of organs said to be donated</li> <li>2015: 100% of organs said to be donated</li> </ul>	End of 2017: China's 373,536 registered donors would yield only dozens of donors per year, and the sum of reported donation numbers (mainly from non-registered donors in ICUs) in each region was far fewer than the official number of 15,000 transplants performed.

### DONATION AND ALLOCATION SYSTEM USED TO LAUNDER ORGANS

#### **Donations Far Fewer Than Transplants Performed**

Based on the proportion of registered donors to actual donors in the United States,<sup>70</sup> China's heavily publicized 373,536 registered donors as o the end of 2017<sup>71</sup> would have yielded less than 29 actual donors. Nor could organs procured from non-registered donors (mainly from ICUs) be the main sources of China's transplant system as claimed, as the sum of reported donation number

#### **Donation System Remains an Empty Shell**

At the end of 2015, Huang Jiefu said that the "National Organ Donation and Transplantation Committee...exists in name only."<sup>74</sup> In 2017, Huang revealed further that China had only one person overseeing organ donation and transplantation, compared to 1,500 in the United States.<sup>75</sup>

#### **Regulations Embed Loopholes For Illicit Organ Sourcing**

China has not enacted fundamental laws governing organ sourcing, donation, procurement, allocation, and transplantation.<sup>79</sup> Its administrative policies and regulations are

#### **Opaque Operations**

China's Organ Procurement Organizations (OPO are established inside ministry-approved transplar centers.<sup>81</sup> Huang Jiefu admitted, "Organ resource —all recipients and donors, the entire chain of organ donation and transplantation, is in the hospitals."<sup>82</sup> Hospitals operate without oversigh and include the same surgeons who have been involved in unethical organ procurement.<sup>83</sup>

Huang Jiefu said in 2017 that 70% of organs came from brain-dead donors; the others were main from donation after brain death followed by cardiac death.<sup>84</sup> However, 90% of doctors in China were unaware of a standard procedure

	in each region (including both registered and
5	non-registered donors) <sup>72</sup> was far lower than
of	even the official number of transplants.
9	Longstanding impediments to organ donation
n	in China include cultural inhibitions, a lack of
5	legislation for brain death, an insufficient legal
IS	framework to guarantee ethical donations, and
ers	a lack of public trust in the medical system. <sup>73</sup>

While COTRS is designed to manage all donors and recipients in the country,<sup>76</sup> only 31,000 potential recipients had been registered on the official website as of March 2017.<sup>77</sup> A phone survey ending in June 2017 showed that most transplant hospitals in China could not access COTRS.<sup>78</sup> It is thus clear that most transplant organs had not come from COTRS.

heavily influenced by special interest groups and are not enforced in the medical system, nor can these regulations control the military, judiciary, and other entities that participate in transplantation.<sup>80</sup>

os) nt es	to determine brain death as of late 2014. <sup>85</sup> This remained the case in 2017. <sup>86</sup> This contradiction suggests widespread abuse of brain death determination in China.
t I	China's blueprint for its organ donation system and regulatory framework has not been implemented. Death-row prisoners, who were re-categorized as voluntary citizen donors starting
e ly	in 2015, <sup>87</sup> and voluntary donations combined can account for only a small fraction of all transplants performed in China. The heavily publicized donation and allocation system serves as a façade used to whitewash illicit organ sources.

## Victims

The first recorded instance of organ harvesting from a Chinese political prisoner during execution was in 1978.<sup>88</sup> In 1984, multiple government bodies and ministries jointly promulgated a regulation allowing the bodies and organs of prisoners to be used at will by the State under certain conditions.<sup>89</sup> China later started using organs from prisoners of conscience and minorities on a small scale.<sup>90</sup>

There was no tremendous development in China's transplant industry until 2000, when the Chinese government started prioritizing organ transplantation in its national strategy with significant investment in research, development, industrialization, and training.<sup>91</sup>

