

A speech by the Hon. David Kilgour, J.D. University of Hawaii at Manoa, Honolulu, 19 November 2009

Permit me to stress immediately the respect and affection I hold for the people of China. Both as Secretary of State (Asia-Pacific) for Canada and as a private citizen, I visited China. It was an honour to represent in Canada's Parliament during almost 27 years many Albertans of origin in the Middle Kingdom. They and others taught me much about its history, culture, inventions, national resilience and other strengths.

The same sentiments compel friends of China around the world to continue to speak up for dignity for all its people. The Communist party accuses its critics as being 'anti-China.' In reality, it is the party which is 'anti-China' because of how it has continued to exploit the people and their natural environment for six decades (I'll not here go into its role in Burma, Sudan, Zimbabwe and elsewhere in the world.).

Chinese human rights advocates, such as the Nobel-Peace Prize-nominated and currently vanished Gao Zhisheng, and their international supporters care deeply about improving the well-being of the people in general.

Only a few weeks ago, I attended a launch of Denise Chong's beautifully-written new book, *Egg On Mao*, which is the story of what happened to Lu Decheng and two friends from Mao's home province, who made the long journey to Tienanmen Square to join the protesters in 1989. Their own protest for good governance eventually took the form of throwing paint at Mao's portrait in the square. What happened to them afterwards, including their mockery of a trial and Lu's nine years in prison, says much about the nature of the regime.

It is certainly true that any government of China faces enormous challenges with regard to sustaining growth and creating jobs on a massive scale. Living standards for many have improved since the government discarded 'command and control' economics. This has come at an unacceptably high cost in terms of human dignity and cannot be sustained in the long run. The people of China, whether on the streets of Beijing, Lhasa, Urumqi or a thousand other locations across the country, have said quite clearly that "enough is enough". The friends of the Chinese people everywhere must support those voices crying for justice.

Let's look at some of the repression through the eyes of knowledgeable observers:

Tibet and His Holiness the Dalai Lama

On March 10, 2009, Tibetans marked 50 years of suffering on the anniversary of the 1959 Lhasa Uprising, when His Holiness the Dalai Lama fled. Tibet became a militarized zone again last spring. Add other facts since 1959: tens of thousands killed; hundreds of thousands imprisoned, over 6,000 monasteries and temples pillaged and destroyed. Many more Tibetans

disappeared over the past year.

In *Mao-The Unknown Story*, authors Jung Chang (author of *Wild Swans*) and Jon Halliday told the world in 2006 the truth about the party's treatment of the Tibetan people. In early 1959, Mao wrote about the uprising then underway in Tibet, caused in part by drastically-increased food requisitions there because of the famine conditions created across China by his 'Great Leap Forward': "This (rebellion) is... a good thing. Because this makes it possible to solve our problems through war." When word spread later in Tibet that Mao planned to kidnap the then very young Dalai Lama, thousands of Tibetans passed in front of the palace, shouting "Chinese get out."

Mao cabled that the Dalai Lama should be allowed to escape because he feared his death would "inflamm[e] world opinion, particularly in the Buddhist countries and India..." Once he had escaped, Mao told his men: "Do all you can to hold the enemies in Lhasa...so when our main force arrives we can surround them and wipe them out".

The Chang-Halliday book adds a statement by the Panchen Lama that a "staggering 15-20 percent of all Tibetans-perhaps half of all adult males-were thrown into prison, where they were basically worked to death. They were treated like subhumans. Lama Palden Gyatso, a brave long-term prisoner, told us he and other prisoners were flogged with wire whips as they pulled heavy plows."

According to a 2008 opinion survey in six European countries, the Dalai Lama is the the most respected world leader for many Europeans. He is also the spiritual leader of Tibetans, a Nobel Peace Prize laureate and a much-loved honorary citizen of Canada. Beijing has unfairly accused him of fomenting violence in Tibet. The Dalai Lama advocates some Tibetan autonomy under Chinese rule, but strongly disavows violence and does not favor secession. He is Beijing`s best chance for a peaceful resolution of the Tibet issue.

