



Plenary sitting

B9-0251/2022

3.5.2022

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on the reports of continued organ harvesting in China
(2022/2657(RSP))

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on behalf of the S&D Group

European Parliament resolution on the reports of continued organ harvesting in China (2022/2657(RSP))

The European Parliament,

- having regard to its previous resolutions on a new EU-China strategy¹, on the human rights situation in China, in particular those of 17 December 2020 on forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region, of 18 April 2019 on China, notably the situation of religious and ethnic minorities, of 4 October 2018 on mass arbitrary detention of Uyghurs and Kazakhs in the Xinjiang Uyghur Autonomous Region, of 12 September 2018 on the state of EU-China relations, and of 15 December 2016 on the cases of the Larung Gar Tibetan Buddhist Academy and Ilham Tohti,
 - having regard to the EU guidelines on the promotion and protection of freedom of religion or belief, adopted by the Foreign Affairs Council on 24 June 2013,
 - having regard to Article 36 of the Constitution of the People's Republic of China, which guarantees all citizens the right to freedom of religious belief, and to Article 4 thereof, which upholds the rights of minority nationalities,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ratified by China on 4 October 1988,
 - having regard to the study by the Australian National University called execution by organ procurement: Breaching the dead donor rule in China, published by American Journal of Transplantation, DOI:10.1111/ajt.16969
 - having regard to the hearing of 29 November 2021 by the Subcommittee on Human Rights and to the respective testimonies of Barrister England and Wales and prosecutor of UN's International Criminal Tribunal for former Yugoslavia 1998-2006 Sir Geoffrey Nice QC and Professor of cardiothoracic surgery at University College London and paediatric transplant surgeon Martin Elliott, from The Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China, namely People's Tribunal on allegations of organ harvesting in China and related human rights violations
 - having regard to the judgement of the China Tribunal, the Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China, released on March 2020,
 - having regard to Rule 132(2) and (4) of its Rules of Procedure,
- A. whereas the promotion of and respect for human rights, democracy and the rule of law are at the centre of the EU relations with China, in line with the EU's commitment to

¹ Texts adopted, P9_TA(2021)0382.

uphold these very same values in its external action and China's commitment to adhere to them in its own development and international cooperation;

- B. whereas since President Xi Jinping assumed power in March 2013, the human rights situation in China has continued to deteriorate; whereas the Chinese Government has increased its hostility notably towards the freedom of religion and the rule of law; whereas the Chinese authorities have detained and prosecuted hundreds of human rights defenders, lawyers and journalists;
- C. whereas the situation in the Xinjiang Uyghur Autonomous Region, where more than 10 million Muslim Uyghurs and ethnic Kazakhs live, has rapidly deteriorated in the last few years; whereas the Chinese Government's war on terror in Xinjiang is increasingly turning into a war on religion and ethnicity; whereas evidences from Human Rights Organisations are proving that the Xinjiang camp system has been expanded into other parts of China;
- D. whereas the People's Republic of China has extremely low rates of voluntary organ donations owing to traditional beliefs; whereas in 1984, China implemented regulations that permitted the harvesting of organs from executed prisoners;
- E. whereas a recently released study by the Australian National University examined thousands of medical papers from official Chinese databases between 1980 and 2020 and unveiled the State's clandestine practice of using organ transplant surgeries on death-row prisoners and prisoners of conscience, and eventually causing their death; whereas the study strongly suggests that Chinese surgeons at state-run civilian and military hospitals performed such acts; whereas the study further argues Chinese state and military affiliated hospitals chose to execute death-row prisoners as well as prisoners of conscience because organ harvesting is extremely profitable;
- F. whereas the China Tribunal, the Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China, issued its final judgement in March 2020, concludes that forced organ harvesting has been committed for years throughout China on a significant scale and continues until today; that Falun Gong practitioners have been one - and probably the main - source of organ supply; and that the commission of crimes against Humanity against the Falun Gong and Uyghurs has been proved beyond reasonable doubt in the course of a widespread and systematic campaign against the Falun Gong and Uyghurs in China;
- G. whereas evidence demonstrates that China's heavy reliance on executed and living prisoners as a source of transplant organs entails a wide range of unacceptable human rights and medical ethics violations;
- H. whereas human rights activists reported that some 15 million members of minorities in the Xinjiang province, including Uighur Muslims, underwent medical examinations essential to check matches of organs for transplant;
- I. whereas detainees from ethnic, linguistic or religious minorities are reportedly forcibly subjected to blood tests and organ examinations such as ultrasound and x-rays, without their informed consent; whereas the results of the examinations are reportedly registered in a database of living organ sources in view of facilitating the organ allocations;

