

November 15, 2018

Dear Sir Geoffrey Nice and members of the tribunal,

My name is Sarah Cook. I am a senior research analyst for East Asia at Freedom House, a non-profit organization dedicated to the promotion of democracy and human rights around the world. I have worked for Freedom House for 11 years and have served as the organization's chief analyst on China for eight. I reside in New York and received a Bachelor's Degree in International Relations from Pomona College and as a Marshall Scholar, completed two masters degrees in politics and international law at the School of Oriental and African Studies in London. I have been involved with human rights causes and research related to China since 2001.

My recent work at Freedom House has included authoring a 140-page special report on religious freedom in China published in February 2017, titled: [\*The Battle for China's Spirit: Religious Revival, Repression, and Resistance under Xi Jinping.\*](#)

Enclosed for your reference is a copy of that report. You may find the following pages of particular relevance to your inquiry and as context on the broader situation of religious persecution in China:

- Executive summary: pgs 1-3.
- Evolving mechanisms of religious control essay, including sections on indoctrination, imprisonment, and economic exploitation: Pgs 15-23.
- Uighur sections of Islam chapter: Pgs 66-85.
- Falun Gong chapter: Pgs 108-129.

Although the question of forced organ harvesting was not a primary focus of the study, my research team and I did review evidence available at the time and conducted a number of our own interviews with several relevant individuals. The following are the specific sections of the report relaying our findings:

**Excerpt from Evolving Mechanisms of Religious Control essay (pg 21).**

"[T]here is evidence suggesting that religious prisoners have been killed extrajudicially to provide organs for China's booming organ transplant industry. Numerous circumstantial facts, expert analyses, and eyewitness accounts point to the victimization of Falun Gong practitioners in particular. Large numbers of transplants continue to be performed with short waiting times, despite a shrinking number of judicial executions and a still miniscule number of voluntary donors. In this context, the large-scale disappearance of young Uighur men, accounts of routine blood-testing of Uighur political prisoners, and reports of mysterious deaths of Tibetans and Uighurs in custody should raise alarm that these populations may also be victims of involuntary organ harvesting." *[Endnote for this paragraph: For example, a Uighur Muslim released from an Urumqi prison in 2011 gave Freedom House a detailed account of monthly blood tests administered to Uighur political and religious prisoners and not to Chinese criminal inmates. He and two Tibetan interviewees cited reports of mysterious deaths of fellow believers in custody. Interview with Uighur refugee now living in Turkey who wished to remain anonymous, October 2016.]*

### **Excerpt from Falun Gong chapter “Key Findings” (pgs 108-109)**

**“Economic exploitation:** The party-state invests hundreds of millions of dollars annually in the campaign to crush Falun Gong, while simultaneously engaging in exploitative and lucrative forms of abuse against practitioners, including extortion and prison labor. Available evidence suggests that forced extraction of organs from Falun Gong detainees for sale in transplant operations has occurred on a large scale and may be continuing.”

### **Excerpt from Falun Gong chapter “The money trail” section (pgs 120-121)**

“It is in the context of dehumanizing propaganda, severe abuse in custody, and economic inducements that the ultimate form of financial exploitation has been reported: the killing of Falun Gong detainees and the extraction of their organs to be sold at high prices to Chinese patients and foreign “transplant tourists” as part of a multibillion-dollar industry. The allegations first surfaced in 2006, and several investigations by foreign journalists and legal specialists have found them to be credible;<sup>1</sup> some members of the medical community have voiced their own concerns.<sup>2</sup>

There are indubitably serious problems surrounding the sources of organs for transplants in China.<sup>3</sup> A thorough investigation into these sources is beyond the scope of this study. Nevertheless, Freedom House reviewed available evidence compiled by other investigators (including phone calls made to Chinese doctors), interviewed former Falun Gong prisoners of conscience who provided detailed accounts of blood tests in custody, spoke to a Taiwanese doctor whose patients have traveled to China for transplants, and met with the friend of a military hospital employee who had firsthand knowledge of organ extraction from a Falun Gong detainee as recently as 2011.<sup>4</sup> The above review found credible evidence suggesting that beginning in the early 2000s, Falun Gong detainees were killed for their organs on a large scale.

There are reasons to believe that such abuses continue. The organ transplant industry in China remains enormous and growing, even as the number of judicially executed prisoners has declined over the past decade.<sup>5</sup> After admitting that extracting organs from executed prisoners was problematic, the Chinese government has initiated a voluntary organ-donor system, but its

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<sup>1</sup> Kilgour and Matas, “Bloody Harvest;” Ethan Gutmann, *The Slaughter: Mass Killings, Organ Harvesting, and China’s Secret Solution to its Dissident Problem* (New York: Prometheus Books, 2014).

<sup>2</sup> See for example A. Sharif, M. Fiatarone Singh, T. Trey, and J. Lavee, “Organ procurement from executed prisoners in China,” *American Journal of Transplantation* 14, no. 10 (2014): 2246–2252, <http://onlinelibrary.wiley.com/doi/10.1111/ajt.12871/pdf>.

<sup>3</sup> A lack of transparency is exacerbated by Chinese officials’ vacillating explanations of their sources. For example, after years of denying that executed prisoners were used to supply organs for transplant, officials admitted in November 2006—shortly after the emergence of the more damning allegations regarding Falun Gong—that the majority came from prisoners. Anna Schecter, “China Admits Selling Prisoners’ Organs,” *The Blotter* (blog), ABC News, November 27, 2006, [http://blogs.abcnews.com/theblotter/2006/11/china\\_admits\\_se.html](http://blogs.abcnews.com/theblotter/2006/11/china_admits_se.html)

<sup>4</sup> Interview with Taiwanese urologist who wished to remain anonymous, March 2016; interview with a technologist and Falun Gong practitioner from Beijing who wished to remain anonymous, June 2016. The Beijing interviewee’s friend apparently relayed the highly sensitive incident to him as a warning, knowing that he was a Falun Gong practitioner.

