

**From:** [Corinne Pankewich](#)  
**To:** [Committees LEG](#); [Docherty, Mark MLA](#); [markdochertyadmin@sasktel.net](mailto:markdochertyadmin@sasktel.net); [Lawrence, Greg MLA](#); [Parent, Roger MLA](#); [Rancourt, Nicole MLA](#); [Wilson, Nadine MLA](#); [Buckingham, David MLA](#); [Fiaz, Muhammad MLA](#)  
**Subject:** [Suspected Spam] Submission for Standing Committee on Human Services  
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September 12<sup>th</sup>, 2016

Standing Committee on Human Services

c/o Rob Park  
Committee Clerk, Standing Committee on Human Services  
7 - 2405 Legislative Drive  
Regina, SK S4S 0B3  
[committees@legassembly.sk.ca](mailto:committees@legassembly.sk.ca)

Dear Members of the Legislature (Standing Committee on Human Services),

Mr. David Buckingham

Mr. Mark Docherty

Mr. Muhammad Fiaz

Mr. Greg Lawrence

Mr. Roger Parent

Ms. Nicole Rancourt

Hon. Nadine Wilson

I am writing to submit important information to consider as the Standing Committee on Human Services conducts public hearings to improve the rate of organ and tissue donation in Saskatchewan.

As you consider and decide on recommendations, I would like to inform you of a serious situation currently affecting organ and tissue transplants in our society: transplant tourism.

Some transplant patients forego the transplant wait list and go to China to buy organs. As reported by Global News, a Canadian patient recently received a kidney transplant after waiting for only 3 days.<sup>1</sup>

At a recent transplant conference in Hong Kong (August 2016), a Chinese transplant doctor presented a paper in which the research used prisoners' organs, a practice China claims to have eliminated in January 2015.<sup>2</sup>

According to investigations made between 2006-2016, by Canadian Human Rights Lawyer, David Matas; Former Canadian Member of Parliament, David Kilgour, and Investigative Journalist, Ethan Guthmann, transplant tourists can receive an organ in China, within days of request because China has a 'living organ donor bank': prisoners of conscience, primarily Falun Gong practitioners who have been killed on demand to supply a massive state-run transplant industry, supplying organs for tens of thousands of transplants a year, since the year 2000.<sup>3</sup> To hear these investigators share their findings please watch the documentary Human Harvest<sup>4</sup>, or read their report<sup>3</sup>.

For over 17 years, Falun Gong practitioners, also known as Falun Dafa, have been violently persecuted by China's communist regime, simply for their spiritual belief, one that follows the universal principles of Truthfulness, Compassion, and Tolerance. Since 1999, the regime's campaign, to eradicate Falun Gong, has overseen the widespread and systematic imprisonment, torture, hate propaganda, brain washing, and mass murder of Falun Gong practitioners. This eradication campaign continues due to censorship and coercion to cover up these crimes.

Freedom House reported that Falun Gong practitioners are the largest group of prisoners of conscience in China and are most likely to face harassment, imprisonment, and torture.<sup>5</sup> The 2016 report from the United States Commission on International Religious Freedom stated that 'countless' numbers of Falun Gong practitioners remain imprisoned.<sup>6</sup>

The international community has condemned and called for an immediate end to this systematic, state-sanctioned organ harvesting of large numbers of Falun Gong practitioners in China. Initiatives include U.S. House of resolution H.Res. 343 passed in 2016<sup>7</sup>, European Parliament resolution 2013/2981(RSP)<sup>8</sup>, European Parliament Written Declaration 48 adopted in 2016<sup>9</sup>, and a motion passed by Canada's Parliamentary Subcommittee on International Human Rights in 2015.

I would like to ask that one of the recommendations from this subcommittee be to ask the federal government to investigate and take legislative action to prevent Canadians from inadvertently participating in this crime against humanity. This action can help protect Canadians as well as prisoners of conscience in China.

Thank you for taking the time to consider my submission.

Sincerely,

Corinne Pankewich

[REDACTED]

[REDACTED]

1. <http://globalnews.ca/news/2906897/does-china-still-harvest-organs-of-executed-inmates/>

2. <http://www.nytimes.com/2016/08/20/world/asia/china-hong-kong-organ-transplants.html>

[http://www.theepochtimes.com/n3/2142209-acrimony-mars-transplant-conference-in-hong-kong/?utm\\_expid=21082672-11.b4WAd2xRR0ybC6ydhoAj9w.0&utm\\_referrer=https%3A%2F%2Fwww.google.ca](http://www.theepochtimes.com/n3/2142209-acrimony-mars-transplant-conference-in-hong-kong/?utm_expid=21082672-11.b4WAd2xRR0ybC6ydhoAj9w.0&utm_referrer=https%3A%2F%2Fwww.google.ca)

3. <http://endorganpillaging.org/an-update/>

4. <https://vimeo.com/140465809>

PW: HH2015VIP

5. <https://freedomhouse.org/report/freedom-world/2016/china>

6. United States Commission on International Freedom - Annual Report 2016 (Attached Excerpt - page 36):

<http://www.uscirf.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

7. United States House of Representatives Passed Resolution - June 2016

H.Res.343 — 114th Congress (2015-2016) -H.Res.343 - Expressing concern regarding 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 and members of other religious and ethnic minority groups.