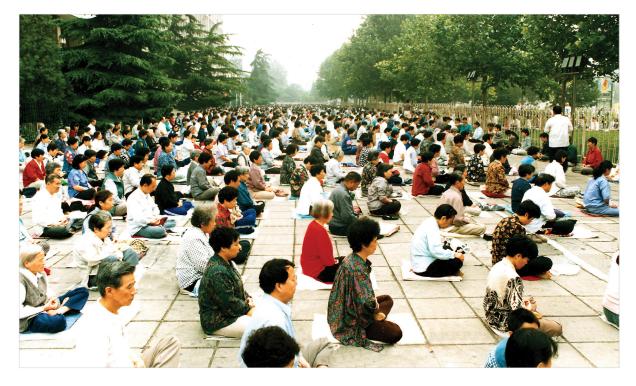
This exponential increase in organ transplants without voluntary donations proceeded in

parallel with the Chinese government's campaign to wipe out Falun Gong.

Falun Gong is a meditation practice, based on ancient Chinese traditions of health and self-improvement, whose adherents seek to cultivate the qualities of truthfulness, compassion, and tolerance. By the end of the 1990s, the government estimated that over 70 million people in China were practicing Falun Gong, a figure also quoted by several Western news outlets.<sup>92</sup>

The former Communist Party leader Jiang Zemin saw the group's popularity and revival of traditional values as a threat to his rule, and he launched a violent campaign in July 1999 to "defame their reputations, bankrupt them financially and destroy them physically."<sup>93</sup> When the persecution first began, millions of Falun Gong practitioners from around China traveled to Beijing to appeal to the central government. Many of them were arrested but were unwilling to disclose their identities to protect their families and friends. They thus became part of a large anonymous population held captive by the State.<sup>94</sup> In the following years, hundreds of thousands of practitioners were rounded up all across China. Those who refused to renounce their faith began to disappear without a trace.<sup>95</sup>

Since July 1999, Falun Gong practitioners in China have faced imprisonment and torture in forced labor camps, black jails, prisons, brain -washing centers, and secret military detention facilities.<sup>96</sup> They have also been forcibly subjected, both in custody and in their homes, to blood tests and medical examinations related to organ function.<sup>97</sup> By May 2017, China's public security system had built a national database of more than 40 million individuals, including dissidents and migrants.<sup>98</sup>



Falun Gong practitioners meditate in Muxidi, Beijing before the persecution began in 1999.



Falun Gong practitioners unfurl banners on Tiananmen Square in Beijing to protest the persecution. The banners read "Truthfulness, Compassion, Tolerance."

"Chairman Jiang put a lot of emphasis, he gave instructions on this, about people selling kidneys for transplant surgeries. After Jiang issued the order, we all did a lot of work against the Falun Gong practitioners ... It was not just the military that was doing kidney transplants.""

*—Bai Shuzhong, former head of the People's Liberation Army General Logistics Department Health Division (2014)* 

"Opposing Falun Gong is a grave political struggle. We must not be softhearted when dealing with a little group of hardcore reactionaries."<sup>100</sup>

*—Huang Jiefu, former Deputy Minister of Health and current director of the China Organ Donation and Transplantation Committee (2001)* 

# A State-Driven Crime

Since 2000, the Chinese regime has prioritized organ transplantation in its national strategy and as a future emerging industry.<sup>101</sup> The ministries of health, science and technology, and education, as well as the military, have all invested heavily in transplant technology R&D, personnel training, and industrialization of transplantation.<sup>102</sup> Most ministry-approved transplant centers receive significant funding from all levels of government. The development of new capabilities and techniques has allowed transplantation in China to grow into a large, industrialized operation in just a few years.

The Ministry of Health and its successor, the National Health and Family Planning Commission (NHFPC), have been fully responsible for the overall planning, policy making, regulation and management of China's transplant industry

and its organ donation and allocation system.<sup>103</sup> Approximately 800 civilian hospitals have been involved in organ transplantation.<sup>104</sup>

The People's Liberation Army (PLA) is one of the few militaries in the world that belongs to a political party rather than the state. Jiang Zemin authorized the General Logistics Department to serve as the core unit to lead every level of the military to eradicate the practice of Falun Gong. The military was given the power to manage and oversee secret detention facilities and concentration camps as well as the dispatch of organ sources (living "donors") and supervision of organ procurement.<sup>105</sup> Over 100 PLA and Armed Police Force hospitals have been involved in organ transplantation<sup>106</sup> and they supply civilian hospitals with fresh organs on demand.