Robert Barnett, a Tibet specialist, Director of the Modern Tibetan Studies Program at Columbia University, thinks that Beijing should separate "the difficult talks about autonomy and the Dalai Lama's status, which they're nervous about, from the easy issues, which are about religion, migration and development." Barnett believes the government will have to do this eventually because the alternative, "keeping one-third of your country under military garrison every so often" is unsustainable.

Tiananmen Square and Zhao Ziyang

Since the founding of the P.R.C. in 1949, too many leaders have been ousted for showing compassion for the people of China. The publication posthumously this year of *Prisoner of the State* by Zhao Ziyang, once the party's General Secretary, contains important insights. From the time of Zhao's house arrest in 1989 until his death in 2005, he kept a secret audio journal at his home in Beijing, a copy of which was smuggled out of the country. They constitute an eloquent call for major governance reform.

Zhao's patron Deng Xiaoping, who by 1986 was firmly established as paramount leader, made Zhao leader of a group invited to propose a political reform package. As acting General Secretary of the party later, Zhao proposed to separate the party from the government. He told Mikhail Gorbachev in 1989 that the rule of law should replace the rule of party officials and that more transparency was needed. The economy, he argued, needed an independent judiciary.

During 1989, Zhao's hopes for a China with acceptable governance were dashed. In response to the student demonstrations in April against corruption and other issues, Zhao proposed a return to classes, dialogues and punishing only those who had committed crimes. Unfortunately, a few days later, Deng, then aged 85, condemned the protests to party insiders. When his remarks were circulated by hardliner (later prime minister) Li Peng, events at Tiananmen escalated. Zhao nonetheless called for the protesters to be dealt with "based on principles of democracy and law".

A week later, when Deng decided to impose martial law, Zhao showed enormous courage by telling his mentor that he'd find it difficult to carry out such an order. Two days later, he visited the square and pleaded with the demonstrators to leave, knowing that a brutal assault was imminent. This was his last public appearance as premier. Soon after the massacre of hundreds of students and others in and around Tiananmen Square, Zhao was stripped of all party offices and put under house arrest until he died.

Deng did support economic liberalization, but he opposed the rule of law, multi-party democracy and virtually every principle of the Universal Declaration of Human Rights. He also unleashed the terrible violence of Tiananmen Square upon his own people and encouraged a small group of like-minded hardliners, Li Peng and Jiang Zemin in particular, in effect to swallow the Party. Jiang later initiated the persecution of Falun Gong. China and the world would be better places today if Deng had continued to support Zhao.

In large part because of Deng's choices during 1989, the party-state of China continues to govern in the mould of some of the most totalitarian regimes ever. The country's constitution remains an empty vessel. Not even the Party charter was heeded in its treatment of Zhao.

For example, Deng and a few cronies decided at a meeting at Deng's home to remove Zhao as General Secretary of the Party, but under the charter only the Standing Committee of the Politburo could do so. Zhao later noted that two of its five members (including Zhao) were not even invited to attend. He provides other examples of Cultural Revolution tactics used against the people of China following 1989.

Abuses of the natural environment and Wu Lihong

Three decades of 'anything goes' economics has done enormous harm to the natural environment of the people of China, their neighbours and the world as a whole. Consider:

- Nearly half a billion Chinese citizens now lack access to safe drinking water, yet many factories continue to dump waste into surface water with impunity.

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- A World Bank study done with China's environmental agency concluded that outdoor pollution is causing 350,000-400,000 preventable deaths a year across the country. Indoor pollution contributed to those of another 350,000 for a total in the range of 750,000 premature deaths a year.
- Coal now provides about two-thirds of China's energy and it already burns more of it than Europe, Japan and the U.S. combined. Sulphur dioxide and nitrogen oxides from coal plants in China are now reaching well beyond China's borders.
- Some multinational companies are degrading China's natural environment by dumping waste into its rivers and smoke into its sky.

