

113TH CONGRESS
1ST SESSION

H. RES. 281

Expressing concern over persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience, in the People's Republic of China, including from large numbers of Falun Gong practitioners imprisoned for their religious beliefs, and members of other religious and ethnic minority groups.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2013

Ms. ROS-LEHTINEN (for herself and Mr. ANDREWS) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing concern over persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience, in the People's Republic of China, including from large numbers of Falun Gong practitioners imprisoned for their religious beliefs, and members of other religious and ethnic minority groups.

Whereas when performed in accordance with ethical standards, the medical discipline of organ transplantation is one of the great achievements of modern medicine;

Whereas the People's Republic of China performs more than 10,000 organ transplantations per year, yet as of May

2013 it did not have an organized or effective public system of organ donation or distribution;

Whereas the organ transplantation system in China does not comply with the World Health Organization's requirement of transparency and traceability in organ procurement pathways, and the Government of the People's Republic of China has resisted independent scrutiny of the system;

Whereas the Department of State Country Report on Human Rights for China for 2011 stated, "Overseas and domestic media and advocacy groups continued to report instances of organ harvesting, particularly from Falun Gong practitioners and Uighurs";

Whereas due in part to traditional views on the importance of preserving the body intact after death, China has very low rates of voluntary organ donations;

Whereas the People's Republic of China implemented regulations in 1984 that permitted the harvesting of organs from executed prisoners;

Whereas in June 2001, Chinese doctor Wang Guoqi testified before the House of Representatives International Relations Subcommittee on International Organizations and Human Rights that hospitals worked in collusion with state security agencies to extract organs from executed prisoners without written consent of the organ donors, and that these transplants were a lucrative source of income;

Whereas former Vice-Minister of Health Huang Jiefu admitted publicly that more than 90 percent of transplant organs extracted from deceased donors stemmed from executed prisoners in China;

Whereas voluntary and informed consent is the precondition for ethical organ donation and international medical organizations state that prisoners, deprived of their freedom, are not in the position to give free consent and that the practice of sourcing organs from prisoners is a violation of ethical guidelines in medicine;

Whereas Falun Gong, a spiritual practice involving meditative “qigong” exercises and centered on the values of truthfulness, compassion, and tolerance, became immensely popular in the 1990s, with multiple estimates placing the number of practitioners upwards of 70,000,000;

Whereas in July 1999, the Chinese Communist Party launched an intensive, nationwide persecution designed to eradicate the spiritual practice of Falun Gong, reflecting the party’s long-standing intolerance of large independent civil society groups;

Whereas since 1999, hundreds of thousands of Falun Gong practitioners have been detained extra-legally in reeducation-through-labor camps, detention centers, and prisons, where torture and abuse are routine;

Whereas in many detention facilities and labor camps, Falun Gong prisoners of conscience comprise the majority of the population, and have been said to receive the longest sentences and the worst treatment;

Whereas in order to protect their families and associates, many Falun Gong prisoners of conscience refuse to provide real names or other personally identifying information to security agencies, thus making them more vulnerable to abuses;

Whereas the number of organ transplant operations in China increased significantly after 1999, corresponding with the onset of the persecution of Falun Gong;

Whereas this increase does not appear to be attributable either to an overall increase in the number of death row inmates or to an increase in voluntary donations, and in fact, human rights groups and legal experts believe there has been a decrease in the number of executions in China in recent years;

Whereas the Government of the People's Republic of China has failed to adequately account for the sources of the excess organs;

Whereas Chinese hospitals have advertised wait times of 2 to 4 weeks for kidney and liver transplants, and documented cases of scheduled heart transplantations with 3 weeks advanced notice;

Whereas because organs have a very limited survival period outside the body, such short wait times are best explained by the existence of a large pool of living donors whose organs can be harvested on demand;

Whereas interviews conducted with previously imprisoned Falun Gong practitioners suggest that, while in custody, they were targeted for medical exams, including blood and urine tests, x-rays, ultra-sounds, and selective physical exams;

Whereas the targeted nature of these exams suggests they are intended to assess the health of the practitioners' vital organs and their potential candidacy for organ harvesting;

Whereas other prisoner groups are generally not subjected to such medical tests;

Whereas Canadian researchers David Matas, human rights attorney, and David Kilgour, former Canadian Secretary of State for Asia-Pacific, conducted an investigation into allegations of organ harvesting from Falun Gong prisoners of conscience in 2006, based on extensive circumstantial evidence, their report concluded that the allegations were true and that tens of thousands of Falun Gong practitioners may have been killed for their organs;

Whereas in 2006, doctors from 17 Chinese hospitals admitted in phone calls with undercover investigators that they used or could obtain vital organs of Falun Gong prisoners of conscience for transplant, with some of the doctors implicating local courts and security agencies in the organ procurement process;

Whereas researcher and journalist Ethan Gutmann estimates that approximately 65,000 Falun Gong adherents may have been killed for their organs from 2000 to 2008, and that a smaller number of other religious and ethnic minorities may also have been targeted;

Whereas Gutmann published findings that Chinese security agencies began harvesting organs from members of the predominantly Muslim Uyghur ethnic minority group in the 1990s, including from Uyghur political prisoners;

Whereas in May 2012, the World Organization to Investigate the Persecution of Falun Gong (WOIPFG) released telephone transcripts and audio recordings of conversations between undercover investigators and senior Chinese Communist Party officials, in which several officials indicated that central authorities were aware of or involved in organ harvesting from Falun Gong prisoners;

Whereas among those implicated were former Politburo member Bo Xilai and his deputy, Wang Lijun;

Whereas the United Nations Committee Against Torture and the Special Rapporteur on Torture have expressed concern over the allegations of organ harvesting from Falun Gong prisoners, and have called on the Government of the People's Republic of China to increase accountability and transparency in the organ transplant system and punish those responsible for abuses;

Whereas the killing of religious or political prisoners for the purpose of selling their organs for transplant is an egregious and intolerable violation of the fundamental right to life;

Whereas the Department of Health in Taiwan urged doctors in Taiwan to discourage patients from undergoing commercial organ transplants in China; and

Whereas in September 2012, experts testified before the House of Representatives Foreign Affairs Committee that United States patients continue to travel to China for organ transplants and that the medical community continues cooperation and training with Chinese colleagues, creating the risk that they may be indirectly aiding abusive practices: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) calls on the Government of the People's Re-
 3 public of China to immediately end the practice of
 4 organ harvesting from all prisoners, and particularly
 5 from Falun Gong prisoners of conscience and mem-
 6 bers of other religious and ethnic minority groups;

1 (2) calls for a full and transparent investigation
2 by the United States Department of State into
3 organ transplant practices in the People’s Republic
4 of China, and for the prosecution of those found to
5 have engaged in such unethical practices;

6 (3) demands an immediate end to the 14-year
7 persecution of the Falun Gong spiritual practice by
8 the Communist Party of China, and the immediate
9 release of all Falun Gong practitioners and other
10 prisoners of conscience;

11 (4) recommends that the United States State
12 Department issue a travel warning for United States
13 citizens traveling to China for organ transplants in-
14 forming them that the organ source for their oper-
15 ation may be a prisoner of conscience; and

16 (5) recommends that the United States Govern-
17 ment publicly condemn organ transplantation abuses
18 in China and ban the entry of those who have par-
19 ticipated in illegal removal of human tissues and or-
20 gans, prosecuting such individuals should they be
21 found on United States soil.

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