

Canada Magnitsky Act Submission
Falun Dafa Association
March 2018

2. Perpetrator Information : Huang Jiefu (黄洁夫)

I. Personal Information



Full Legal Name of Perpetrator: Huang Jiefu (黄洁夫)

Gender: Male

Country: PR China

Date of Birth: March 1946

II. History of Appointments

1. April 2014 – Current, Chair of the National Organ Donation and Transplantation Committee (ODTC), responsible to the Secretariat of ODTC which is under the National Health and Family Planning Commission and Chinese Red Cross.¹
2. Honorary director at the First Affiliated Hospital of Sun Yat-sen University, and honorary director of liver surgery department at Peking Union Medical College Hospital.²
3. 2013 – Current, Chairman (legal representative) of China Organ Transplantation Development Foundation
4. October 2001 – March 2013, China's Deputy Minister of Health
5. 2008 – 2014, director of China Organ Donation Committee (ODC), later merge into China Organ Donation and Transplant Committee
6. July 2006 – March 2014, director of China's Organ Transplant Committee (COTC), later merge into the current China Organ Donation and Transplant Committee
7. 1982 – 1984, First Affiliated Hospital of Sun Yat-sen University of Medical Sciences, served successively as surgeon, deputy director of Department of Hepatobiliary Surgery; 1987 - 1992, served as director of Department of Hepatobiliary Surgery, vice president.
8. 1992 – 1996, president and Secretary of the Chinese Communist Party (CCP) of First Affiliated Hospital of Sun Yat-sen University of Medical Sciences; vice president and CCP Standing Committee member of Sun Yat-sen University of Medical Sciences.
9. 1996 – 2001, Sun Yat-sen University of Medical Sciences, served successively as president and Deputy Secretary of CCP Committee, president and Secretary of CCP Committee.

¹ http://www.gov.cn/xinwen/2014-03/07/content_2632855.htm

² http://www.pumch.cn/department_ganzwk.html

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10. Member of the 12th CCP's People's Political Consultative Conference (CPPCC) Standing Committee (March 2013– March 2018);³ Member of the 11th CPPCC (March 2008 – March 2013).⁴ Deputy director of Health Care Committee for CCP Central Committee that looks after the health of top cadres.⁵

III. Introduction

1. Prisoners of conscience are being killed for their organs in China, the majority of which are practitioners of Falun Gong. Circumstances surrounding the anomalous escalation in organ transplant volumes in China lead inexorably to this conclusion. The beginning of the explosive growth in organ transplants coincides with the start of the eradication campaign against Falun Gong. Falun Gong practitioners are held at secret detention facilities in immense numbers. They are systematically subjected to blood tests and organ examinations to the exclusion of other inmates who do not practice Falun Gong.

See: David Matas and David Kilgour, “Bloody Harvest, Revised Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China” (January 31, 2007) at p. 27-45
(<https://drive.google.com/file/d/0BxuyXA9XI6jOaXVNS1BuZE4weFk/view>);

Minghui, “A brutal tragedy is still ongoing” (May 9, 2006)
(<http://www.minghui.org/mh/articles/2006/5/9/127277p.html>)

2. Corroboration from a large number of admissions from Chinese hospitals, Chinese officials, and witness testimonies place the aforementioned conclusion beyond reasonable doubt.

See: WOIPFG Report, “The Final Harvest – Chapter 1: The Surge in Organ Transplants: Forced disappearances and Witness Testimonies” (April 16, 2015)
(http://www.upholdjustice.org/node/339#_edn4);

WOIPFG Report, “The Final Harvest – Chapter 2: A State Crime” (April 22, 2016)
(http://www.upholdjustice.org/node/340#_Toc448409593);

David Matas and David Kilgour, *supra*, at p. 71-81, 164-176, 203-211

3. A report in 2016 found that forced organ harvesting is taking place in China, at volume and scale far surpassing official statistics. Through a calculation of bed count, bed utilization

³ <http://www.cppcc.gov.cn/zxww/2013/03/11/ARTI1363006186065864.shtml>

⁴ <http://politics.people.com.cn/GB/shizheng/252/9667/9685/6998614.html>

⁵ “2017 China Non-Government Medical Institution and Hospital Management Summit Forum”
http://www.founder.com/content/details13_651.html

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rates, medical staff numbers, and operating capacities of transplant hospitals and transplant centres, the report concludes that forced organ harvesting of prisoners of conscience continues on an industrial scale.

See: Kilgour, Gutmann and Matas “Bloody Harvest/The Slaughter-An Update, Chapter 10: Exploring Total Volume of Kidney and Liver Transplants”
(<https://endtransplantabuse.org/an-update-chapter-ten-exploring-total-volume-of-kidney-and-liver-transplants/>)

4. Unlike organ trafficking in black markets that take place in other countries, forced organ harvesting in China is organized and led by the State. The Central Military Commission, Political and Legal Affairs Commission, and Ministry of Health (later reconstituted as National Health and Family Planning Commission) are key players in this crime.

