

Matas/Kilgour say new Chinese rules on organs must be enforced

David Matas and David Kilgour in a reaction statement released today called on the Government of China to enforce its new rules on organs. The Government of China issued the new rules on Friday April 6 that come into force on May 1. The new rules ban the sale of human organs for profit.

Kilgour and Matas said:

"China has had a history in this area of announcing policies and laws which sound fine in principle but are then not enforced. The announcement of the rule change is welcome. But this announcement will mean nothing if the practice of organ harvesting from non-consenting donors for huge sums of money continues."

"This announcement of a rule change is, in effect, a statement that China is going to stop organ harvesting from unwilling donors for huge sums of money. The very statement that they are going to stop doing this is an admission that this practice is now happening."

"We worry that this announcement of a change in the law is nothing more than political cosmetics, a piece of propaganda."

David Kilgour and David Matas are authors of a report on organ harvesting of Falun Gong practitioners in China. The first version of the report was released on July 6, 2006; the second version was released on January 31, 2007. They concluded that thousands of Falun Gong practitioners are being executed by medical professionals for commercial reasons and their vital organs sold, often to foreigners. The revised report almost doubled, from 18 to 33, the number of evidentiary factors leading to their conclusion. Both versions are available at <<http://organharvestinvestigation.net>>. Their full reaction statement is attached to this release.

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Reaction statement of David Matas and David Kilgour

Re: Chinese announcement of the rule change for organ transplants

May 2, 2007

China has had a history of announcing policies and laws about organ transplants which sound fine in principle but are then not enforced. The most recent official Chinese announcement of the rule change for organ transplants, banning their sale for profit, is welcome. But this announcement will mean nothing if the practice of organ harvesting from non-consenting donors for huge sums of money continues. The new rules have to be enforced.

China enacted another law last March which came into force July 1st, 2006 also banning the sale of organs. Even before that China had a policy in place to prevent such practices.

Deputy Health Minister Huang Jiefu, speaking at a conference of surgeons in the southern city of Guangzhou in mid November 2006 decried the selling of organs from executed prisoners sentenced to death saying "Under-the-table business must be banned". Yet, it was already banned in law on July 1 and by policy much before that. His speech was an official acknowledgment that previous bans were not effective.

We concluded in our report "Bloody Harvest" that thousands of Falun Gong practitioners are being executed by medical professionals for commercial reasons and their vital organs sold, often to foreigners. The first version of the report was released on July 6, 2006; the second version was released on January 31, 2007. The revised report almost doubled, from 18 to 33, the number of evidentiary factors leading to our conclusion. The Government of China has yet to come up with any facts or figures contradicting our report.

One of the reasons we came to the conclusion in our report "Bloody Harvest" that organ harvesting of Falun Gong practitioners occurs is that the precautions which should be in place to prevent this organ harvesting are not in place. The announcement of this rule change vindicates that observation. The change in the law is a tacit admission that the present legal system has been inadequate to prevent the practices we decry.

This announcement of a rule change is, in effect, a statement that China is going to stop organ harvesting from unwilling donors for huge sums of money. The very statement that Chinese hospitals are going to stop doing this is an admission that this practice is now happening.

We worry that this announcement of a change in the law is nothing more than political cosmetics, a piece of propaganda. That is what both the March 2006 announcement of a law change for July 1, 2006 and previous policy announcements turned out to be.

The Chinese authorities have built a vast array of transplant centres. Many Falun Gong practitioners remain in detention centres and forced labour camps. Will the military hospitals and surgeons, which to date have functioned outside the civilian health system and are heavily involved in transplants, be required to comply with the new regulations?

The practice of organ harvesting from unwilling donors on payment of huge sums of money has survived all the previous policy announcements. It remains to be seen whether this law change will be any different.

The announcement is an acknowledgement that the transplant industry in China is causing the Government of China political problems. We say that these problems will not be solved by a re-announcement of a policy which has been announced several times before. We will continue to scrutinize Chinese transplant practices. We ask the global community not to allow this announcement to lull them into the belief that now in China, for transplants, everything is all right.