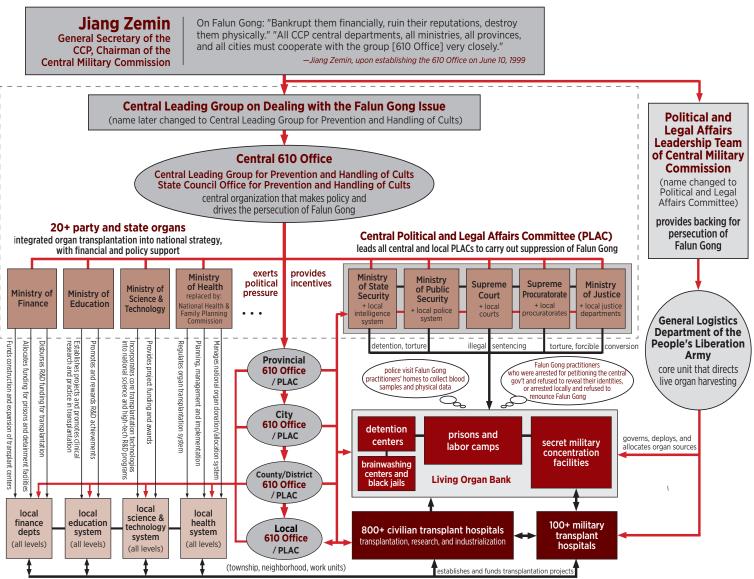
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	中国脏器移植实际情况
	在中国29个省、市、自治区的国立医院仅肾移植手术已经完成3万5千余例,在全国范围内,每年 多植手术例数多达5000件以上。能完成如此数量的移植手术,是与中国政府的支持分不开的。中 政府最高人民法院、最高人民检察院、公安部、司法部、卫生部以及民政部于1984年10月9日联 顶布有关法律,确立提供脏器是一项政府支持行为。这可谓世界绝无仅有。与发达国家相比,中 在医疗设备及护理体制上,并非无可挑剔,但就脏器移植而言,手术的方式均为国际公认固定模 ,在这方面中国的医学技术水平已达到世界先进行列。目前每年都有数十名左右的脏器衰竭晚期

"Being able to complete such a number of organ transplant operations is inseparable from the government's support. The Chinese government's Supreme People's Court, Supreme People's Procuratorate, Ministry of Public Security, Ministry of Justice, Ministry of Health, and Ministry of Civil Affairs jointly promulgated a regulation on October 9, 1984 and established that organ procurement would be an activity supported by the government. This is a one of a kind in the world."

Archived web page of the China International Transplantation Network Assistance Center (CITNAC)<sup>107</sup>

Before starting its official campaign against Falun Gong, the central Communist Party leadership created the "610 Office" on June 10, 1999, an ad hoc agency established directly under the Central Committee and with a structure extending from top to bottom throughout the Party, government, and military.<sup>108</sup> It has been endowed with extraordinarily broad and extralegal powers to systematically eradicate Falun Gong. The Party mobilized the entire state apparatus to carry out this campaign, which includes organ harvesting in its directives.<sup>109</sup>

Since the persecution began in July 1999, anti-Falun Gong propaganda has been broadcast throughout China and spread globally by the



Roles of the Communist Party and government agencies in forced organ harvesting<sup>112</sup>

Party's overseas media outlets and consulates.<sup>110</sup> The demonization of and incitement of hatred toward Falun Gong provided a basis on which crimes against practitioners could be justified.

Harvesting organs from Falun Gong practitioners not only supports the Communist Party's campaign to destroy what it declared to be its number one enemy but also provides financial and advancement opportunities for hospitals and doctors, both civilian and military. Organ transplantation has long been a health benefit offered to the Communist Party's elite. This benefit is also extended to foreign dignitaries and the elite of overseas Chinese as a means to gain influence as part of the regime's United Front.<sup>111</sup>

# **Global Expansion and Implications**

#### First Open House at a Chinese Transplant Center



International experts visit the hospital's OPO office to learn about China's organ procurement and allocation system.