See: Kilgour, Gutmann and Matas, *ibid*, at Chapter 12
(<https://endtransplantabuse.org/an-update-chapter-twelve-a-state-crime/>);

WOIPFG Report, “The Final Harvest – Chapter 2: A State Crime” (April 22, 2016)
(http://www.upholdjustice.org/node/340#_Toc448409593);

Torsten Trey, David Matas, “State-Organized Criminal Forced Organ Harvesting”,
Journal of Trafficking and Human Exploitation, Vol. 1, Nr. 2, p. 175-186 (2017)

IV. Background and Overview

5. Huang Jiefu started off as a surgeon at the First Affiliated Hospital of Sun Yat-sen University of Medical Sciences in 1984.
6. In 1984, provisions were signed in China that permitted the harvesting of organs from executed prisoners. In the same year, Huang Jiefu embarked to Australia to study liver transplantation at the medical school of University of Sydney.
7. Upon returning to China in 1987, he continued to serve at the First Affiliated Hospital of Sun Yat-sen University of Medical Sciences. His promotion at the hospital was swift. He first served as the vice president and director of the Department of Hepatobiliary Surgery. By 1992, he had become the President and Secretary of the Chinese Communist Party (CCP) of First Affiliated Hospital of Sun Yat-sen University of Medical Sciences, the highest position of power and authority in the Hospital.
8. It is worth noting that Huang Jiefu may be considered a prodigy and pioneer in the field of organ transplants. In 1993, he completed China’s first case of liver transplant using veno venous bypass, a surgical procedure that diverts blood flow through an external circuit to

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optimize blood circulation during transplant surgery. He was widely considered as a central figure in the second wave of liver transplantation.

9. When the eradication campaign against Falun Gong began in July 1999, Huang Jiefu was reported to have led the party committee, students, and faculty at Sun Yat-sen University to study anti-Falun Gong documents and directives issued by the CCP Central Committee, Ministry of Civil Affairs and Ministry of Public Security. He also engaged them to watch television programs that defamed and demonized Falun Gong.
10. In January 2001, Huang Jiefu told a Guangzhou based newspaper, Yangcheng Evening News, that “struggle against Falun Gong is a serious political campaign. We must have no mercy towards the few active members.” In May 2001, Minghui reported that the campus of Sun Yat-sen Medical University was filled with anti-Falun Gong slogans and banners.

See: WOIPFG, “Investigative Report on Former Vice Minister of Health, Huang Jiefu’s Alleged Unethical Medical Conduct in China” (Nov. 24, 2014)
http://www.upholdjustice.org/node/264#_ednref27

11. Five months later in October 2001, Huang Jiefu was appointed as the Deputy Minister of Health.
12. It is submitted that in the various capacities as the Deputy Minister of Health, Chair of the National Organ Donation and Transplantation Committee (ODTC), an affiliate of the National Health and Family Planning Commission, and the top ranking surgeon of First Affiliated Hospital of Sun Yat-sen University, Huang Jiefu is responsible and complicit in forced organ harvesting of prisoners of conscience in multiple ways. He is responsible as a direct participant, a superior, and an accessory in this crime.
13. In particular, he is responsible for the following crimes:
 - i. Ordering vital organs on demand, with the knowledge that individuals must have been killed expressly for the purpose, and further, with the almost certain knowledge that the identity of those individuals was prisoners of conscience.
 - ii. Engaging in medical research on forced donors, some of whom must have been prisoners of conscience, a fact with which Dr. Huang must have been acquainted.
 - iii. Leading false narratives regarding the sources of organs to domestic and international community, in order to conceal and cover up the crime of forced organ harvesting of prisoners of conscience.

V. Violations

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A) Ordering the Extrajudicial Killing of Prisoners for Organ Transplants

14. In September 2005, Huang Jiefu ordered two spare livers from Guangzhou and Chongqing for an emergency liver transplantation in Xinjiang province. The incident was reported in local media, Urumqi Online and sina.com.cn.

See: Urumqi Online, “Record Breaking Two Liver Transplants in 25 Hours” (October 11, 2005); Sina, “Our first autologous liver transplant was successfully performed in Xinjiang” (October 3, 2005) (The links to these reports were taken down, but details of the original reports are available at http://www.upholdjustice.org/node/264#_edn25)

15. According to the news reports, Huang Jiefu went to The First Affiliated Hospital of Xinjiang Medical University on September 28, 2005 to perform liver transplant for a local Communist Party official. Huang originally planned to conduct an allogeneic transplant on the patient. But upon inspecting the patient’s body cavity, Huang found that an autologous liver transplant would be suitable. As autologous transplant was risky and experimental (meaning that the patient’s liver is removed, the cancer excised, and the liver transplanted back into the body), Huang ordered two spare livers from the First Affiliated Hospital of Sun Yat-sen University of Medical Sciences in Guangzhou, Guangdong province and Third Military Medical University Affiliated Southwest Hospital in Chongqing, Sichuan province.
16. Within a few hours, each hospital had managed to find a donor with the “same blood type and genetic loci” as the patient. Both spare livers arrived to Xinjiang from Chongqing and Guangzhou on the evening of the next day, September 29, 2005. Huang Jiefu began the operation at 7 p.m. on the same day and finished operating at 10 a.m. the following day. After 24 hours of observation, Huang announced that the operation was successful and that the two spare livers were no longer needed.
17. Livers typically have a cold ischemia time of between 6-10 hours. Cold ischemia time is the time between the chilling of organ after its blood supply has been cut off and the time it is warmed by having its blood supply restored in the recipient’s body. The shorter the ischemic time of the organ, the better is the success rate for organ transplant. Organs lose their eligibility for transplant if they are left too long without blood circulation.
18. It takes approximately six hours to fly the liver from Guangzhou to Xinjiang, and several more hours for Huang to perform the autologous liver transplant. If the livers were to be usable as back up for Huang Jiefu’s transplant operation, they must be harvested from donors right before they were sent to Huang. Otherwise, the livers would spend too long without blood circulation during transit and standby, losing their eligibility for transplant before they had the opportunity to be used.

