



Written Testimony for the Record

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Before the Congressional-Executive Commission on China,
Hearing entitled: ***“Stopping the Crime of Organ Harvesting—What More Must Be Done?”***

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Chairman Smith, Co-Chairman Merkley, and distinguished members of the Commission, thank you for holding a hearing on the crucial issue of forced organ harvesting. We appreciate the opportunity for our organization to provide additional written testimony on this subject.

As we speak, we believe that the cogs of the state-subsidized industry of organ harvesting are churning in China. Chinese hospitals are colluding with police departments and the justice system to hold prisoners of conscience against their will, often in violation of legal procedures.¹ The victims are then subjected to examinations for organ compatibility, after which they are matched with patients under extremely short wait times. At the allotted time, their healthy organs are systematically removed to meet the demands of “organ tourists” and Chinese patients in a rapidly growing industry. After victims are killed in the process, their bodies are cremated—a practice reportedly aimed at erasing evidence of transplantation abuse, according to families alleging organ harvesting.²

Among the primary targets of this practice in China are Falun Gong practitioners, with credible estimates suggesting the number of victims could be in the tens of thousands annually.³ Numerous allegations of mass murder of Falun Gong practitioners for organs have surfaced since 2006. In recent years—even after Chinese health authorities claim to have switched to a voluntary donor system—substantive reports from whistleblowers, victims’ families, and independent investigators have emerged, rendering the position of the Chinese Communist Party (CCP) and its defenders, who seek to deny the claims, increasingly untenable.⁴ According to a Freedom House 2017 report, “the organ transplant industry in China remains enormous and growing, even as the number of judicially executed prisoners has declined over the past decade.”⁵ The final judgment of the China Tribunal in 2019 agrees, “Forced organ harvesting has been committed for years throughout China on a significant scale and that Falun Gong practitioners have been one – and probably the main – source of organ supply.”⁶

¹ Faluninfo Library, “Falun Gong: 24 Years of Persecution: Key Developments and Prisoner Cases 2022-2023,” July 2023, <https://library.faluninfo.net/falun-gong-24-years-of-persecution-report/>.

² Faluninfo TV, “Han Yu Story”, 2022. <https://tv.faluninfo.net/han-yu-story-irf-summit-organ-harvesting/>.

³ David Matas & David Kilgour, “Bloody Harvest: Revised Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China”, January 31, 2007. http://organharvestinvestigation.net/report0701/report20070131.htm#_Toc160145138.

⁴ <https://faluninfo.net/forced-organ-harvesting-in-china-falun-gong/>; Interview with Huang Jiefu, January 8, 2015. <http://t1.cn-healthcare.com/article/20150108/content-468177.html>.

⁵ Sarah Cook, “Falun Gong,” The Battle for China’s Spirit, Freedom House, 2017, <https://freedomhouse.org/report/2017/battle-china-spirit-falun-gong-religious-freedom>.

⁶ China Tribunal, “Judgement”, China Tribunal, June 17, 2019, <https://chinatribunal.com/final-judgment/>.

This submission presents updates on three areas related to forced organ harvesting, followed by policy recommendations:

- **Survivors of Chinese incarceration report blood testing and medical examinations, alluding to reverse and unethical donor matching**, according to dozens of personal interviews documented by the Falun Dafa Information Center in 2023.
- **At least six states have drafted, introduced, or passed legislation aimed at stopping forced organ harvesting in China.** Similar international government actions include those taken by the European Parliament, the United Kingdom, Canada, and Taiwan.
- **Even as some international actors are taking steps to address this crime, others seek to discredit sound evidence or choose to stay silent on the issue of forced organ harvesting**, effectively aligning their interests with Beijing and enabling transplant abuse to continue.

1. Systematic Testing on Falun Gong Practitioners in Custody

Unlike the voluntary donor system in the United States, blood testing and medical examinations of people held in Chinese custody suggest “extrajudicial organ sourcing from these populations are the most plausible and parsimonious explanation” for the rapid availability and extraordinary growth of China’s market, according to a 2020 report by Victims of Communism Memorial.⁷ In June 2021, U.N. independent experts also expressed concern that prisoners of conscience in China are “forcibly subjected to blood tests and organ examinations such as ultrasound and x-rays, without their informed consent; while other prisoners are not required to undergo such examinations. The results of the examinations are reportedly registered in a database of living organ sources that facilitates organ allocation.”⁸

The aforementioned reports are consistent with interviews conducted by the Falun Dafa Information Center in 2023 with refugees who had previously been detained in China for practicing or sharing information related to Falun Gong and the persecution suffered by believers. Over a dozen survivors who emigrated from China attest to extensive physical examinations and frequent blood tests conducted at detention facilities or prisons by third-party affiliated nurses or medical staff. According to our documentation, Falun Gong practitioners were singled out and transferred as a group to a local hospital for testing, or escorted individually into a blacked-out van parked in front of the prison, accompanied by nurses wearing unmarked scrubs and medical equipment. Other detainees were reportedly not targeted for such medical procedures, nor were they escorted to other locations or subjected to the same frequency of medical check-ups.