Experts participate in a donor registration-themed activity.



Experts unveil the hospital's human organ donation memorial park.

As China was "honestly opening a window" to its transplant system, Huang Jiefu invited international experts to tour the Calmette International Hospital at the Kunming First People's Hospital in August 2017.<sup>113</sup> This was the first time China had opened a transplant hospital to international experts, who were to experience "the Chinese mode" of organ donation and transplantation.

The experts watched as donor organs were transported to the hospital by helicopter and sent to an operating theater through a "green passage." They visited an Organ Procurement Organization office to learn about the hospital's process of organ procurement, allocation, and transplantation. They also visited a reception area for families of organ donors and equipment storage rooms.

While the experts were awed by the showcase of China's "amazing progress" in organ donation, the entire Yunnan province averaged only 47 voluntary organ donations per year over the prior four years,<sup>114</sup> which could not even supply the organs used by this hospital alone.

On October 19, 2016, the hospital performed 16 transplants in a single day.<sup>115</sup> About 140 medical personnel directly participated in the surgeries. In March 2017, Calmette invited personnel from the Oklahoma Transplant Center in the United States to perform 15 transplant surgeries in 24 hours.<sup>116</sup>

#### **Global Expansion**

In addition to perpetuating inbound transplant tourism, China is seeking to make organs procured in the mainland available to residents in other regions. Huang Jiefu visited Taiwan in December 2014 to promote a "cross-strait organ exchange platform" to export organs from the mainland to Taiwan so that "patients would no longer need to travel to China to undergo transplants."<sup>117</sup>

He also promoted transplantation in China to overseas markets in August 2015, stating, "The future transplant costs in China will still be the cheapest, most accessible in the world, and of high quality."<sup>118</sup>

The China Organ Transplantation Development Foundation (COTDF) signed an organ sharing agreement with the Macau Health Bureau in November 2017 to alleviate the organ shortage there. Residents of Macau, Hong Kong, and Taiwan can register for organs through COTRS. As of December 2017, 519 Hong Kong and 50 Macau residents had received organ transplants in mainland China.<sup>119</sup>

These expansion plans are not limited to Asia. At the 2017 Chinese Transplant Conference, Huang Jiefu presented organ transplantation as part of China's Belt and Road Initiative.<sup>120</sup> The Initiative aims to strengthen economic and political ties between China and other parts of Asia, Europe, East Africa, and Oceania.

China is also expanding its influence beyond the Belt and Road region. In November 2017, the Tahoe Group, which has donated 100 million RMB to the COTDF, signed a memorandum of strategic cooperation with the University of Pittsburgh Medical Center to import its leading technology and strength in organ transplantation and other subjects.<sup>121</sup>

#### Implications

China's illusion of progress has led some international organizations to acknowledge the "Chinese mode" of organ donation and transplantation and renew collaboration with its transplant entities. This false appearance of an overnight transition to ethical organ sourcing was created by its public relations campaigns, presentation of falsified data, and unimplemented blueprints at international forums, including Vatican summit on organ trafficking and transplant conferences.<sup>122</sup>

Given that its transplant system continues to be supported by the killing of innocents, China's expansion of influence and organ sharing agree-ments with other parts of Asia, Belt and Road regions, and beyond, as well as the desire of international organizations to adopt this model, have far-reaching implications for the world.

"International transplantation is like a boat, and for many years, China was swimming outside of the boat. Now the boat, with China jumping on board, is moving faster than ever before." "China's efforts are leading the boat's way."<sup>123</sup>

—José Núñez, Medical Director of the World Health Organization's organ donation and transplantation program (August 2017 and Feburary 2018)

"Just a few years ago, China was persona non grata in the transplantation world over its use of organs from executed inmates, some of them prisoners of conscience. But at the Transplantation Society's annual congress in Madrid in July 2018, the tables turned as 150 Chinese experts took part, and one-time critics endorsed the country's organ donation system despite allegations it is far from transparent."<sup>124</sup>

—Agence France-Presse (AFP) News (July 2018)

## Timeline

#### 1960s

China performs its first human organ transplant. The Chinese Communist Party Central Military Commission has documentation from 1962 to the present day that all death-row and serious offenders can be treated according to the needs of national and socialist development and can be dealt as raw industry materials according to "revolutionary protocol."

