

In December 2009, an Argentine judge issued arrest warrants for top Chinese officials for their roles in the persecution of practitioners of the Falun Gong spiritual practice.

Judge Octavio Aráoz de Lamadrid's landmark decision set a historical legal precedent for Argentina through its reliance on principles of extraterritoriality to prosecute foreign defendants for crimes against humanity.

The judge issued a national and international arrest warrant against Jiang Zemin, former leader of the Chinese Communist Party, and Luo Gan, former head of the 610 Office (Chinese Gestapo), an extrajudicial agency set up to lead and coordinate the campaign against Falun Gong. The warrant is to be carried out by the Interpol Department of the Federal Police of Argentina.

The case follows a similar decision in Spain a month earlier in which five top communist leaders were indicted for their roles in the persecution of Falun Gong by the Spanish National Court.



Jiang Jemin (L) and Luo Gan - arrest warrants for genocide. (screenshot)

In that case, Spanish judge Ismael Moreno accepted charges of genocide and torture after a two-year investigation. Jiang, who was the initiator of the campaign launched in 1999 to “eradicate” Falun Gong, is also among the accused in that case.

Luo is also facing charges of genocide and torture in the Spanish case for his part in leading the 610 office.

The other three accused are Bo Xilai, current Party Secretary for Chongqing and former Minister of Commerce; Jia Qinglin, the fourth-highest member of the party hierarchy; and Wu Guanzheng, head of an internal party disciplinary committee.

Pressure and 'punishment'

The Chinese Communist Party (CCP) regime was so worried that these cases would further expose its genocide of Falun Gong that it pressured the Argentina government to have the arrest warrants withdrawn and the case dropped.

The Argentine government gave into the pressure and sacked Judge Lamadrid, and another judge withdrew the arrest warrants, however, the plaintiffs in the case continued to appeal this decision.

The President of Argentina, Cristina Fernandez de Kirchner, canceled a planned trip to China in January this year ostensibly because of political troubles at home, however, many observers think that China canceled the trip because of its displeasure at its crimes against humanity being exposed.

On March 17th, the Chamber of Criminal Punishment, Court No 1, agreed to hear the appeal from the plaintiffs to restore the capture order against the CCP officials. The first hearing will be this month (May).

China subsequently announced that it would stop buying soy oil from Argentina and in April, communist leader, Hu Jintao visited Venezuela, Brazil and Chile, but ignored Argentina. Human rights activists believe that this is 'punishment' for Argentina because the genocide lawsuit is still alive.

Chinese 'Gestapo'

In Argentina, Judge Lamadrid described the 610 Office as:

“a Chinese Gestapo with the objective of exterminating thousands of innocent people (including women, the elderly, and children) under the control, direction, supervision, and coordination of Luo Gan, the accused...”

“Jiang and Luo's actions long ago placed them in the same category as the Augusto Pinochets, Slobodan Milosevics, and Charles Taylors of the world,” Falun Dafa Information Center spokesman Erping Zhang said in a press release. “International justice mechanisms are now catching up with these two as well.”

“The decision to go forward with just and impartial proceedings in this case will be a credit to Argentina as a leader in international human rights law, said Carlos Iglesias, the lawyer who

filed the similar case in the Spanish National Court.

If Jiang or Luo travel to a country that has an extradition treaty with Argentina, they may be detained, transferred to Argentina, and brought before the court, Lamadrid said.

The judge's decision was based on evidence that included the oral testimonies of 17 victims of torture and other forms of persecution. The witnesses provided a “harsh and very concrete vision of the sinister attitude toward human rights held by the Chinese Communist Party,” according to Alejandro Cowes, one of the attorneys who initially filed the case on behalf of Falun Gong victims.

The judge also took into account the testimony of doctors, United Nations reports, and research by human rights groups such as Amnesty International and Human Rights Watch.

“The genocidal strategy ... comprised a broad range of actions arranged in total contempt for life and human dignity,” Lamadrid said in his decision, which took four years from when the gathering of evidence began.

“The designated purpose—the eradication of Falun Gong—was used to justify any means used. Therefore, torment, torture, disappearances, deaths, brainwashing, psychological torture were everyday occurrences in the persecution of its practitioners,” he said.

“I understand that in the present case the principle of universal jurisdiction must be applied in view of the [severity of the] crimes, the number of victims affected, and the ideological nature of the actions taken against members of the Falun Gong religious group,” the judge said in his ruling.

Background

Falun Gong (also known as Falun Dafa) is a spiritual discipline focused on self-improvement through following the principles of “Truthfulness–Compassion–Forbearance.”

There are over 3,000 confirmed torture deaths (this is considered to be 'the tip of the iceberg' and actual deaths may be in the tens of thousands) according to Falun Gong sources, and the persecution against the group is commonly cited as among the most severe human rights abuses in China.

Then Chinese leader, Jiang Zemin, initiated a brutal persecution of Falun Gong in July 1999, for several 'reasons' including the huge numbers of practitioners (around 100 million) and to consolidate his own power.

The CCP 'demonized' Falun Gong with blanket media propaganda, burned Falun Gong books and censored the internet so that Chinese citizens could not learn the truth about the spiritual practice.

Jiang set up the '610' office (named after the date it was set up - 10th June 1999) to oversee the genocide of Falun Gong and appointed Luo Gan as its head.

The 610 office is an extra-judicial organization that takes precedence over all arms of government, judiciary and law enforcement and reports directly to the Politburo.

In 2006, allegations of live organ harvesting from Falun Gong practitioners surfaced and were investigated by David Kilgour and David Matas, two Canadian human rights activists.

Their report, [Bloody Harvest](#) , concludes that more than 40,000 Falun Gong practitioners have been killed and their organs harvested and sold by the Chinese communist regime.

The persecution and organ harvesting continues to this day, aided by desperate attempts by the Chinese communist regime to use economic factors to pressure western countries not to speak out.