The following cases of Falun Gong practitioners forcibly having blood drawn by the police suggest that the atrocities still continue. Unfortunately, most victims of forced organ harvesting are not reported due to the CCP’s routine cremation of their bodies, often without the permission of their families. Besides the cases listed below, three additional individuals who left China since

⁷ Matthew Robertson, “Organ Procurement and Extrajudicial Execution in China: A Review of the Evidence (March 10, 2020).” Available at SSRN: <https://ssrn.com/abstract=3598791> or <http://dx.doi.org/10.2139/ssrn.3598791>.

⁸ “China: UN human rights experts alarmed by ‘organ harvesting’ allegations,” United Nations, <https://www.ohchr.org/en/press-releases/2021/06/china-un-human-rights-experts-alarmed-organ-harvesting-allegations?LangID=E&NewsID=27167>.

2023 have relayed similar experiences in interviews, but for privacy and security reasons have asked that the full details not be made public at this time.

- Mr. Huang Liwu was sentenced to two years in Fanjiatai, Hubei Province. From July 2016 to September 2018, his blood was drawn four times for physical examinations. Huang moved to Australia in 2018.⁹
- In 2017, Ms. Zhang Yanhua, a China Tribunal witness, was held in Qiqihar City Detention Center. Her blood was taken once when she first entered the detention center but was never given a reason why. During her detention, her blood was tested two additional times, and her heart was examined. She did not witness other detainees undergo medical exams. Zhang moved to the Netherlands in 2018.¹⁰
- In 2015, when Mr. Zhang Su was serving a six-year sentence in Hubei, prison guard ordered all Falun Gong practitioners to have blood drawn. They claimed to be checking for infectious diseases, but non-practitioner prisoners were excluded. In a previous detention in 2011, officer Jiang Lili reportedly threatened him, “The Communist Party will kill you like killing an ant. Tomorrow, they can execute you and say that you committed suicide. All your family gets is a box of ashes. They can send you to the hospital to take your organs out, like what happened in Sujiatun.”¹¹ Zhang moved to New Zealand in 2018.
- In 2013, Ms. Wei Jun, a middle school teacher, was twice transferred to detention without trial or notice to her family. Guards in the first detention center reportedly threatened her, “We will cut you open, harvest your organs, and sell them.” The director of the second detention center, Li Lijun, allegedly said, “Doctors in the hospital are cooperating with us in the name of medical exams for your health, to see if your physical indicators meet the standards for organ harvesting.” The local 610 Office director, Yu Xiaofeng, also remarked, “Your eyes are good [for being harvested].”¹² Wei moved to Australia in June 2023.
- From 2006 to 2008, Mr. Bu Dongwei, a high-profile Amnesty International rescue case, was placed into a re-education through labor facility. Medical tests were reportedly performed on him and other Falun Gong practitioners every three months while other prisoners were not tested.¹³ Bu currently lives in California.

2. Actions in the United States and Abroad

In the United States, two pieces of federal legislation have moved forward. The bipartisan Stop Forced Organ Harvesting Bill, introduced in February 2023, was passed by the House of Representatives in March 2023 with a 413-to-2 vote.¹⁴ Its Senate companion bill remains

⁹ Huang Liwu, Interview by Cynthia Sun, Falun Dafa Information Center, September 13, 2023.

¹⁰ China Tribunal, “Zhang Yanhua,” December 2018, <https://chinatribunal.com/wp-content/uploads/2019/11/Zhang-Yanhua.pdf>.

¹¹ Mr. Zhang Su Poisoned and Beaten in Brainwashing Center, Police Threaten to Harvest His Organs,” Minghui.org, September 25, 2012, <https://en.minghui.org/html/articles/2012/9/25/135583.html>.

¹² Cindy Li, “Victim of CCP Persecution Told to ‘Contribute’ Herself to Beijing’s Live Organ Harvesting Program,” *The Epoch Times*, July 19, 2023, <https://www.theepochtimes.com/world/victim-of-ccp-persecution-told-to-contribute-herself-to-beijings-live-organ-harvesting-program-5402691>; “If You Don’t Sign Your Name, We Will Cut You Open, Harvest Your Organs, and Sell Them,” Minghui.org, November 30, 2013, <https://11/30/143440.html>.