#### **1980**s

The Chinese government promulgates regulations that would allow the bodies and organs of executed prisoners to be used under certain conditions.

#### 1970s

Clinical organ transplantation begins in China. The first recorded case of organ harvesting from a prisoner of conscience takes place in 1978.

#### 1990s

Uyghur political prisoners begin to be targeted for their organs.

### **July 1999** The Communist Party begins its persecution of Falun Gong.

2000 The number of transplants and transplant centers begin to grow exponentially.

#### 2002-2003

The first "organs-only" physical examinations conducted on House Christians and Tibetans are reported.

#### 2010 - March

China begins piloting an organ donation program in Shanghai, Tianjin, Liaoning, Shandong, Zhejiang, Guangdong, Jiangxi, Fujian, Xiamen, Nanjing, Wuhan, and eventually in 19 provinces and cities.

#### 2013 - August

Despite receiving only 207 donations in its first two years, the pilot donation program is expanded nationwide with the announcement of the China Organ Transplant Response System (COTRS) in August 2013.

#### 2014 - December

80% of organs are said to be donated.

Huang Jiefu announces that China will stop using organs from executed prisoners starting in January 2015. However, he explains, "We will regulate the issue by including voluntary organ donations by death-row prisoners in the national donation system. Once entered into our allocation system, they are counted as voluntary donations. Death-row organs no longer exist."

#### June 2016

Three independent investigators jointly publish a 680-page updated report detailing the ondemand nature and scale of organ transplantation in China, finding that the transplant volume is far larger than official figures.

COHRC publishes a 336-page report, which concludes that China's organ donation and oversight system remain an empty shell and that organs continue to be harvested from prisoners of conscience on a large scale in extrajudicial killings despite claims of reform.

#### Allegations first emerge that forced organ harvesting from Falun Gong practitioners has taken place on a large scale throughout China. Independent investigations conclude that the allegations are true. Chinese officials have since changed their statement on organ sourcing several times.

# 2005

In July, Vice Minister of Health Huang Jiefu says for the first time that the majority of transplant organs come from death-row prisoners.

#### 2006

### 2007

The Ministry of Health attributes illicit transplants to a chaotic market and enacts a new qualification system in July 2007, claiming that only approved hospitals can conduct transplants.

More than 1,000 hospitals apply for permits to continue performing transplants. Among them, 164 receive permits.

From 2007 to 2010, the Chinese regime consistently stated that organs were sourced from executed death-row prisoners.

#### 2013 - November

23% of organs are said to be donated. Among the 164 approved transplant hospitals, only 38 sign the Hangzhou Resolution, promising to discontinue the use of organs from death-row prisoners.

### 2015

100% of organs are said to be donated. China announces that it has entirely stopped using organs from executed prisoners.

### 2017

China's purported reform is recognized by some international transplant organizations as a result of public relations campaigns, falsified data, transplant center showcases, and presentations at international forums.

#### 2018

### Myths and Facts

#### Myth: "Before 2015, most organs were sourced from convicted death-row prisoners"

**Fact:** China's transplant volume has increased dramatically since 2000 with a thirty-fold increase in liver transplants alone between 1999 and 2005.<sup>125</sup> Based on government-imposed minimum capacity requirements, the 164 approved transplant hospitals in China have the capability to, and most likely, conduct over 70,000 transplants per year.<sup>126</sup>

In comparison, many sources estimate the number of death-row executions in China in the thousands each year, with numbers decreasing since 2000. Huang Jiefu corroborated that "death-row executions had decreased by 10% each year."<sup>127</sup> The number of organs taken from death-row prisoners could not have supplied the number of transplants performed in China.

Furthermore, Huang announced in 2015 that

China had completely transitioned to voluntarily donations. However, the number of voluntary donors has remained low and flat, and this widening gap between transplant volume and death-row executions cannot be accounted for by official organ sources.<sup>128</sup>

The Chinese government has never acknowledged the extrajudicial killing of prisoners of conscience for organs. Thus, its claims that organs are no longer sourced from executed prisoners do not apply to the prisoner of conscience population. Independent research shows that to supply organs for the number of transplants actually performed, largescale killing must be ongoing. However, the government continues to talk about executed prisoners to deflect attention from its killing of prisoners of conscience.