Those in power since 2003 in Beijing have failed to achieve anything substantive concerning water, air, and soil. Many experts have concluded that China cannot go green without political change. Why does its government treat advocates for clean water and air as larger threats than the degradation that causes such patriots to speak out?

Consider Wu Lihong and Lake Tai, located inland from Shanghai and for centuries one of China's most beautiful natural sites. Here's what the International Herald Tribune said in a front page story on Oct. 15, 2007 under the heading, "In China, a lake's champion imperils himself."

Writer Joseph Kahn noted that the lake had succumbed earlier to industrial and agricultural waste by turning fluorescent green. At least two million people who live among the rice paddies and chemical factories on its shores had to stop drinking, or cooking with, their main source of water.

Local farmer Wu Lihong had protested for more than a decade that the chemical industry and its friends in the local government were destroying one of China's ecological treasures. In 2001, for example, when then vice-premier (now prime minister) Wen Jiabao came to inspect a 'typical' dye plant located near Lake Tai, word of his visit was predictably leaked in advance. The canal beside the factory was quickly drained, dredged and refilled with fresh water. Shortly before Wen's motorcade arrived, thousands of carp were placed in the canal and farmers with fishing rods were positioned along the banks. Wu courageously wrote to Wen that he had been "deceived."

Shortly before the pond scum erupted on Lake Tai, Wu was sentenced to three years in prison on what Kahn describes as "an alchemy of charges that smacked of official retribution." At trial, Wu testified that his confession had been coerced by deprivation of food and being forced to stay awake for five days and nights by police. The judges, however, ruled bizarrely that, since Wu could not prove that he'd been tortured, his confession remained valid.

The larger tragedy, of course, is that Lake Tai is only one instance of what unregulated capitalism since 1978 has done to much of China's water, air and soil. Instead of stopping the abuses, the party-state punishes the heroic Wu.

Forced Labour Camps

In doing our final report on organ pillaging from Falun Gong practitioners since 2001, David Matas and I visited about a dozen countries to interview adherents sent to China's forced labour camps since 1999, who managed later to leave the camps and the country itself. They told us of working in appalling conditions for up to sixteen hours daily with no pay, little food, being cramped together on the floor for sleeping and being tortured.

They made export products, ranging from garments to chopsticks to Christmas decorations at times as subcontractors to multinational companies. This, of course, constitutes gross corporate irresponsibility and violations of WTO rules and shrieks for an effective response by governments who are trading partners of China.

The labour camps, being outside the legal system, allow the party to send anyone to them for up to four years with neither any form of hearing nor appeal. There is an obvious causal link between the involuntary labour done since 1999 by Falun Gong practitioners and other prisoners in these camps and the resulting loss of manufacturing jobs in America, Canada and elsewhere.

One estimate of the number of the camps across China as of 2005 was 340, having a capacity of about 300,000 inmates. In 2007, a US government report estimated that at least half of the inmates in the camps were Falun Gong. It is the combination of totalitarian governance and 'anything is permitted' economics--I term it 'carnivore economics'-- that allows such inhuman practices to persist. The U.S. , Canada and other countries should ban forced labour exports by legislation which puts an onus on all importers to prove their goods are not made in effect by slaves.

Crystal Chen

Take Falun Gong practitioner Crystal Chen, for example. Her own experiences with severe beatings, being tied up and shackled, being stretched, and prolonged sleep deprivation includes one incident that remains vivid. In the Tianhe detention centre, she was thrown on the floor of her cell and four large men held her down. A water bottle was cut in half to be used as a funnel. A one-pound bag of salt was poured inside the bottle, a small amount of water added. Her eyes were covered with a dirty towel. Guards shoved the opening of the bottle against Chen's teeth and tried to pry her mouth open with a used toothbrush. She resisted, knowing the salt could kill her. Chen: "The salt went everywhere into my mouth and up my nose...I vomited salt and blood for the following days and could not eat. My gums were full of blood, I could hardly talk. They still handcuffed me."

