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What are the solutions the United Nations offers to the mass killing of Falun Gong and other prisoners of conscience for their organs? To answer that question, I will go through eight structures of the United Nations, both those which have attempted to provide a solution to this crime against humanity and those which have avoided doing so.

1. and 2. The United Nations rapporteurs on torture and religious intolerance

The first two structures are the United Nations Rapporteur on Torture then Manfred Nowak and the UN Rapporteur on Religious Intolerance then Asma Jahangir. These rapporteurs in their 2007 and 2008 reports to the United Nations Human Rights Council asked China to explain the discrepancy between the volume of transplants and the volume of identified sources.

Professor Shi Bingyi, then vice chair of the China Medical Organ Transplant Association, indicated in March 2006 that China had done about 60,000 transplants in the six-year period 2000 to 2005. The persecution of Falun Gong began in 1999.

The Chinese government response to the rapporteurs stated that

"Professor Shi Bingyi expressly clarified that on no occasion had he made such a statement or given figures of this kind, and these allegations and the related figures are pure fabrication."

Yet, the official statement of Shi Bingyi remains accessible on the internet still today.

3. United Nations Committee against Torture

China is a party to the Convention against Torture. As a party it is obligated to report periodically to the expert committee established under the Convention. China has reported twice, in 2008 and 2015, since it began the mass killing of prisoners of conscience for their organs. In both years, the expert Committee, in its concluding observations, called on China to "immediately conduct or commission an independent investigation" into organ transplant abuse in China with prisoner of conscience victims.

4. The Universal Periodic Review

In the 2018 Universal Periodic Review for China, Germany asked these advance questions:

"How does China react to allegations of organ-harvesting in prisons and detention facilities? Can China provide data on annual numbers of organ transplantations and legal sources of organ donations in order to dispel these allegations?"

In the interactive dialogue part of the Universal Periodic Review for China, Austria said:

"Regarding the removal of organs, we would like to know how the Chinese authorities ensure that this is only performed with the free, informed and specific consent of the donor without exception. Austria would be grateful to receive information on the implementation of a zero tolerance policy on harvesting organs in prisons and detention facilities."

The Chinese delegation stated that the transplantation of organs is regulated by strict provisions enacted in 2015, that China has an organ allocation system, and that the traceability of organs in China was affirmed by the World Health Organization.

There are a number of flaws in this Chinese response. There was no law enacted in China about transplantation of organs in 2015, only a Chinese Communist Party / Government of China policy statement. A 1984 Chinese law, unrepealed, allows the sourcing of organs from prisoners without their consent or the consent of their families provided the bodies are unclaimed. The organ allocation system, the China Organ Transplant Registry System, is shrouded in secrecy. Its website shows nothing substantive. The statement of World Health Organization endorsement of the Chinese transplantation system is misleading. The World Health Organization does not engage in periodic public evaluation and critiques of country transplantation systems.

5. United Nations Human Rights Council

At each United Nations Human Rights Council regular session, there is an agenda item titled Human Rights Situations that Require the Council's Attention. Not being a member of the Council prevents a state from voting at the Council, but not from speaking at the Council.

Under this agenda item, any country, whether a member of the Council or not, can deliver an oral statement. Organ transplant abuse with prisoner of conscience victims should be a matter of continuing concern at every Human Rights Council sessions, raised by all human rights respecting countries, but has not been to date.

6. United Nations High Commissioner for Human Rights

I and a delegation from Doctors Against Forced Organ Harvesting met in Geneva in December

2013 with the Office of the United Nations High Commissioner for Human Rights to present a petition with nearly 1.5 million signatures from 53 countries and regions asking the High Commissioner, then Navi Pillay:

1. to call upon Government of China to end immediately the forced organ harvesting from Falun Gong prisoners,
2. initiate an investigation which can lead to the prosecution of the perpetrators of this crime against humanity, and
3. call upon the Government of China to end immediately the brutal persecution of Falun Gong.

One of the people in the Office of the High Commissioner for Human Rights with whom we met suggested we contact the United Nations Office of Drugs and Crime in Vienna. Other than making that suggestion, the Office of the High Commissioner for Human Rights did nothing in response to the petition. The High Commissioner is planning a visit to China in May this year. I and others have already suggested that she raise this issue, the mass killing of prisoners of conscience for their organs, on this visit.

7. United Nations Office for Drugs and Crime

We followed up on the suggestion from the Office of the United Nations High Commissioner for Human Rights to contact United Nations Office for Drugs and Crime and asked them for a meeting in March 2014, to which they agreed. Shortly before we arrived, we were told that the meeting was no longer possible because they were busy. We came anyways and after we arrived, an official whom we contacted told us by e-mail:

"A meeting would ... not be productive as my Section's work [the Human Trafficking and Migrant Smuggling Section] does not include what you refer to as organ harvesting nor the other issues covered in your e-mail."

8. United Nations Human Rights Council Human Rights Experts

Twelve human rights experts, in a joint statement made in June 2021, called on China to promptly respond to the allegations of organ harvesting and to allow independent monitoring by international human rights mechanisms.

Conclusion

The United Nations is an opportunity. Human rights respecting governments and experts must take advantage of that opportunity and not turn the United Nations into an opportunity lost.