



## INTERNATIONAL HUMAN RIGHTS DAY WEBINAR

December 10, 2021

Humankind at a Crossroads: Universal Human Rights versus  
Commercialized Forced Organ Harvesting from Living People

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Human Rights Day on 10 December 2021 marks the 73rd anniversary of the adoption of the Universal Declaration of Human Rights by the UN General Assembly. To respond to the global challenges of unprecedented inequalities in the wake of the Covid-19 pandemic, the UN Secretary-General has declared that a new social contract for a new era is needed. In this context, in 2021, the theme of campaigns focuses on Equality - Reducing Inequality, Promoting Human Rights and Article 1 of the Declarations: All human beings are born free and equal in dignity and rights.

The Declaration was adopted in 1948 and was the result of the adverse experiences of the Second World War. Immediately after the end of that war and the creation of the UN, the international community felt the need for effective protection against the possibility of a repetition of such atrocities. World leaders at the time decided to draw up a document guaranteeing the rights of every human being wherever they were.

The underlying problem with the Declaration was the lack of a clear implementation mechanism. For this reason, the Commission on Human Rights considered preparing an International Bill of Rights, complementing the Declaration with two legally binding instruments, the International Covenant on Civil and Political Rights and the International Covenant on Social, Cultural and Economic Rights.

The Declaration is recognised as part of universal customary international law and is the key to reforms at all levels of international, regional and national representation, respecting the universal, inalienable and indivisible nature of the whole range of human rights (political, civil, social, economic, cultural).

Rene Cassin, who represented France in finalising the UDHR text, compared the Declaration to the portico (or entrance porch) of a classical Greek temple - with a foundation, steps and four columns surmounted by a triangular pediment at the top.

Cassin considered Articles 1 and 2, the foundation blocks, the fundamental principles of dignity, equality, freedom and solidarity. The preamble - explaining why the Declaration is necessary are the steps. Articles 3-27 are four pillars: first the fundamental rights of the individual; then civil and political rights, followed by spiritual, public and political freedoms; the fourth pillar is devoted to social, economic and cultural rights. Articles 28-30 - which refer to the individual's duty to society and the prohibition of allowing certain rights at the expense of others or in contradiction with the aims of the UN - form the triangular pediment of Cassin's Greek temple.

In 1948, the 30 articles were conceived as all-encompassing for the protection of human beings.

However, recent history has shown that there have been obstacles to the full protection of human rights amidst major humanitarian crises caused by the destructive policies of totalitarian regimes, inter-ethnic conflicts, terrorism, drug trafficking, human trafficking, and forced harvesting and trafficking in human organs.

The nefarious post-World War II decision to transfer the countries of Central and Eastern Europe to the custody of the USSR allowed the development of an atrocious regime, based on Marxist-Leninist ideology and directed against all the principles and norms included in the Declaration.

I experienced totalitarian communism in Romania at a time in my life when the individual development of any young person was marked by the doctrine of the single party as an apparatus for oppressing any opposing views. I saw and felt communism at home. I speak out on this subject because Romania had the harshest and longest lasting totalitarian apparatus that could only be overthrown by bloody popular revolt and the sacrifice of those who lost their lives. In no country in Central and Eastern Europe did the communist totalitarian system have such longevity and intensity as that in Romania, where it maintained its position of absolute domination over society, the economy and culture.

Between 2000 and 2004 and 2012 to 2015 Romanian governments reactivated the controversial bilateral relationship between Romania and China. During these periods the persecution of Falun Gong practitioners in Romania intensified and they were intimidated, expelled and removed from public places where they practiced, investigated and fined. Most of the time, the police car in which they were taken for investigation turned into a room of mental and physical torture. The revival of Romanian-Chinese relations has also meant the rigorous selection of journalists accredited to Chinese officials' visits to Romania.

### **Recovering collective memory**

We have brought up the Romanian issues. But it's not just about this country.