A male practitioner, Gao Xianmin, died after being subjected to the same salt torture. Despite all, Chen stresses that Falun Gong practitioners, while understandably unsympathetic towards the Party, seek no role in Chinese politics- "only to stop the persecution which has continued for more than ten years... I love China, I'm proud of thousands of years Chinese civilization and proud of being Chinese.. .I look forward to the renaissance of genuine Chinese values and dignity, including ruthfulness,compassion and tolerance."

Killing of Falun Gong practitioners for their organs

David Matas and I came to the conclusion that Falun Gong practitioners in China have been, and are being, killed for their organs. We wrote a [report](#) that came to this conclusion, which came out first in July 2006. There was a second version in 2007. A third in book form was published this month as *Bloody Harvest*.

Falun Gong is a set of exercises with a spiritual foundation which began in China in 1992. Initially the government encouraged the practice as beneficial for health. By 1999, it had grown so popular that the Party became afraid that its own ideological and numerical supremacy was being threatened. The numbers of persons practising Falun Gong across China had grown from virtually none in 1992 according to a government estimate to 70-100 million. The practice was accordingly banned.

Practitioners were asked to recant. Those who did not and continued the practice and those who protested the banning were arrested. If they recanted after arrest, they were released. If they did not, they were tortured. If they recanted after torture, they were then released. If they did not recant after torture, they disappeared into the Chinese detention and forced labour system.

What happened to the disappeared? Our conclusion is that many of them were killed for their organs, which were sold to transplant tourists. It would take too much time to set out how we came to that conclusion. We invite you to read our report, which is on the internet (accessible at www.david-kilgour.com), or our book. Briefly, three of the dozens of evidentiary trails we followed which led to our conclusion are these:

- 1) Only Falun Gong practitioners in work camps and prisons are systematically blood tested and physically examined. This testing cannot be motivated by concerns over the health of practitioners, because they are also systematically tortured. Testing is necessary for organ transplants because of the need for blood type compatibility between the organ source and the recipient. Crystal Chen, for example, mentioned above during three years in her camp was medically tested several times, including two blood tests. The blood tests caused problems with other prisoners because they thought it was special health care for Falun Gong only. Neither group appeared to know the real purpose for the tests.
- 2) Traditional sources of transplants -prisoners sentenced to death and then executed, voluntary donors, the brain dead/cardiac alive - come nowhere near to explaining the total number of transplants in China. There is no organized system of organ donations. There is no law allowing for organ harvesting from the brain dead cardiac alive. There is a cultural aversion to organ donation and harvesting organs from the brain dead cardiac alive. There is no national organ matching or distribution system in China, meaning that there is a tremendous amount of organ wastage.

The only significant source in China of organs for transplants before the persecution of Falun Gong practitioners began was prisoners sentenced to death and then executed. The volume of organ transplants in China went up dramatically shortly after the banning of the practice of Falun Gong. Yet, the numbers of those sentenced to death and then executed did not increase.

3) We had callers phoning hospitals throughout China posing as family members of persons who needed organ transplants. In a wide variety of locations, those who were called asserted that Falun Gong practitioners (known to be healthy because of their exercise regime) were the source of the organs.

Since our report came out, laws and practices in China have changed: A Chinese law on transplants in May 2007 required that transplants be performed only in registered hospitals. The Ministry of Health announced that from June 26, 2007 Chinese patients would be given priority access to organ transplants over foreigners. The announcement also banned all medical institutions from transplanting organs into foreign transplant tourists.

The government announced in August 2009 that the Red Cross Society of China was launching an organ donation system, but only as a pilot project in ten locations.