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19. The necessary implication is that two living donors were killed at calculated timing to satisfy Huang Jiefu's order of two backup livers. Such calculated timing is impossible to achieve in voluntary organ donations. The livers could only be obtained through the extrajudicial killing of victims who, as established above, could only plausibly have been prisoners of conscience.
20. This conclusion is corroborated by the fact that the two matching livers were found by the hospitals in a matter of hours, in contrast to wait times of more than two or more years in countries with organ donation programs.
21. As well, Huang Jiefu is an experienced transplant surgeon that must be aware of the difficulty, if not impossibility, in finding and obtaining two viable backup livers from Guangzhou and Chongqing city in normal circumstances. His confidence in issuing the order shows that he is privy to the method and manner in which the hospitals procured organs.
22. No one survives the removal of a whole liver. By ordering two livers from Guangzhou and Chongqing, Huang Jiefu knowingly ordered the extrajudicial killing of two prisoners — almost certainly prisoners of conscience — for his transplant surgery in Xinjiang.

B) Engaging in Medical Research on Prisoners

23. Huang Jiefu is a prolific researcher in transplant technologies. To date, Huang Jiefu has published more than 300 papers in Chinese medical journals.
24. In January 2003, Huang Jiefu co-authored a research article titled "Prevention, diagnosis, and treatment of biliary complications after liver transplantation."

See: CHEN Guihua, LU Minqiang, HE Xiaoshun, ZHU Xiaofeng, , WANG Guodong, YANG Yang, CAI Changjie, **HUANG Jiefu**, "Prevention, diagnosis, and treatment of biliary complications after liver transplantation" 原位肝移植术后胆道并发症的预防与诊治, Chinese Journal of Surgery, Jan. 2003, Vol.41, Issue 1.

25. In the introduction, the article stated, "We discussed and reflected on the prevention, diagnosis, and treatment of biliary complications using data gathered from 123 cases of orthotopic liver transplantation *performed at our centre.*" The article cites the warm ischemia time of the livers as between 30 seconds to 8 minutes, and a cold ischemia time as short as 3.5 hours. (See the underlined in figure 1 below)

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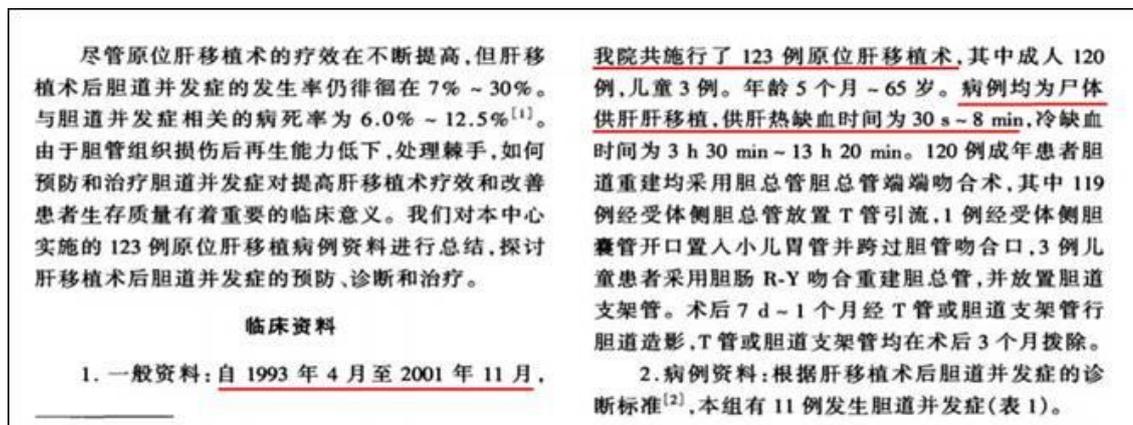


Figure 1. Excerpt of Huang Jiefu's paper on Chinese Journal of Surgery, January 2003