- J. whereas United Nations Human Rights experts were reportedly extremely alarmed by reports of alleged ‘organ harvesting’ targeting minorities, including Falun Gong practitioners, Uyghurs, Tibetans, Muslims and Christians, in detention in China;
- K. whereas the UN human rights experts have previously raised the issue with the Chinese Government in 2006 and 2007, whereas the Chinese Government responses lacked data such as information on the sources of organs used for transplant surgeries or information-sharing systems with the purpose of identification and protection of victims of trafficking, effective investigation and prosecution of traffickers;
- L. whereas the estimated number of death sentences and executions in China by far exceeds that of all other countries taken together;
- M. whereas the Chinese government denies accusations of organ harvesting and has repeatedly and categorically denied that Falun Gong practitioners have been killed for their organs;
1. Strongly condemns the reported persistent, systematic, inhumane and state-sanctioned organ harvesting from living death-row prisoners and prisoners of conscience in the People’s Republic of China, including from large numbers of Falun Gong practitioners and Uyghurs imprisoned for their religious beliefs, as well as from members of other religious and ethnic minority groups;
2. Considers that the practice of organ harvesting from living death-row prisoners and prisoners of conscience in the People’s Republic of China may amount to crime against humanity, as defined in the article 7 of Rome Statute of the International Criminal Court; Urges the People’s Republic of China to sign and accede to the Rome Statute;
3. Calls on the Chinese authorities to immediately and unconditionally put an end to the practice of forced organ harvesting on people targeting ethnic, religious or linguistic minorities such as Falun Gong practitioners, Uyghurs, Tibetans, Muslims and Christians in detention in China; further calls on the Chinese authorities to promptly respond to the allegations of ‘organ harvesting’ and to allow independent monitoring by international human rights mechanisms.
4. Calls on the Chinese authorities to immediately and unconditionally release the Uyghur scholar and Sakharov Prize 2019 winner Ilham Tohti, and to ensure, in the meantime that he has regular and unrestricted access to his family and the lawyer of his choice, and that he is not subject to torture or other ill-treatment;
5. Recalls that the EU and China confirmed their commitment during the EU-China Summit on 9 April 2019 that all human rights are universal, indivisible, interdependent and interrelated; emphasises that the promotion of human rights and the rule of law must be at the core of the EU’s engagement with China;
6. Calls on the EU and its Member States to raise the issue of organ harvesting in China at every political and human rights dialogue with the Chinese authorities, in line with the

EU's commitment to project a strong, clear and unified voice in its approach to the country; Demands that the European Union and its Member States publicly condemn the organ transplant abuses in China and raise awareness of this issue among their citizens travelling to China;

7. Calls on the EU and its Member States to raise the issue of forced organ harvesting in its engagement with third countries, especially partners in the Gulf Region, where Chinese transplant centres advertised 'halal organs' from Uyghurs and Muslim minorities in China;
8. Calls for a full, independent and transparent investigation by the EU into organ transplant practices in China, and for the prosecution of those found to have engaged in such unethical practices;
9. Calls on the Member States to ensure that their conventions and cooperation agreements with third countries, including China, in the area of health and research respect the EU ethical principles in terms of organ donation and the use for scientific purposes of elements and products of the human body;
10. Is extremely concerned at attempts by Chinese authorities to target Uyghurs, Falun Gong and Tibetan diaspora communities, including human rights defenders, in EU Member States and in third countries; reiterates its call on the EU Member States to suspend active extradition treaties with the PRC, to encourage partner countries to do the same and, in the meantime, to stop the deportation of targeted diaspora members;
11. Urges China to introduce a moratorium on death sentences and executions and ultimately abolish this inhuman practice;
12. Calls for an immediate end of the repressive regime that Uyghurs and other religious or ethnic minorities such as Falun Gong are facing and demands the immediate release of all prisoners of conscience in China and the respect of their fundamental freedoms; Urges China to take concrete measures towards putting an end to unethical surgeries and other human rights violations in China, such as forced labour and the systematic persecution of Uyghurs and other Turkic Muslim minority groups, Tibetans, Christians and other religious communities and churches.
13. Calls on the Chinese authorities in Xinjiang to provide information about the locations and medical conditions of those detained; emphasises that any kind of detention, when applied in violation of fundamental international laws, persecution against specific persons or groups on ethnic, cultural or religious grounds, and other inhumane acts causing great suffering or serious injury, are unacceptable in the light of universal values, international norms and human rights;
14. Reiterates its call on the Chinese authorities to allow free, meaningful and unhindered access to the Xinjiang Uyghur Autonomous Region for independent journalists and international observers;
15. Requires that the Chinese authorities grant an open, unfettered and meaningful access to the UN High Commissioner for Human Rights and the mandate holders of the UN Human Rights Council Special Procedures to visit Xinjiang;

16. Exhorts the UN High Commissioner for Human Rights to release as a matter of urgency her report on the situation in Xinjiang regardless of her access to the troubled region; Asks the UN High Commissioner for Human Rights for an increased and targeted communication denouncing the dire situation in the Xinjiang;
17. Urges the Commission and the Member States to take all the necessary measures to persuade the Chinese Government to close the camps, to end all human rights violations in Xinjiang, and to uphold the linguistic, cultural, religious and other fundamental freedoms of the ethnic, religious or linguistic minorities.
18. Calls on the Council to swiftly introduce additional targeted sanctions under the EU Global Human Rights Sanctions Regime against PRC officials, and entities and individuals responsible for orchestrating forced organ harvesting and other ongoing human rights violations in China;
19. Calls on the VP/HR to insist on an independent investigation into the scale and nature of the internment camp system and the numerous allegations of serious and systematic human rights violations, including forced organ harvesting;
20. Reiterates that in its ongoing reform process and increasing global engagement, China has opted into the international human rights framework by signing up to a wide range of international human rights treaties; calls China to live up to its commitments; urges the Chinese authorities to continue to implement the national reforms required to ratify the 1966 International Covenant on Civil and Political Rights, which was signed by China in 1998, and to implement the recommendations of UN human rights bodies;
21. Instructs its President to forward this resolution to the Council, the Commission, the Vice President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Governments and Parliaments of the Member States, the Government and Parliament of the People's Republic of China and the UN High Commissioner for Human Rights.