¹³ “Bu Dongwei,” Amnesty International, 2008, <https://www.amnestyusa.org/victories/bu-dongwei/>; “Speakers Expose the Transplants that Take Lives,” International Coalition to End Transplant Abuse, July 31, 2014, <https://endtransplantabuse.org/speakers-expose-the-transplants-that-take-lives/>.

¹⁴ Cynthia Sun, “The Stop Forced Organ Harvesting Act Passes in US House with Bipartisan Support,” Falun Dafa Information Center, <https://faluninfo.net/the-stop-forced-organ-harvesting-act-passes-in-us-house-with-bipartisan-support/>.

pending. The Falun Gong Protection Act, re-introduced in June 2023, remains pending in the House.¹⁵ If adopted, the two bills would impose sanctions on perpetrators (individuals and entities) involved in forced organ harvesting and create a reporting mechanism on organ harvesting.

At least six states—Texas, Utah, Arizona, Idaho, Missouri, and Massachusetts—have drafted, introduced, or passed legislation aimed at preventing American demand for and complicity in organ harvesting in China.¹⁶ A seventh state, Virginia, has passed multiple city-wide resolutions to target organ harvesting. Texas and Utah are the only states thus far that have adopted laws; the former came into effect in September 2023 and the latter will begin in May 2024. The laws aim to end health insurance coverage for organ transplants conducted in countries known to have organ harvesting like China. The bipartisan Texas law states that “organs may have been harvested from hundreds of thousands of incarcerated people, mainly Falun Gong practitioners.” These state laws are the first in the United States to enact complicity prevention measures for American patients. Relevant laws in other democracies, like the United Kingdom, Canada, the European Parliament, and Taiwan, also target forced organ harvesting in China.¹⁷

After an article in the American Journal of Transplantation was published, which demonstrated unethical use of claimed brain-dead donors in 2022, medical organizations have also implemented stricter regulations on transplant publications, and in some cases, even issued bans due to organ harvesting concerns in China.¹⁸ The International Society for Heart and Lung Transplantation prohibited article submissions involving organs or tissue from donors in China, while cautioning against training physicians for potentially unethical transplants.¹⁹ A peer-reviewed article in the Cambridge Quarterly of Healthcare Ethics called for a “systematic investigation into organ donation from claimed brain-dead donors [in China].”²⁰ Subsequently, in July 2023, the Association of American Physicians and Surgeons urged against any involvement in forced organ harvesting, specifically highlighting China: “United States government and American physicians should refuse to condone, enable, facilitate, or participate in forced organ harvesting, as by: educating or training personnel from a totalitarian country like...China.”²¹

3. International Actors Enabling CCP Impunity

Even as some members of the medical profession are taking serious action to avoid complicity and reduce incentives for organ harvesting, other leading medical professionals, academic

¹⁵ Congress.gov. "H.R.4132 - 118th Congress (2023-2024): Falun Gong Protection Act." June 21, 2023. <https://www.congress.gov/bill/118th-congress/house-bill/4132>.

¹⁶ Texas S.B. 1040, <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=88R&Bill=SB1040>; Utah S.B. 262, <https://le.utah.gov/~2024/bills/static/SB0262.html>; Arizona HB2504, <https://apps.azleg.gov/BillStatus/BillOverview/80377>; Idaho House Bill 670, <https://legislature.idaho.gov/sessioninfo/2024/legislation/H0670/>; Missouri HB2624, <https://trackbill.com/bill/missouri-house-bill-2624-establishes-the-end-organ-harvesting-act-of-2024/2505596/>; Massachusetts—legislation yet to be introduced.

¹⁷ Bill 147, “An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs),” 1st Sess, 44th Parl, 2022 (assented to 15 December 2022), 2022, c 18. <https://www.parl.ca/LegisInfo/en/bill/44-1/s-223>.

¹⁸ Jacob Lavee and Matthew P. Robertson. “Execution by organ procurement: Breaching the dead donor rule in China,” American Journal of Transplantation, 22 (July 2022): <https://doi.org/10.1111/ajt.16969>.

¹⁹ “Aftermath of 20th Party Congress in China and Canada,” Falun Dafa Information Center, <https://faluninfo.net/aftermath-of-20th-party-congress-in-china-and-canada/>; Adnan Sharif, Sheldon Stone, Susie Hughes, “ISHLT, trans-plant ethics and forced organ harvesting,” The Journal of Heart and Lung Transplantation, 41, no. 12, (2022) 1657-1659. <https://doi.org/10.1016/j.healun.2022.09.013>.