26. The warm ischemia time (see underlined in Fig 1) of an organ refers to the amount of time that the organ remains at body temperature, after its blood supply has been stopped and before it was cooled by perfusion. A warm ischemia time of 30 seconds means that the liver was still connected to the donor's blood supply 30 seconds before it was treated with cold perfusion. In another words, the donor was living just 30 seconds before his/her liver was extracted. The necessary conclusion is that the organs were harvested in operating room conditions, and not on execution grounds.
27. In another words, the victims could only plausibly have been killed in the course of Huang Jiefu's medical research. Given the circumstances surrounding organ transplants in China, this is inconsistent with the well-established pattern and procedures of organ harvesting from death row prisoners, where they are shot at an execution site. This took place in a surgical setting in a hospital. Thus, it is difficult to resist the conclusion that the victims included prisoners of conscience.
28. By employing extrajudicial killings in medical research, circumstances suggest that Huang Jiefu was complicit in these crimes. More importantly, as the CCP secretary and president of the hospital in which the killings took place, and subsequently, as the Deputy Minister of Health, Huang Jiefu was clearly a superior who had authority and control over the subordinates who conducted these killings. Given that Huang Jiefu knew about these killings, and failed to prevent and punish these acts, he is responsible by way of superior responsibility for these crimes.
29. In another academic paper co-authored by Huang Jiefu, 10 liver-pancreas transplants performed between May 2004 and September 2010 were reported. The 10 alleged donors were claimed to be "voluntary donors with no heartbeat, all males, aged 21 to 41, with no history of liver diseases or other large organ diseases." (See Figure 2)

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See: JU Weiqiang, ZHOU Jian, HE Xiaoshun, WANG Dongping, ZHU Xiaofeng, WU Linwei, XING Qiang, GUO Zhiyong, **HUANG Jiefu**, “Perioperative nutrition support therapy for combined ‘en bloc’ liver/pancreas transplantation” 肝胰十二指肠器官簇移植围手术期营养支持疗法探讨, *Chinese Journal of Clinical Nutrition* April 2012, Vol.20, Issue 2.

1.2 供体器官簇
器官簇供体为无心跳自愿捐献供体，均为男性，
年龄 21 ~ 45 岁，既往无肝脏疾病或其他重大脏器疾
病史，病原学检查阴性，血型与受体相同。采取腹
部多器官联合快速切取技术获取肝脏、胰腺、脾

Figure 2: Aforementioned 2012 Journal Article

30. The underlined said, “organs were from no heartbeat voluntary donors.” However, organs used in this study could not have been sourced from voluntary donors between 2004 and 2010. China only commenced its pilot organ donation programme in 2010, and its implementation only began as late as 2013. An academic article noted that between 2003 and 2009, there were only 130 freely donated organs in China among the vast population of over 1.3 billion. To locate 10 voluntary male donors, aged 21-41, with no history of liver diseases or other large organ diseases for the study is nearly impossible.

See: Sharif et al, “Organ procurement from executed prisoners in China.” *American Journal of Transplantation*, XX, p.3. (2010)

31. Consistent with the previous findings, the reasonable conclusion is that these organs are procured from extrajudicial killings, crimes for which Huang Jiefu is clearly complicit.

C) Leading False Narratives to Conceal and Cover up

32. Since 2005, Huang Jiefu has held himself out as the key messenger, ambassador, and public relations officer of the organ transplantation system in China. As the public face of the health authorities on organ transplantation in China, he was the bridge between the organ transplantation system in China and the international community. In this capacity, Huang sought to educate the international community on the state of organ transplantation in China. The international community, in turn, relied on Huang’s authority and knowledge in their assessment and judgement.

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33. Through numerous international conferences, meetings, and events held by the WHO, Vatican and other organizations, Huang sought to confess, on behalf of health authorities in China, that transplantation organs were procured from death row prisoners. At the same time, Huang promised health reforms. In particular, Huang promised that China was transitioning from reliance on death row prisoners to a wholly voluntary system of organ donation. In 2015, Huang announced this transition and subsequently declared this transition successful in the mere months that followed.
34. Huang's statements before the international community have been key in building public confidence in China's organ transplantation system while placating criticisms and concerns over China's organ transplant abuse. By attributing the unknown organ sources in China to death row prisoners who were already sentenced to die, Huang led a narrative that, although still ethically controversial, was justifiable by a utilitarian appeal. By promising reform, Huang led the international community to sit on the side lines while anticipating China's reform from within. In all events, Huang portrayed the organ transplantation system in China as one that although fraught with difficulties, is ultimately well meaning and altruistic.
35. It is submitted that Huang Jiefu's narratives are deliberate and calculated falsehood. His spokespersonship is subtle and artful, but its intended effects are clear. By conceding organ sourcing from death row prisoners, he implicitly denied forced organ harvesting from prisoners of conscience—victims who were never sentenced, let alone sentenced to die. Through promises of internal reform, Huang pacified and discouraged the international community from taking affirmative actions to investigate and stop the crime of forced organ harvesting of prisoners of conscience in China. Huang Jiefu played a pivotal role in steering public perceptions and opinions regarding organ transplants in China, and it is submitted that he has been deliberately steering public attention away from the ongoing fact of forced organ harvesting of prisoners of conscience in China.
- (i) *Knowledge of Forced Organ Harvesting of Prisoners of Conscience*
36. To establish that Huang Jiefu's narratives are false is one thing. To establish that Huang Jiefu's narratives are intentionally false and misleading is another. The second allegation requires a finding of knowledge, that Huang Jiefu is aware of the true state of affairs, i.e. the organs are actually forcibly harvested from prisoners of conscience in China.
37. It is submitted that Huang Jiefu is well aware of this fact.
38. In his capacity as the Deputy Minister of Health from October 2001 to March 2013, Huang Jiefu oversaw and presided over the entire system of organ transplantation in China. In the

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2016 report published by Kilgour, Gutmann and Matas (KGM), the authors stated the following:

“The Ministry of Health (MOH) and later the National Health and Family Planning Commission (NPFPC) led the health care system in the transplantation of organs. In organizing, driving, and directly carrying out such activities, these agencies are fully responsible for overall planning, making policies, regulating and managing China’s human organ transplant industry and the organ donation and allocation system.