<https://www.congress.gov/bill/114th-congress/house-resolution/343/text>

8. European Parliament Resolution 2013/2981(RSP)

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2013-0603&language=EN&ring=P7-RC-2013-0562>

9. European Parliament Written Declaration 48 adopted in 2016

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONGML%2bWDECL%2bP8-DCL-2016-0048%2b0%2bDOC%2bPDF%2bV0%2f%2fEN>

10. Response from international community - attached

# **Summary of International Responses to Organ Harvesting in China**

## **1. The United States**

On June 13, 2016, the U.S. House of Representatives passed unanimously (by voice vote) H.Res.343, which condemns organ harvesting of Falun Gong practitioners and other prisoners of conscience in China.

## **2. European Parliament and the Council of Europe**

In December 2013, European Parliament passed a resolution condemning China's organ harvesting from prisoners of conscience.

On March 19, 2014, the influential European Economic and Social Committee (EESC) endorsed the EU Resolution and EESC President Henri Malosse hosted a conference entitled “Organ Harvesting in China: Europe must act now” at the EESC in Brussels. President Malosse called the organ harvesting practice in China a disgrace for humanity.

On July 9, 2014, the Council of Europe adopted an international convention on unethical organ trafficking. The convention calls on governments to establish as a criminal offense the illegal removal of human organs from living or deceased donors.

## **3. The United Nations**

After finding Matas & Kilgour report on organ harvesting of Falun Gong practitioners convincing, UN Special Rapporteur on torture and Special Rapporteur on religious freedom jointly sent a request in August 2006 and again in 2007 to the Chinese government to ask them to explain the source of extra organs because the significant increase in organ transplant operations coincided with the beginning of the persecution of Falun Gong.

## **4. Canada**

Canadian government officially raised organ harvesting issue and the persecution of Falun Gong in China at the UN Human Rights Council in March 2014.

On February 3, 2015, the Foreign Affairs Subcommittee on International Human Rights unanimously passed an all-party motion condemning and calling for an immediate end to the state-sanctioned organ harvesting from prisoners of conscience in China (including but not limited to practitioners of Falun Dafa and Uighurs)

## **5. Israel Transplant Law - Organ Transplant Act, 2008**

Israel was unique in that transplant tourism patients obtained almost full reimbursement from insurance companies or sick funds before this law was enacted.

According to Dr. Jacob Lavee: “The law (Organ Transplant Act passed in 2008) defines precisely the circumstances of organ trade and trafficking and declares the buying, selling or brokerage in organs as a criminal offence punishable by three years in jail together with a large fine, whether performed within or outside Israel. It clearly bans the reimbursement of organ transplantation anywhere outside of Israel if the procurement of the organ and its transplantation has been performed contrary to the law of that country and if stipulations of the Israeli law regarding organ trade are contravened.

Orders banning insurance companies and sick funds from reimbursing illegal transplant tourism went into effect shortly after the new law has been enacted, which brought transplant tourism of Israeli patients to illegal venues where organ trade took place to a halt. Thus, for example, the traveling of Israeli patients to China has stopped completely ever since.” (See appendix for the full text)

## **6. Taiwan Legislation**

In June 2015, the Taiwanese Legislative Yuan amended the Human Organ Transplantation Act to prohibit the use of organs from executed prisoners, as well as the sale, purchase and brokering of organs, and transplant tourism.

## **7. Law in Spain**

The new Criminal Code passed in November 2009 includes the illegal trafficking of human organs as a felony. The new Criminal Code establishes penalties of up to twelve years in prison for people who encourage, promote, facilitate or advertise the procurement of illegal human organs trafficking. (See appendix for the full text)

## **8. Australian Senate Motion**

The Australian Senate unanimously passed a motion on March 21, 2013 urging the government to “support the UN and Council of Europe initiatives to oppose the practice of organ harvesting.”

The motion specifically mentioned: “the United States of America (US), from June 2011, has included on its online non-immigrant visa application Form DS-160 the question, 'Have you ever been directly involved in the coercive transplantation of human organs or bodily tissues?’” (See appendix for the full text)

## **9. Australian Hospitals Bar Training Chinese Transplant Surgeons**

According to Australian Associated Press in December 2006: “Queensland's two major organ transplant hospitals have banned training Chinese surgeons because of concerns that China takes organs from executed prisoners.