With these changes, however, abuse continues. The recipients have changed from foreign to local, but the sources remain substantially the same. The Government denies that organs for transplants are being sourced from prisoners who are Falun Gong practitioners. Yet, the Government accepts that organs for transplants are being sourced from prisoners. The only debate we have with the Government is which group of prisoners are the source of organs. "Non consenting parties"

Sourcing of organs from prisoners is done without consent. Deputy Health Minister Huang Jiefu, at a conference of surgeons in Guangzhou in November 2006, said in a speech, "too often organs come from non consenting parties". The Chinese law on transplants enacted in 1984 contemplated involuntary donations from "uncollected dead bodies or the ones that the family members refuse to collect.". The Government of China accepts that sourcing of organs from prisoners is wrong. Huang at the time of the announcement of an organ donor pilot project stated that executed prisoners "are definitely not a proper source for organ transplants". This principle, that prisoners are not a proper source for organs, is accepted by the Transplantation Society and the World Medical Association.

So the question becomes, what are we going to do about the Chinese government abuse of global transplant ethics? Our report and book have a long list of recommendations. Given the shortness of time, I mention here only two.

One possibility is extraterritorial legislation. The June 2007 Chinese government policy giving priority to Chinese patients has cut down on transplant tourism to China, but such legislation nonetheless would be a useful statement of principle. The sort of transplants in which the Chinese medical system engages are illegal everywhere else in the world. But it is not illegal for a foreigner from any country to go to China, benefit from a transplant which would be illegal at home, and then return home.

Foreign transplant legislation everywhere is territorial; it has no extraterritorial reach. Many other laws are global in their sweep. For instance, child sex tourists can be prosecuted not just in the country where they abuse children, but, often at home as well. This sort of legislation does not exist for transplant tourists who pay for organ transplants without bothering to determine whether the organ donor has consented.

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A second recommendation is that any person known to be involved in trafficking in the organs of prisoners in China should be barred entry by all foreign countries.



Wife of Gao Zhisheng, Geng He (L) her 9-year-old son Tian

with David and friends in New York. (Courtesy David Kilgour)

Conclusion

In a 2007 UPI/Zogby opinion poll, 79 percent of Americans said they had a favourable opinion of the Chinese people, but 87 percent had an unfavourable opinion of their government. My guess would be that a similar survey done in all rule-of-law countries today would produce very similar findings. What would the vast majority of the Chinese people tell a pollster, if they could without serious risk of consequences, about the Party?

The attempted crushing of democracy movements, truthful journalists, Buddhist, Falun Gong, Christian, Muslim and other independent faith groups, human rights lawyers and other civil society communities in recent years indicates that China's party-state must be engaged with great caution. If its government stops abuses of human rights and takes steps to indicate that it wishes to treat its trade partners in a mutually-beneficial way, the new century will bring harmony for China, its trading partners and neighbours. Its people have the numbers, perseverance, self-discipline, entrepreneurship, intelligence, culture and pride to help make this new century better and more peaceful for the entire human family.

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What can you do? Contact your Members of Congress and your State Assembly to urge them to represent your values in dealing with the government of China. Unfortunately the administration's hands seem tied by literally billions of dollars in US Treasury bills held by the central bank of China. Study the bi-partisan recommendations of the U.S.-China Economic and Security Review Commission and other independent bodies, which seek to engage the government of China with coherence. Get ten friends and start an email campaign to help find Gao Zhisheng. His wife and children are now refugees in America and, like many others, want to know where he is.

The Chinese people want the same things as Americans and Canadians, including, respect, education, public safety, good jobs, and a sustainable natural environment. Living standards have improved on the coast and in other urban areas in China, but there is a huge cost. Most Chinese continue to be exploited by the party-state and employers which operate today across their country like 19th century robber barons. This explains partly why the prices of consumer products 'made in China' seem so low—the externalities are borne by workers, their families and the natural environment.

Thank you.

David Kilgour is a former Canadian Secretary of State (Asia-Pacific, 2002-2003; Latin America and Africa, 1997-2002) and a Member of the Canadian Parliament from 1979 to 2006.

PDF file of the speech (with illustrations) is available from [David Kilgour.com](http://DavidKilgour.com)