²⁰ Paul, Norbert W., Kirk C. Allison, and Huige Li. “Cases Abusing Brain Death Definition in Organ Procurement in China.” Cambridge Quarterly of Healthcare Ethics 31, no. 3 (2022): 379–85. <https://doi:10.1017/S0963180121001067>.

²¹ “AAPS Position Statement on Forced Organ Harvesting,” Association of American Physicians and Surgeons, July 4, 2023, <https://aapsonline.org/aaps-position-statement-on-forced-organ-harvesting/>.

research institutions, and media companies have unfortunately acted in support of the CCP by training doctors or trying to suppress discussion or news reporting on the issue. Some claim that CCP officials and their transplant industry align with the World Health Organization's (WHO) Guiding Principles on transparency and oversight, but investigations such as the ones noted above raise doubts that this is the case.

Last week, an investigation by *The Telegraph* exposed that Oxford University had organized training programs in 2023 attended by at least 16 Chinese transplant doctors reportedly involved in organ harvesting.²² Two weeks ago, I spoke at an event on organ harvesting at Harvard University in Boston, and personally saw emails sent out by American surgeons trying to deter people from attending and at least one moderator from speaking at the event.

In a 2022 Hudson Institute report on organ harvesting, Nina Shea points to the support of CCP officials by individuals like Harvard's Dr. Francis Delmonico, who "praised Huang [Jiefu] as a "courageous leader" in congressional testimony" after touring Chinese hospitals in a WHO investigation.²³ Notably, Huang Jiefu proposed and appointed himself to that 2017 WHO organ transplant task force to investigate China. International pressure for a re-investigation has surged.

Media companies in the United States have also played a role in limiting public attention on this issue. While several US outlets reported on the findings of the China Tribunal in 2019, there have been almost no original investigations. On the contrary, leading papers like the *New York Times* have been silent on forced organ harvesting. This is despite the fact that in 2015-2016 one of the *Times*' China reporters—Didi Kirsten Tatlow—was eager to pursue the story after she overheard an exchange between two Chinese doctors indicating that harvesting of organs from prisoners of conscience had occurred and appeared to be common knowledge among some medical specialists, while a reported ban on continuing the practice was not. In testimony that Tatlow relayed to the China Tribunal, she noted that:

I'd like to say that it was my impression the New York Times, my employer at the time, was not pleased that I was pursuing these stories [on organ transplant abuses], and after initially tolerating my efforts made it impossible for me to continue.

Such dismissiveness vis-à-vis brutal and systematic human rights violations is irresponsible and contributes to the impunity that enables the perpetrators to continue.

Recommendations

Investigate the extent of American participation in aiding and/or abetting forced organ harvesting in China. Additional congressional hearings on this issue and media investigations, like the one conducted by *The Telegraph* on Oxford, need to be conducted on American entities to increase transparency on the extent of domestic involvement with organ harvesting in China.

²² Henry Bodkin, "Oxford University held training sessions attended by Chinese doctors accused of harvesting organs," March 9, 2024, <https://www.telegraph.co.uk/news/2024/03/09/oxford-university-training-chinese-accused-organ-harvesters/>.

²³ Nina Shea, "China's Forced Organ Harvesting Demands US Response," Hudson Institute, RealClearPolitics, September 1, 2022, <https://www.hudson.org/foreign-policy/china-s-forced-organ-harvesting-demands-us-response>.

Reevaluate China's presence in international medicine, with particular attention to American institutions having trained at least 344 of China's transplant doctors. A 2022 editorial in the British Medical Journal argued for a reevaluation of Beijing's presence in the World Medical Association, because "the Chinese government systematically deployed medical professionals, medical skills, and medical technologies in pursuit of these [organ harvesting] crimes."

Adopt legislation to minimize potential international complicity in organ transplant abuses, including in China. The Senate should immediately mark-up and pass the Stop Forced Organ Harvesting Act in the Senate. The legislation would grant authority to the US government to punish perpetrators involved in organ harvesting in China and other countries, including visa-blocking sanctions, a maximum of \$1 million fine or 20 years in prison. State legislatures who have yet to do so should introduce state legislation to educate Americans and prevent patients from unwittingly being complicit in forced organ harvesting.

Formally evaluate and consider a determination of whether crimes against humanity and/or genocide have been committed against Falun Gong, particularly considering the issue of forced organ harvesting raised by this hearing today.

Meet with former detainees, torture survivors, and families of organ harvesting victims at the state, federal, and diplomatic level to signal support. High-level officials, including presidents, vice presidents, prime ministers, secretaries of state, ambassadors, and diplomatic staff should meet with recent survivors or relatives to better understand conditions in China that would otherwise be inaccessible.