These agencies centrally coordinate and guide the Chinese organ transplantation systems: procurement and allocation, clinical care and services, post-operative registration, oversight, and donation. These agencies also organize and implement training and sharing in the regulations, policies, and techniques for transplantation. In particular, they evaluate the qualifications of the transplant institutions, as well as the capabilities and management of clinical practices. They also grant and manage permits to the qualified transplant centres. This means the 169 licensed hospitals (to conduct organ transplants) are approved by this NPFPC.”

See: Kilgour, Gutmann and Matas, *ibid*, at Chapter 12 (<https://endtransplantabuse.org/an-update-chapter-twelve-a-state-crime/>)

39. If Huang Jiefu was to lead the ministry that is responsible, among other things, for the national procurement and allocation of organs, it is impossible for him not to know where the organs come from.
40. As well, Huang Jiefu was the President, Party Secretary and lead surgeon of First Affiliated Hospital of Sun Yat-Sen University, a hospital that, in all likelihood, is heavily involved in forced organ harvesting of prisoners of conscience. The 2016 report by KGM found the following about First Affiliated Hospital of Sun Yat-Sen University,

“The First Affiliated Hospital of Sun Yat-Sen University leads the nation in vital organ transplantation projects. It claims to have the most types of transplants and to rank second in total volume.

[...]

On March 14, 2006, Guangzhou Daily reported: Recently, in the operation room of the First Affiliated Hospital of Sun Yat-Sen University, the reporter witnessed 5 liver and 6 kidney transplants being conducted simultaneously... At its height, this centre performed 19 kidney transplants in one day. The record set for 6 liver transplants and one multi-organ transplant in one day.

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[...] Its current director is He Xiaoshun who was reported completed 1,300 liver transplants.”

See: Kilgour, Gutmann and Matas, *ibid*, at Chapter 4 (<https://endtransplantabuse.org/an-update-chapter-four-approved-civilian-transplant-centres/>)

41. Huang Jiefu himself told Guangzhou Daily in March 2013 that, “Last year [2012], I did over 500 liver transplant surgeries. The one that was done in Guangzhou in November [2012] was the first liver transplant case according to the voluntary donation standard of China.”

See: Archived link of the report from Guangzhou Daily (https://web.archive.org/web/20130512044027/http://gzdaily.dayoo.com/html/2013-03/13/content_2178697.htm)

42. According to Amnesty International, there were 8401 Chinese citizens sentenced to death, giving an annual average of 1,680 executions. Between 2000 and 2005, it was 1616 executions per year. Between 2006 and 2008, the average was 1,066 executions. AI stopped reporting the number of executions in China in 2009.

See: AI Death Penalty Statistics
(http://organharvestinvestigation.net/report0701/report20070131.htm#_ftnref100;
<http://www.amnesty.org.au/adp/comments/4059/>;
<http://www.amnesty.org.au/news/comments/11957/>;
<https://www.amnesty.org/en/press-releases/2009/03/death-penalty-2390-executions-2008-worldwide-72-cent-china-20090324/>)

43. If it is true that Huang Jiefu performed 500 liver transplants in 2012, and that the current director of Sun Yat-Sen University hospital, He Xiaoshun performed 1,300 liver transplants, these two individuals would in all likelihood, singlehandedly exhaust most of the country’s organ supplies from death row prisoners. The irresistible conclusion was that the organs they used for transplants were obtained from sources other than death row prisoners. This source, as established above, was prisoners of conscience.
44. As a primary participant, and the former head of a hospital that is participant in organ transplantation using organs from prisoners of conscience, it is improbable, if not impossible, that Huang Jiefu does not know the source of these organs. At the minimum, he must know that the organs could not have come from executed prisoners. This conclusion is consistent with the above finding, at para. 20 of this report, that Huang Jiefu is privy to the methods and manners in which the hospitals procured organs.

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(ii) *Interview with CCTV and Phoenix TV*

45. The final basis to conclude that Huang Jiefu has knowledge can be found in an important and well publicized interview that he gave to national media, Phoenix TV and CCTV in early 2015.

46. This interview shows that Huang Jiefu has intimate knowledge of the inner workings of organ transplantation system in China. In relevant portions of the interview, Huang said,

“When we decided to stop the reliance on executed prisoners for organ transplants [it was] the most helpless period we've been in....Using prisoner organs, this kind of situation naturally would come to have all kinds of murky and difficult problems in it. Do you know the meaning of my words? It became filthy, it became murky and intractable, it became an extremely sensitive, extremely complicated area, basically a forbidden area.

[...]