#### Myth: "After 2015, voluntary donations are the main organ source for transplants"

**Fact:** Organ transplantation in China began in the 1970s,<sup>129</sup> but by 2003, the number of donations remained at zero.<sup>130</sup> There was no organ donation system in China before 2010,<sup>131</sup> and the national organ donation system was announced in October 2013.<sup>132</sup> Official accounts indicate that the percentage of organs sourced from donations jumped from 23% in 2013<sup>133</sup> to 80% in 2014,<sup>134</sup> with voluntary donations officially becoming the sole official organ source starting in January 2015.<sup>135</sup> It is not plausible that such a transition could have taken place in just one or two years, a process that has taken other countries decades.

Underscoring the improbability of this transition are longstanding cultural inhibitions, a lack of institutional and legal conditions to protect, facilitate, and govern voluntary donations, as well as a lack of public trust in the Chinese medical system.

As of the end of 2017, the official count of registered donors was 373,536. Based on the ratio of registered donors to actual donors in the United States, China's registered donor base would have yielded fewer than 29 actual donors.<sup>136</sup> The sum of reported donation numbers (including those from both registered donors and non-registered donors) in each region was far smaller than the official figure of 10,000-15,000 transplants performed.<sup>137</sup> However, the minimum capacity of the 164 approved transplant hospitals exceeds 70,000 transplants per year.<sup>138</sup>

#### Myth: "China's use of immunosuppressants accounts for only 10,000 transplants per year"

**Fact:** As transplant patients rely on immunosuppressants after operation to avoid organ rejection, the international community has expressed doubt over the surge in organ transplants in China and why there hasn't been significant growth in the international immunosuppressant market. The Chinese regime has also manipulated the apparent size of the domestic immunosuppressant market to match its claim that the country performs around 10,000 transplants per year.<sup>139</sup>

Our research indicates that China's organ transplant industry has continued to undergo momentous development of immunosuppressants as key national scientific research projects. Many transplant -related institutions engaged in R&D early on.<sup>140</sup> By 2004, domestic immunosuppressant drug manufacturers had captured almost half of the

#### Myth: "Doctors could never be forced to extract organs from living people"

"Individual Party members are subordinate to the Party organization, the minority is subordinate to the majority ..."<sup>145</sup>

*—Doctrine regarding discipline in the Chinese Communist Party* 

"Anybody, if they label themselves other than communism, Communist Party or member, then they will be treated as an enemy of the state. Therefore, they are subject to whatever punishment is available. I became a robot and [did] what I had been programmed to do. Our ideology was that being able to participate in doing away with the country's enemies was a glorious thing, even genuinely believing what we were doing is for a good cause."<sup>146</sup>

-Enver Tohti, a former Uighur surgeon who was ordered to extract organs from a living prisoner in 1995 (2016)

market share from imported and joint-stock drug companies.<sup>141</sup> Transplant hospitals in China generally use domestic products rather than imported drugs. As early as 2006, there were more than 100 manufacturers producing nearly 30 drugs, and this market reached nearly 10 billion RMB.<sup>142</sup> Based on an average drug cost of 30,000 RMB per patient per year,<sup>143</sup> this market could have supported over 300,000 patients, an average of 50,000 to 60,000 per year since 2000.

"Falun Gong and similar evil religions are like viruses corroding the organism of humanity, warping the souls of believers, destroying social order, disrupting economic development, and have become a public nuisance to mankind and a cancer on society."<sup>147</sup>

-Zheng Shusen, one of China's most prominent transplant surgeons, who also chairs the Zhejiang Province Anti-Cult Association (a government agency responsible for eradicating Falun Gong) (2009)

Similar language can be found in propaganda used by the Nazi regime to justify its genocide of groups it deemed undesirable. When Jiang Zemin, General Secretary of the Chinese Communist Party and Chairman of the Central Military Commission, gave the order to eradicate Falun Gong,<sup>148</sup> leaders in China's transplant field propagated the Party line and actively incited hatred against the vulnerable group. The government was thus able to direct doctors and even all of society to carry out Jiang's will using any means necessary without constraint of law.