<sup>5</sup> Duihua Foundation, “China Executed 2,400 People in 2013,” October 20, 2014, [http://duihua.org/wp/?page\\_id=9270](http://duihua.org/wp/?page_id=9270).

capacity remains small. Moreover, in 2014, a top health official announced that organs from prisoners would be embedded within the same database, even though prisoners are not in a position to provide free consent for “voluntary” donations.<sup>6</sup>

A detailed June 2016 study of publicly available data on the number of transplants being conducted at medical institutions in China found that the scale is many times greater than the 10,000 transplants per year often cited by officials.<sup>7</sup> This would indicate that the discrepancy between known supply and actual transplant volume may be even larger than previously appreciated, increasing the risk to Falun Gong practitioners, other prisoners of conscience, and criminal detainees.”

### **New concerns over escalated persecution in Xinjiang**

Since the conclusion of our research for the report in late 2016, a series of developments in Xinjiang have occurred which could indicate a current or future plan to use Uighur or other Muslim minority detainees as sources for China’s booming organ transplant industry, although arguably other explanations may also exist. Specifically:

- **Mass extralegal detention:** A network of “political re-education” camps in the region has expanded rapidly. Human rights groups estimate that one million or more ethnic Uighurs, Kazakh, Uzbek, and Hui citizens are reportedly being detained for indoctrination, seemingly indefinitely, although some have been released or prosecuted judicially. Reports of mistreatment, torture, and deaths in custody at the facilities have already emerged.
- **Widespread DNA testing and other medical examinations:** In December 2017 [Human Rights Watch](#) reported that Chinese authorities in Xinjiang were significantly expanding access to biological data of residents by “collecting DNA samples, fingerprints, iris scans, and blood types of all residents in the region between the age of 12 and 65.”
- **Crematoria expansion:** In June 2018, [Radio Free Asia](#) reported that according to local officials, authorities in Xinjiang “are rapidly constructing crematoria staffed by dozens of security personnel.” Between March 2017 and February 2018, the regional government issued tenders for contractors to build nine “burial management centers” in mostly Uighur-populated areas. The article attributed the trend to an official effort to discourage traditional Uighur burial ceremonies, but a Han Chinese staff person at one crematorium told the reporters that police typically make cremation arrangements and that some corpses of individuals who had died at the indoctrination camps had been brought to his center.
- **Transfer of Uighur prisoners from Xinjiang to other provinces:** In recent months, [reports](#) have begun to emerge of Uighurs who had been sentenced to prison being transferred in large numbers to detention facilities in other provinces. One interpretation of the transfers is that the purpose is to avoid overcrowding of facilities in Xinjiang, but another possible explanation could be to move potential organ “donors” closer to a wider range of hospitals.

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<sup>6</sup> A. Sharif, M. Fiatarone Singh, T. Trey, and J. Lavee, “Organ procurement from executed prisoners in China,”

<sup>7</sup> David Kilgour, Ethan Gutmann, David Matas, “Bloody Harvest/The Slaughter: An Update,” June 22, 2016, [http://endorganpillaging.org/wp-content/uploads/2016/06/Bloody\\_Harvest-The\\_Slaughter-June-23-V2.pdf](http://endorganpillaging.org/wp-content/uploads/2016/06/Bloody_Harvest-The_Slaughter-June-23-V2.pdf)

- **Ongoing organ transplant tourism from the Middle East:** In October 2017, a Korean television network conducted an undercover on-site investigation of a prominent transplant hospital in Tianjin.<sup>8</sup> Among the findings of their investigation was that a large number of organ recipients had come from the Middle East alongside patients from South Korea and elsewhere. Hospital staff and patients interviewed reported wait times for organs were between days and weeks. Although ethnic proximity is not essential for successful transplantation, my understanding is that it can improve matching and receptivity. From that perspective, organs extracted from Uighur detainees could be a useful supplement to ones taken from Han prisoners to serve patients traveling from the Middle East or Central Asia.

Given the above, I would encourage the tribunal to seek out other witnesses with relevant regional or medical expertise who may be able to shed light on questions such as:

- Has any expansion occurred or been planned to hospitals within Xinjiang, and particularly to any transplant centers there, such as at Xinjiang Medical University? Analysis of procurement records, which have informed investigations of re-education centers, could potentially be applied to hospitals, as well as other government documents, and may help find an answer to this question.
- What biometric or other medical data is being collected from Uighurs on a large scale, especially those in detention, and would such data be useful for identifying organ “donors” to match recipient patients?
- Is additional information available on the scale – now or projected into the future – of organ transplant tourism from the Middle East and Central Asia? Are wait times for such patients unusually rapid, suggesting reverse matching from an available population of “donors”? Would organs from ethnic Muslim minorities indeed be more desirable than from Han Chinese for such recipient patients?

Thank you for your attention to this critical human rights issue and please let me know if you have any further questions.



Sarah Cook

Senior Research Analyst  
Freedom House  
111 John Street, Floor 8  
New York, NY 10005

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<sup>8</sup> Kim H, Shin D. TV Chosun, Documentary on Transplant Tourism to China. Hospital visit excerpt with English subtitles by the China Organ Harvesting Research Center: <https://vimeo.com/250087127/37c9aedd40>  
Original full documentary in Korean: <https://youtu.be/dDsDfgQSgdg>