



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-4396/1  
CMH&JK:amn

## 2019 SENATE JOINT RESOLUTION 72

November 1, 2019 - Introduced by Senators JACQUE, LARSON, NASS, STROEBEL and L. TAYLOR, cosponsored by Representatives THIESFELDT, ANDERSON, BALLWEG, BOWEN, GUNDRUM, HORLACHER, KULP, MURPHY, POPE, C. TAYLOR, VRUWINK and WICHGERS. Referred to Committee on Senate Organization.

1       **Relating to:** expressing concern over persistent and credible reports of systematic,  
2           state-sanctioned, forced organ harvesting from nonconsenting prisoners of  
3           conscience, including Falun Gong practitioners imprisoned for their spiritual  
4           beliefs and members of other religious and ethnic minority groups in the  
5           People's Republic of China.

6           Whereas, when performed in accordance with ethical standards, the medical  
7           discipline of organ transplantation is one of the great achievements of modern  
8           medicine; and

9           Whereas, organ transplantation depends on altruistic organ donation, which  
10          is based on free, voluntary, and informed consent of the donor, not his or her killer;  
11          and

12          Whereas, free, voluntary, and informed consent cannot be guaranteed for death  
13          row prisoners who are deprived of their freedom and exposed to coercion; and

1           Whereas, forced organ harvesting is understood as organ procurement without  
2 free, voluntary, and informed consent, and includes jeopardizing the survival of the  
3 nonconsenting organ donor; and

4           Whereas, the People’s Republic of China implemented a regulation in 1984 that  
5 permits organ harvesting from executed prisoners, a practice that is banned by the  
6 World Medical Association and international ethical standards but continues  
7 unabated to date in China; and

8           Whereas, the organ transplantation system in China does not comply with the  
9 World Health Organization’s Guiding Principles of traceability and transparency in  
10 organ procurement pathways, and the government of the People’s Republic of China  
11 has resisted independent scrutiny of the system; and

12           Whereas, the Country Reports on Human Rights Practices for 2011 by the U.S.  
13 Department of State reporting on China stated, “Overseas and domestic media and  
14 advocacy groups continued to report instances of organ harvesting, particularly from  
15 Falun Gong practitioners and Uighurs”; and

16           Whereas, Falun Gong, a spiritual practice involving meditative “qigong”  
17 exercises and centered on the values of truthfulness, compassion, and tolerance,  
18 became immensely popular in China in the 1990s, with multiple estimates placing  
19 the number of practitioners at upwards of 70 million; and

20           Whereas, in July 1999, the Chinese Communist Party launched an intensive,  
21 nationwide persecution, including physical and mental torture, designed to  
22 eradicate the spiritual practice of Falun Gong due to its growth and independence  
23 from the state, just as religious and ethnic groups have long been persecuted by  
24 Chinese government authorities because they are perceived as a threat to the  
25 communist regime; and

1           Whereas, since 1999, hundreds of thousands of Falun Gong practitioners have  
2           been detained extralegally in Chinese reeducation-through-labor camps, detention  
3           centers, and prisons, where torture, abuse, and implausible medical exams and blood  
4           tests on Falun Gong practitioners are routine; and

5           Whereas, the number of organ transplant operations in China increased by  
6           more than 500 percent within five years after 1999, corresponding with the onset of  
7           the persecution of Falun Gong practitioners; and

8           Whereas, the increase of transplant organs is not attributable to an overall  
9           increase in the number of death row inmates or to a public organ donation system  
10          or another publicly recognized organ source; and

11          Whereas, the government of the People's Republic of China has not provided  
12          any explanation for the sudden increase of donor organs and the short wait times of  
13          one to four weeks for kidney and liver transplants; and

14          Whereas, two Canadian researchers — David Matas, a human rights attorney,  
15          and David Kilgour, former Canadian Secretary of State for Asia-Pacific — conducted  
16          an investigation into allegations of organ harvesting from Falun Gong prisoners of  
17          conscience in 2006 and concluded, based on extensive circumstantial evidence, that  
18          the allegations were true and that tens of thousands of Falun Gong practitioners may  
19          have been killed for their organs; and

20          Whereas, in 2006, doctors from 17 Chinese hospitals admitted in phone calls  
21          with undercover investigators that they have used or could obtain vital organs of  
22          Falun Gong prisoners of conscience for transplant, with some of the doctors  
23          implicating local courts and security agencies in the organ procurement process; and

1           Whereas, Ethan Gutmann published findings that Chinese security agencies  
2 began harvesting organs from members of the predominantly Muslim Uighur ethnic  
3 minority group in the 1990s, including from Uighur political prisoners; and

4           Whereas, the United Nations Committee Against Torture and the Special  
5 Rapporteur on Torture have expressed concern over the allegations of organ  
6 harvesting from Falun Gong prisoners, and have called on the government of the  
7 People’s Republic of China to increase accountability and transparency in the organ  
8 transplant system and punish those responsible for abuses; and

9           Whereas, Huang Jiefu announced in December 2014 that the People’s Republic  
10 of China will end organ harvesting from executed prisoners by January 1, 2015,  
11 while simultaneously stating that death row prisoners are citizens who have the  
12 “right” to donate their organs and that their organs will be entered into the organ  
13 allocation program, and therefore the organ procurement from death row prisoners  
14 will continue under this new semantic terminology; and

15           Whereas, the aforementioned announcement made by Huang Jiefu has not  
16 been verified on official, publicly accessible websites or information boards of the  
17 Chinese ministry of health, and therefore remains an announcement by a single  
18 person, but not an announcement of the government; and

19           Whereas, the People’s Republic of China neither acknowledged the organ  
20 harvesting from prisoners of conscience, nor expressed the cessation of it; and

21           Whereas, the Declaration of Istanbul Custodian Group, the International  
22 Society of Heart and Lung Transplantation, and Doctors Against Forced Organ  
23 Harvesting expressed in public statements that the announcement to end the organ  
24 harvesting by January 2015 is not credible, but only a semantic alteration of the  
25 same practice; and

1           Whereas, in January 2015, the White House, in response to the petition “We the  
2 People,” expressed its opposition to China’s practice of harvesting organs from  
3 executed prisoners; and

4           Whereas, according to a 2017 Freedom House report on religious freedom in  
5 China, there is “credible evidence suggesting that beginning in the early 2000s,  
6 Falun Gong detainees were killed for their organs on a large scale”; and

7           Whereas, the killing of religious or political prisoners for the purpose of selling  
8 their organs for transplant is an egregious and intolerable violation of human dignity  
9 and the fundamental right to live; and

10           Whereas, in September 2012, experts testified before the House of  
11 Representatives Foreign Affairs Committee that U.S. patients continue to travel to  
12 China for organ transplants and that the medical community continues cooperation  
13 and training with Chinese colleagues, creating the risk that they may be indirectly  
14 aiding abusive practices; and

15           Whereas, an independent international tribunal, the China Tribunal,  
16 investigated the claim of forced organ harvesting from prisoners of conscience in  
17 China and states in its December 2018 short form summary of its findings: “The  
18 Tribunal’s members are certain — unanimously, and sure beyond reasonable doubt  
19 — that in China forced organ harvesting from prisoners of conscience has been  
20 practiced for a substantial period of time involving a very substantial number of  
21 victims”; and

22           Whereas, the China Tribunal’s final report, released on June 17, 2019,  
23 concludes that “forced organ harvesting has been committed for years throughout  
24 China on a significant scale and that Falun Gong practitioners have been one — and  
25 probably the main — source of organ supply”; now, therefore, be it