It's just so clear. Everyone knows the big tiger. *Zhou Yongkang is the big tiger; he was our general secretary of the national Political and Legal Affairs Committee, and a formerly member of the Politburo Standing Committee. Everyone knows this.....So as for where executed prisoner organs come from, isn't it very clear?* (emphasis added)”

See: Interview Link (<http://www.wenxuecity.com/news/2015/03/16/4110679.html>)

47. Zhou Yangkang was the head of Central Leading Group for Dealing with Falun Gong issues, and Secretary of the Central Political and Legal Affairs Commission from 2007 to 2012. As discussed in the Submission, “Architecture and Chain of Command of 610 Office and PLAC”, these two organizations were the primary apparatus of power through which the Chinese Communist regime persecuted, tortured, and killed Falun Gong practitioners. Zhou Yangkang was the chief of both organizations. His extensive and profound involvement in the persecution of Falun Gong was the subject of a separate report.

48. As the concurrent head of Central Leading Group and Central PLAC, Zhou Yongkang presided over the 610 Office, Ministry of Public Security and Ministry of Justice that ran a nationwide network of labour camps that detained Falun Gong practitioners (See “Architecture and Chain of Command of 610 Office and PLAC” at paras 45-50).

49. Military hospitals in China are important agents of organ procurement from various forms of prison and detention facilities to supply organs from death row and prisoners of conscience to

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sustain the industrial scale of organ transplant in China. Although the health system Huang Jiefu controls does not direct the military, he is complicit in the crime of military organ transplant abuse when he said nothing. These military facilities also allegedly established a network of secret facilities that held Falun Gong practitioners in immense numbers. A whistle-blower from Shenyang Military Region's Logistics Department once testified to Epoch Times that "across China, there are at least 36 secret camps similar to the one in Sujiatun (concentration camp). Located in Jilin Province, the camp codenamed 672-S is detaining more than 120,000 Falun Dafa practitioners, felons, and (political) dissidents." The surgeon also alleged to witness "the bulk transferring of 7,000 captives from Tianjin to Jilin province by a rail train. The operation was carried out by fully armed [military] and took place at night. All the captives were cuffed to handrails, like a line of de-feathered chickens."

See: Epoch Times, "Shenyang Military Region Senior Physician Testifies to the Truth of Sujiatun Concentration Camp" (March 31, 2006; Minghui, "Two Sources Testify Publicly about the CCP's Atrocities of Harvesting Organs from Living Falun Gong Practitioners" (April 22, 2006) (<http://en.minghui.org/html/articles/2006/4/22/72310.html>); Epoch Times, "New Witness Confirms Existence of Chinese Concentration Camp" (March, 2007) (https://www.theepochtimes.com/new-witness-confirms-existence-of-chinese-concentration-camp_1415678.html); WOIPFG Report, "The Final Harvest – Chapter 1: The Surge in Organ Transplants: Forced disappearances and Witness Testimonies" (April 16, 2015) (http://www.upholdjustice.org/node/339#_edn4)
David Matas, "Organ Sourcing in China: The Official Version," http://www.david-kilgour.com/2015/Matas_04162015.pdf

50. The immense numbers of Falun Gong practitioners kept in these facilities provide the cogent and ready explanation for the huge organ transplant volumes in China. The handling and disposal of these Falun Gong practitioners were ultimately within the authority and jurisdiction of Zhou Yongkang as the head of Central Leading Group for Handling Falun Gong issues and the head of Central PLAC.
51. As such, Huang Jiefu's admission that Zhou Yongkang was the key player in China's organ transplant industry is consistent with this submission that organs in China are harvested from prisoners of conscience, particularly Falun Gong practitioners. Huang's admission also indicates that he is aware of this fact.
- (iii) *Inconsistent and vacillating narratives*
52. With knowledge of the true state of affairs, Huang Jiefu led inconsistent and vacillating narratives to mislead the international community on the source of organs in China. He is

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the key figure that covered up the crime of forced organ harvesting of prisoners of conscience for the Chinese Communist regime.

53. Beginning in 2005, at the height of organ transplant tourism in China, Huang Jiefu claimed that over 90 percent of transplant organ sources came from death row prisoners. Huang's claim was presented in international transplant conferences, widely announced in media in China, and in two journal articles in *The Lancet*, in the 2008 and 2012 issue in which Huang was the first author. In the 2012 *The Lancet* article Huang said, "China is the only country in the world that systematically uses organs from executed prisoners. About 10,000 transplant operations are performed each year in China, among which 65 percent are organs from cadavers, and 90 percent of which are executed prisoners."

See: <https://news.qq.com/a/20120307/001217.htm> [Chinese news]

Huang, Jiefu, Yilei Mao, and J Michael Millis, "Government Policy and Organ Transplantation in China," *The Lancet*, Vol. 372, Issue 9654, no. 6-12 (2008), p.1937-1938.

Huang, Jiefu et al., "A pilot programme of organ donation after cardiac death in China" *The Lancet*, Vol.379, Issue 9818 (2012), pp 862-865.

[http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(11\)61086-6/abstract](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)61086-6/abstract)

54. This large volume of transplant cannot be answered with organs from death row prisoners. As noted by US Congressional-Executive Commission on China, Chinese criminal law requires convicted death row prisoners to be executed within seven days of sentence.⁶ It is impossible to maintain such a large pool of organs capable of producing matching organs on demand if each living donor has to be executed within seven days. As well, organs from death row criminals are often unsuited for transplantation because of the prevalence of medical conditions and infectious diseases among them. Even Huang himself told Chinese media *Southern Metropolis Daily* on March 7, 2013, "More than ten years ago, the number of executed prisoners in China started to decrease by 10 percent every year. Now, there are very few prisoners being executed." If the number of executed prisoners in China has been decreasing by 10 percent every year, and there are very few prisoners being executed by March 2013, it is impossible for executed prisoners to account for the immense volumes of organ transplant that China is doing every year. Much less can executed prisoners account for 90% of the organ transplants in China as Huang Jiefu claimed.