At a time when the suffering of people under the control of dictators has reached unspeakable limits, concrete action should be taken against states that comfortably canton communism. However, many countries have become sophisticated in circumventing the ethical principles of human rights protection.

I believe that a particular role in eradicating the criminal practices of totalitarian governments should be assumed by the states of Central and Eastern Europe to which history has given the role of witnesses and survivors and which should take up their honorary mandate.

As part of the UN, the Council of Europe and the European Union, the post-communist countries of Central and Eastern Europe must act under the reflex of collective memory to initiate actions of diplomatic coalitions to sanction totalitarian practices in any corner of the world that will be the same anywhere and anytime.

Recovering the memory helps us to identify the responsibilities that are indispensable to the functioning of any democratic system. Unfortunately, the post-communist countries of Central and Eastern Europe have, since 1989, been stuck in the traditional syndrome of ignoring memory when they should have been unequivocally condemning their own torturers.

Globally, more than 100 million people have been victims of the communist system, and the number is now growing considerably.

The dark side of communism offers insights into the disaster of civilizations and the loss of the very notion of humanity. Communism suffocated the countries of Central and Eastern Europe where, as a rule, the political apparatus identified the enemy and the secret services were in charge of annihilating them through detention, torture and execution.

I want to share with everyone that everywhere and at all times, communism is, and will always be a utopian construct which turns the individual into a mere cog in the immense machinery of the single party, and totalitarianism is a regime which denies human rights and subordinates the individual to its interests.

Having said that, let us now turn our attention to China

The lack of a firm stance on the part of the UN member states and the fact that the Asia-Pacific region does not have a regional human rights protection system, makes arbitrary deprivation of liberty, torture and the death penalty possible.

Under the cover of assuming freedom of self-government, China remains a fortress in which the relationship between human rights implies a social status in its own, criminal variant, revealed by a small number of witnesses and very few survivors of the persecution constantly directed against Falun Gong practitioners, Muslims and Christians.

The arbitrary deprivation of liberty of these segments of the population in detention centres and campuses, fortified hospitals containing a mixture of cultural forms, allows the torturers the mobility of extermination practices through torture, the removal of organs from living beings, killing without trial and without accountability.

According to some scholars, the more than two-decade-long persecution of Falun Gong, including forced organ harvesting, meets the criteria of a so-called "cold genocide" - a genocide that takes place so covertly and slowly that it is not perceived as such by the international community.

The state-organised eradication of the Falun Gong spiritual group through extrajudicial security - the 610 Office - is one of the most serious violations of the Declaration in the 21st century. China has cleverly circumvented the international community's international alert system, but interviews with victims show that there are hundreds of thousands of persecuted people every day.

Thus, over 20 years, a mechanism of human destruction has been formed that is now self-perpetuating.

Recently there has been a formal response from international and European bodies to find solutions to conduct serious independent inspections and investigations into the persecution and forced harvesting of organs from Falun Gong practitioners - the segment of the population that is the largest living source for torturers in China.

Forced harvesting and illegal trafficking of human organs should be on the permanent agenda of international and regional bodies and a priority for each individual state to marginalize and sanction the Chinese state.

### **A turning point**

In response to crimes committed by the Chinese Communist Party (CCP) over the past 20 years, the China Tribunal, an independent people's court based in London, was established in 2019. The tribunal was made

up of independent experts and was chaired by Sir Geoffrey Nice QC, who previously led the prosecution of former Yugoslav President Slobodan Milosevic at the International Criminal Tribunal in The Hague.

In its 2019 preliminary judgement, the China Tribunal said that the Chinese regime continues to kill prisoners of conscience and sell their organs for profit and also declared China a "criminal state", accusing it of condoning and covering up forced organ harvesting for over 20 years. The tribunal concluded that followers of the Falun Gong spiritual practice were one of the main sources of human organs and described forced organ harvesting as "the greatest possible violation of a person's human rights."