Health Minister Stephen Robertson revealed the move in a letter tabled in parliament this week in response to a petition supporting the Falun Gong spiritual movement.” (See appendix for the full article)

## **10. The policy of the World Medical Association includes now a paragraph that organ donation from prisoners is not acceptable in countries where the death penalty is practiced**

WMA Statement on Organ and Tissue Donation

<http://www.wma.net/en/30publications/10policies/o3/>

Adopted by the 63rd WMA General Assembly, Bangkok, Thailand, October 2012

“In jurisdictions where the death penalty is practised, executed prisoners must not be considered as organ and/or tissue donors. While there may be individual cases where prisoners are acting voluntarily and free from pressure, it is impossible to put in place adequate safeguards to protect against coercion in all cases.”

## Appendix

### **U.S. Congress Resolution H.Res.343**

<https://www.congress.gov/bill/114th-congress/house-resolution/343>

### **European Parliament Resolution**

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+MOTION+P7-RC-2013-0562+0+DOC+XML+V0//EN&language=en>

### **Council of Europe Convention to Combat Trafficking in Human Organs**

<https://wcd.coe.int/ViewDoc.jsp?id=2214931&Site=DC&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE>

### **Canadian Government's Statement at UNHRC**

Canadian government officially raised organ harvesting issue and the persecution of Falun Gong in China at the UN Human Rights Council in March 2014. See the following video, Canada is number 37 on the speaker list.

<http://webtv.un.org/meetings-events/human-rights-council/watch/clustered-id-contd-sr-on-religion-and-protection-of-human-rights-22nd-meeting-25th-regular-session-of-human-rights-council/3329494304001>

The following link is the full text of that speech.

<http://cwl.ca/wp-content/uploads/2014/03/HRC25.pdf>

Canadian Parliament motion condemning organ harvesting in China

<http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=7827506&Language=E&Mode=1>

### **Israel:**

Opinion Article "Saving Lives Locally" from Dr. Jacob Lavee:

<http://www.ynetnews.com/articles/0,7340,L-4295852,00.html>

The original texts of Organ Transplant Act, 2008:

[http://www.declarationofistanbul.org/index.php?option=com\\_content&view=article&id=267:israel-transplant-law-organ-transplant-act-2008&catid=83:legislation&Itemid=130](http://www.declarationofistanbul.org/index.php?option=com_content&view=article&id=267:israel-transplant-law-organ-transplant-act-2008&catid=83:legislation&Itemid=130)

### **Taiwan:**

Taipei Times: Organ transplant laws tightened

<http://www.taipeitimes.com/News/front/archives/2015/06/13/2003620572>

### **Law in Spain**

The Spanish and English (translation) versions of the law are enclosed.

The Spanish version is available on the official web site of Spanish National Transplant Organization, an institution belonging to the Spanish Ministry of Health and Consumption.

<http://www.ont.es/prensa/NotasDePrensa/Introducci%C3%B3n%20en%20el%20C%C3%B3digo%20Penal%20del%20tr%C3%A1fico%20ilegal%20de%20C%C3%B3rganos.pdf>

## **Australia Senate Motion:**

<http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;db=CHAMBER;id=chamber%2Fhansards%2Feb494847-1a67-4abb-92d5-f64445a301ee%2F0095;query=Id%3A%22chamber%2Fhansards%2Feb494847-1a67-4abb-92d5-f64445a301ee%2F0000%22>

## **Australian Hospitals Bar Training Chinese Surgeons**

<http://www.smh.com.au/news/National/Hospitals-ban-Chinese-surgeon-training/2006/12/05/1165080933418.html>

### **Hospitals ban Chinese surgeon training**

□□

December 5, 2006 - 4:54PM

Queensland's two major organ transplant hospitals have banned training Chinese surgeons because of concerns that China takes organs from executed prisoners.

Health Minister Stephen Robertson revealed the move in a letter tabled in parliament this week in response to a petition supporting the Falun Gong spiritual movement.

Falun Gong, which has about 100 million members worldwide, has accused the Chinese government of harvesting organs from thousands of members executed over the past seven years.

There also have been claims of live organ removal from people in detention centres and hospitals.

Mr Robertson said his department had been aware of the allegations relating to Chinese prisoners generally for a number of years and sought written assurances from the Chinese government that the practices did not go on.

When the assurances were not received, the Prince Charles Hospital and the Princess Alexandra Hospital put in place a policy of not training any Chinese surgeons in transplant surgical techniques.

It is not known if they are the only hospitals in Australia to do so.

They also banned joint research programs into organ transplantation with China.

But Mr Robertson said the hospitals did undertake training of Chinese doctors in other areas of medicine.

The petition called on the government to support moves by the recently formed Coalition to Investigate the Persecution of Falun Gong (CIPFG).

The coalition was set up to investigate the forced organ harvesting allegations and the illegal detention of Falun Gong practitioners.

It has sought to prevent Australian citizens from travelling to China for organ transplants and ban companies, institutions and individuals from providing goods and services to China's organ transplant programs.

International reports have suggested that of the 60,000 organ transplants the China Medical Organ Transplant Association recorded between 2000 and 2005, only 18,500 came from identifiable sources.