See: David Matas and David Kilgour, *Bloody Harvest: The Killing of Falun Gong for Their Organs* (Niagara Falls: Seraphim Editions, 2009);

The Congressional-Executive Commission on China, *Criminal Procedure Law of the*

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People's Republic of China, Article 251 (Amended March 14, 2012), www.cecc.gov/resources/legal-provisions/criminal-procedure-law-of-the-peoples-republic-of-china.

Torsten Trey and David Matas, "State-organized Criminal Forced Organ Harvesting," *Journal of Trafficking and Human Exploitation* 1, no.2 (2017), 175-186.

Kilgour, Matas and Gutmann, "Bloody Harvest/The Slaughter - An Update," Ch 12, <https://endtransplantabuse.org/an-update-chapter-twelve-a-state-crime/>

Deputy Health Minister Huang Jiefu: Ninety Percent Doctors Still Do Not Understand Brain Death [卫生部副部长黄洁夫：九成医生尚不了解脑死亡] <http://news.sohu.com/20130307/n368067624.shtml>

56. Huang was also dishonest about the volume of organ transplants. Huang claimed that China does about 10,000 transplant operations a year (see para 53). The actual number of transplant is at least six folds of the official figure. According to the Kilgour, Gutmann, Matas update report in 2016, the transplant undertaken in China averaged 60,000 – 100,000, based on 165 licensed hospitals' transplant bed count, bed utilization rate and medical staff strength and hospital capacities. The official figure of China's transplant volume is easily surpassed by the volume transplants performed by a few large hospitals in China.

See: Kilgour, Gutmann, and Matas, "Bloody Harvest/The Slaughter - An Update," Ch. 10 <https://endtransplantabuse.org/an-update-chapter-ten-exploring-total-volume-of-kidney-and-liver-transplants/>;

Also, https://www.theepochtimes.com/china-hospital-built-for-murder_1958171.html

57. In the face of mounting pressure against questionable organ transplant practices in China, Huang Jiefu announced at the end of 2014 that China will only use voluntary donations for organ transplants.

See: http://www.chinadaily.com.cn/china/2014-12/04/content_19025683.htm

58. In 2015, investigators from the World Organization to Investigate the Persecution of Falun Gong called the institutions for voluntary organ donations in China. The few offices that answered the phone indicated that there were only small numbers of people who had registered to donate, and that the number of successful donations was extremely low.

See: Kilgour, Gutmann, and Matas, "Bloody Harvest/The Slaughter - An Update," Ch 12: <https://endtransplantabuse.org/an-update-chapter-twelve-a-state-crime/>

59. Indeed, building up an organ donation system is a slow and organic process. It took countries such as US and Canada several decades of experience and experimentation for

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their organ donation systems to get to where they are today. In addition, a traditional Chinese belief is that bodies should remain intact after death. Under these circumstances, the prospect of any short term success for a Chinese organ donation programme is bleak. Huang Jiefu admitted this much in the same interview where he made the announcement in 2014.

See: *Supra*, http://www.chinadaily.com.cn/china/2014-12/04/content_19025683.htm

60. Then, in an article titled “What’s Behind the Organ Donation in China Being Second in the World?” published in December 2017, the Xinhua news agency proclaimed that there were now 330,000 registered organ donors and over 38,000 donations of major organs. In particular, Huang Jiefu was quoted as saying “When China announced the end of reliance on death-row prisoners for organs, some say that winter for organ transplant in China has come, but I say that spring for organ transplant in China has come. The statistics prove that I am right.”

See: Xinhua Daily News, “What’s Behind the Organ Donation in China Being Second in the Word” (December 1, 2017)
(http://www.xinhuanet.com/2017-12/01/c_1122039703.htm)

61. The Western mainstream media was also eager to partake in this celebration. Washington Post published an article in September 15, 2017. The article wrote,

“China’s organ-transplant system was once a cause of international scorn and outrage, as doctors harvested organs from prisoners condemned to death by criminal courts and transplanted them into patients who often paid dearly for the privilege.

After years of denials, China now acknowledges that history and has declared that the practice no longer occurs—largely thanks to the perseverance of a health official who, with the quiet backing of an American transplant surgeon, turned the system around over the span of a decade.

That official, Huang Jiefu, built a register of voluntary donors, overcoming both entrenched interests that profited from the old ways and a traditional Chinese aversion to dismemberment after death.”

See: Washington Post, “China used to harvest organs from prisoners. Under pressure, that practice is finally ending.” (September 15, 2017)
(https://www.washingtonpost.com/world/asia_pacific/in-the-face-of-criticism-china-has-been-cleaning-up-its-organ-transplant-industry/2017/09/14/d689444e-e1a2-11e6-a419-eeef8eff0835_story.html?utm_term=.f133a2557162)

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62. The registry that Huang Jiefu allegedly built, was the registry maintained by the Red Cross Society of China that published official data on the number of registered organ donors, organ donations, and transplants.
63. Doctors Against Forced Organ Harvesting (DAFOH), a voluntary cross border network of medical professionals monitored this registry for 18 months from 2014-2016. In the course of monitoring, DAFOH discovered a significant discrepancy between organ donation numbers and the actual organ transplant volumes.