Just a few days ago, on 29 November, the European Union Parliament's Human Rights Committee held a panel where presentations were made and conclusions were drawn on the situation of forced organ harvesting from living beings sentenced to arbitrary detention in Chinese camps. EU parliamentarians noted that this unprecedented criminal phenomenon would require the appointment of an independent Special Rapporteur at both EU and UN level.

They concluded by stating that the arbitrary detention and imprisonment in camps of various categories of persons belonging to ethnic minorities, faiths and religions, political opponents of China's totalitarian system, as well as the forced harvesting of organs from human beings and their sale on the black market, is the worst human rights violation of the 21st century.

EU parliamentarians have also pledged that they will follow up on this dossier which has already been built up and bring it to the attention of the March and July 2022 sessions to establish concrete sanctions.

#### **A notable event**

This fall a "World Summit on Combating and Preventing Forced Organ Harvesting" was attended by international experts in the fields of medical ethics, justice, human rights, religious freedom, and witnesses of the horrors committed in China's extermination camps.

On the last day of the Summit, the "Universal Declaration on Combating and Preventing the Forced Organ Harvesting" was initiated to mobilize the international community to take action to stop the forced organ harvesting of people arbitrarily detained for political and religious reasons in China.

The Summit was preceded on 14 June 2021 by disturbing statements made by UN human rights experts on reports of alleged organ harvesting targeting minorities, including Falun Gong practitioners, Uighurs, Tibetans, Muslims and Christians, in detention in China.

Alarmed by allegations of organ harvesting, UN human rights experts have called on China to respond promptly to the allegations and allow independent monitoring by international human rights mechanisms. They were also deeply concerned about reports of discriminatory treatment of prisoners or detainees on the basis of their ethnicity, religion or beliefs.

Another UN human rights mechanism highlighted concerns about the practice of organ harvesting from prisoners of a particular religious minority. "Despite the gradual development of a voluntary organ donation system, reports of serious human rights violations in the procurement of organs for transplants in China continue to emerge," UN experts said.

China consistently rejects the recommendations of the UN Human Rights Council under the Universal Periodic Review procedure to respect the right to life, freedom from torture, free access to justice, freedom of opinion, guarantees of religious rights, etc.

### **Universal Declaration on Combating and Preventing Forced Organ Harvesting**

Let me dwell for a moment on the recent Universal Declaration on Combating and Preventing Forced Organ Harvesting (<https://ud-cp-foh.info/>).

Seen by us as a call for collective action, this Declaration marks a turning point in the understanding that there is an urgent need for an independent international monitoring and reporting mechanism on the human rights situation in China.

In the 21st century, the forced harvesting of organs from living persons is by no means just a national problem, but a problem of humanity. The declaration, which calls on all organisations and individuals around the world to jointly sign, is a tool to stop the brutality of the CCP.

As a co-signatory of the Declaration, SIRDO expresses its interest in triggering resolute action by decision-makers around the world to stop and prevent illicit practices that affect human life and integrity in the interests of vested interests.

A forward-looking realization of the assessment should prompt China to proceed with self-denunciation.

### **Conclusion**

It should not be forgotten that against all the eloquent data presented for 20 years, the testimonies and the existing evidence, China's dictatorship's best ally was and continues to be silence.

We believe that in the 73 years since the adoption of the UDHR, China has lost its place among countries fighting for the protection of human rights, remaining captive to the views expressed by its officials that the UDHR exclusively reflects simple Western ideas.

On 10 October 1968 - 20 years after the adoption of the Universal Declaration of Human Rights - the man who has been called the father of the Declaration, Rene Cassin, was awarded the Nobel Peace Prize. On receiving the Prize, Cassin said, "I am very happy." But he added: "I would be happier if there were a little more justice in the world."

We subscribe to the hope that there will be more justice in the world and that many countries will implement the UDHR and now, with the undeniable evidence, join the Universal Declaration on Combating and Preventing Forced Organ Harvesting.