### **Global Response**

Governments around the world have responded to forced organ harvesting in China by passing legislation to restrict illicit organ tourism as well as resolutions condemning these atrocities. Leading news outlets have been covering the latest developments about organ harvesting in China.

#### LEGISLATION

#### Israel

Israel passed the Organ Transplant Act in 2008, which prohibits insurance companies from reimbursing costs for transplants received in countries that violate Israeli organ trade and trafficking guidelines.<sup>149</sup> In the three years following its enactment, travel of Israeli patients to China for organ transplants stopped almost completely. There has also been a significant increase in domestic organ donations and registered donors.

#### Italy

The Italian Senate approved a bill on March 4, 2015 that introduced penalties against individuals who trade or sell illegally trafficked organs.<sup>150</sup> Those who are found guilty of facilitating transactions involving organs from living people will face 3 to 12 years imprisonment and a fine between 50,000 and 300,000 euros. Doctors who promote or facilitate illegal organ tourism face lifetime disqualification.

Senator Maurizio Romani, who proposed the bill, said, "We have the duty to make any effort in order not to be accomplices to this," referring to the sourcing of organs from prisoners of conscience, "especially practitioners of the spiritual discipline Falun Gong."

#### Spain

A 2010 amendment to the Criminal Code imposed new penalties for those who promote, facilitate or advertise the procurement or illegal trafficking of human organs.<sup>151</sup> It also applies to recipients who consent to receive transplants with knowledge of the organs' illicit origins. The law imposes penalties of 6 to 12 years imprisonment for vital organs and 3 to 6 years for non-vital organs.

#### Taiwan

The Human Organ Transplantation Act of 2015 bans the sale, purchase, and brokerage of organs.<sup>152</sup> It also prohibits the use of organs from executed prisoners and organ tourism, regardless of foreign laws. For transplants performed abroad, the law requires hospitals in Taiwan to document the country, hospital, and source of the donor organ. In addition to fines, the law imposes imprisonment of 1 to 5 years for those involved in brokering organs or organ tourism. Doctors who engage in organ brokerage will have their licenses revoked.

#### RESOLUTIONS

#### **European Parliament**

The European Parliament passed a resolution of December 12, 2013, which "expresses its deep concern over the persistent and credible report of systematic, state sanctioned organ harvestin from non-consenting prisoners of conscience is the People's Republic of China, including from large numbers of Falun Gong practitioners imprisoned for their religious beliefs, as well as from members of other religious and ethnic minority groups; calls on the People's Republic of China to end immediately this practice."<sup>153</sup>

The resolution also "calls for the EU and its Member States to raise the issue of organ harvesting in China; recommends that the Union and its Member States raise awareness of this issue among their citizens travelling to China; calls for a full and transparent investigation by the EU into organ transplant practices in China and for the prosecution of those found to have engaged in such unethical practices."



#### **United States**

on	On June 13, 2016, the U.S. House of Representatives unanimously passed H. Res. 343, <sup>154</sup>		
ts	which:		
ng in 1	٠	Condemns the practice of state-sanctioned forced organ harvesting in China;	
C	•	Calls on China and the Communist Party of China to end the practice of organ harvesting from prisoners of conscience;	
C	٠	Encourages the U.S. medical community to help raise awareness of unethical organ transplant practices in China;	
n ,	•	Demands an end to the 17-year persecution of the Falun Gong spiritual practice and the release of all Falun Gong practitioners and other prisoners of conscience;	
ia, e	•	Calls on China to allow an independent investigation into organ transplant abuses.	