See: Doctors Against Forced Organ Harvesting, “Unusual Course of Organ Donation Registry Numbers in China,” *DAFOH*, January 15, 2017, <https://dafoh.org/articles-and-reports/unusual-course-of-organ-donation-registry-numbers/>

64. More importantly, DAFOH discovered an input of 25,000 registered organ donors inserted into the registry in a single day in December, 2015. The sudden large increase in a country that traditionally is reluctant to donate organs is implausible. The exact nature of the increase in number suggests data manipulation. DAFOH has provided a chart that demonstrates the anomalous manner of growth in the organ donor numbers on the registry. The lack of integrity of Huang Jiefu’s registry is clear.

See: DAFOH’s Chart
<https://dafoh.org/wp-content/uploads/Registered-organ-donors-in-China-2015-2016.jpg>.

65. Contrary to Washington Post’s suggestion, a successful organ transplant system is not built by a health bureaucratic system. It is constituted by a public who is willing to donate organs. As far as China goes, this has yet to become the case. This report is not alone in pointing this out. Other studies pertaining to Huang Jiefu and organ transplants in China have drawn similar conclusions.

See: The Diplomat, “China’s Organ Transplant Problem” (March 29, 2017) (<https://thediplomat.com/2017/03/chinas-organ-transplant-problem/>); The Conversation, “China says it has stopped harvesting organs, but evidence belies its claim” (February 2017) (<http://theconversation.com/china-says-it-has-stopped-harvesting-organs-but-evidence-belies-its-claim-72841>)

66. As Huang Jiefu leads the Chinese media and much of the international community into a premature celebration, there are increasing indications that prisoners of conscience are being killed for their organs. In October 2015, Huang Jiefu told *Beijing Youth Daily* that he plans

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to increase the number of qualified transplant hospitals from 169 to 300 and train 400 to 500 young doctors. A more recent *Xinhua* report published in *China Daily* on May 15, 2016 stated that, according to Huang Jiefu, “China will increase the number of hospitals conducting organ transplants to 300 in the next five years.”

See: Kilgour, Gutmann, and Matas, "Bloody Harvest/The Slaughter - An Update," Ch 12:
<https://endtransplantabuse.org/an-update-chapter-twelve-a-state-crime/>

67. In April 2014, Minghui reported that in Guizhou, Liaoning, Hunan, Hubei, Beijing, and other locations, police entered Falun Gong practitioners’ homes to forcibly take blood samples and cheek swabs. In view of China’s longstanding practice of forced organ harvesting, the reasonable suspicion is that China is expanding its organ bank from prisoners of conscience in detention to prisoners of conscience at large.

See: Minghui, “Falun Gong Practitioners Forced to Submit to Blood Tests” (July 19, 2014) (<http://en.minghui.org/html/articles/2014/7/19/2101.html>)

(iv). *Summation*

68. The foregoing shows that with full knowledge of forced organ harvesting of prisoners of conscience in China, Huang Jiefu has intentionally led false narratives to deceive and mislead the international community on the true source of these organs.
69. This is a clear effort at cover up and concealment of this crime. Huang Jiefu’s artful but dishonest spokespersonship diverted international attention away from the true victims of this crime. In so doing, Huang Jiefu prevented international aid and assistance that could have been forthcoming to the victims. He also maintained a fog of ignorance in the international community that enabled the continued perpetration of these violations.
70. In view of the above, it is submitted that Huang Jiefu is clearly complicit and responsible as an accessory to the crime of forced organ harvesting of prisoners of conscience, mainly the Falun Gong.

VII. Conclusion

71. Huang Jiefu may not have harvested organs from prisoners of conscience with his own hands. However, his involvement and responsibility in this crime of forced organ harvesting is multifaceted and profound.
72. The victims of forced organ harvesting in China belong to specific groups of people who were targeted for their conscience and beliefs. These victims fall squarely under s. 4(2)(a)(ii)

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of Justice for Victims of Corrupt Foreign Officials Act. As well, these victims were killed extrajudicially for their organs in a painful process that amounts to torture, satisfying s. 4(2)(a) of the Act.

73. By acting as participant, superior, and accessory to this crime in forms and manners elucidated above, Huang Jiefu clearly qualifies for sanction under the Act.
74. Finally, it is worth noting that forced organ harvesting of prisoners of conscience in China is a crime of colossal scale. The number of perpetrators responsible and implicated in this crime likely falls beyond measure. Yet, among all these perpetrators who come within the meaning of the Act, Huang Jiefu arguably stands as the person most deserving of sanction. Through more than a decade of spokespersonship, Huang has become the public face of China's organ transplantation system in the international community. Under these circumstances, sanctioning him sends the clearest and loudest possible message to the international community that Canada opposes the crime of forced organ harvesting of prisoners of conscience in China.
75. Sanctioning Huang Jiefu will also be the most powerful move that vindicates the victims of conscience and advances Canada's cause for international justice and human rights.