# **How You Can Help**

All of us outside China can play an important part in ending these atrocities. It is our responsibility to raise awareness by every means possible in order to stop these horrific crimes from being committed against our fellow human beings. Here's a list of actions experts recommend:

#### **GOVERNMENTS**

- Publicly condemn this crime against humanity by passing a resolution at the national, provincial, or local level.
- Prohibit the receipt of trafficked organs at home and abroad, restrict travel to China for the purpose of receiving an organ transplant from unethical or undocumented sources, and disallow reimbursement of medical costs for same.
- Ban entry of individuals involved in illegal organ trafficking.
- Issue travel advisories to warn citizens against traveling to China for organ transplants.
- Prohibit pharmaceutical companies from conducting transplant field tests and clinical trials in China.
- Pressure the Chinese government to open all detention facilities for international inspection.
- Facilitate independent investigations into organ transplant abuse in China.

#### **BUSINESSES**

- Support research and investigative efforts into organ harvesting crimes as part of philanthropic and corporate responsibility initiatives.
- Reduce investment in China to pressure the Chinese government and relevant institutions to cease harvesting organs from unethical sources.

#### MEDICAL PROFESSIONALS

- Facilitate and support legislation to prevent individuals and institutions from becoming complicit.
- Discourage patients from traveling to China for organ transplants.
- Require Chinese transplant professionals to adhere to internationally accepted ethical standards as a condition for becoming members of professional societies.
- Reject research or publications in journals or at conferences unless the authors provide evidence that organs from executed prisoners or prisoners of conscience were not used in the research.
- Prohibit training of Chinese transplant professionals unless they commit to not using organs from unethical sources.
- Proactively remind China's government and medical profession of internationally accepted ethical standards.

#### NGOS

- Urge governments to take all measures necessary to end this crime against humanity.
- Undertake independent investigations into forced organ harvesting in China.
- Incorporate efforts to raise awareness of organ harvesting crimes into the organization's projects and activities.

### **RESEARCH, EDUCATION, AND MEDIA**

- Perform independent investigations into China's organ transplant sourcing.
- Integrate these crimes as current events into school curriculums.
- Keep the public informed of latest developments in this area.



In just 5 years, more than 2.5 million people in over 50 countries and regions signed a petition to the United Nations to call for an end to the killing for organs in China, making it the second largest petition in world history. A delegation of doctors and lawyers hand-delivered paper petitions to the United Nations in Geneva on July 20, 2017.<sup>155</sup>

"The killing of innocents for their organs reminds us of a lesson of the Holocaust, the endless depravity of which humanity is capable. What outsiders do impacts on what those inside China do. Complicity avoidance is totally within our control. We must make every effort not to aid or associate with China's organ abuse."

-David Matas, international human rights lawyer, nominee for 2010 Nobel Peace Prize

### **INDIVIDUALS**

- Learn about this issue at *ChinaOrganHarvest.org* and tell others about it.
- Contact your representatives to draft or support a resolution that condemns China's organ crime and legislation that prevents individuals and institutions from becoming complicit.
- Sign a petition and join the millions who have spoken out against this crime.

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#### **ABOUT US**

The China Organ Harvest Research Center (COHRC) is a nonprofit organization founded in 2017 that conducts and presents authoritative research on organ transplant abuse in China, including the killing of prisoners of conscience for organs. COHRC researchers seek out and analyze evidence from a wide range of Chinese and overseas sources. In addition to publishing reports and providing consultation to government entities and non-government organizations, the center has presented its research findings at international and national medical and bioethics conferences. Before establishing this organization, the group's lead researchers had studied the Chinese organ transplantation system for over a decade and contributed to reports cited in articles by CNN, *The New York Times*, PBS, *The Globe and Mail*, and *The Times of London*.

Killing for organs is a crime against humanity and a new form of state terror. COHRC believes it is our shared responsibility to raise awareness of these atrocities. We look forward to collaborating with other researchers, organizations, enterprises, policymakers, journalists, and human rights advocates to help end this barbaric practice and safeguard human dignity.

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#### ACKNOWLEDGMENTS

Special thanks to Dr. David Matas, David Kilgour, Ethan Gutmann, Prof. Arthur L. Caplan, Prof. Jacob Lavee, Prof. Wendy Rogers, and Prof. Maria A. Fiatarone Singh for their contribution to the content and comments. Five experts, including two independent scholars and three specialists in China studies and the medical profession, participated in research or provided research support but wished to remain anonymous. The main cover image was adapted from original work created by Wei Jane Chir.



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