

China and Human Rights: A Global Strategy

by David Matas

(Remarks prepared for delivery to the Cambridge Union, Cambridge University, United Kingdom March 11, 2008)

I. A strategy for China

The pursuit of human rights in China, as in any country, has to be approached strategically. What is the most effective way of combating human rights violations in China?

The best strategy is the most direct, combating human rights violations frontally, centrally rather than peripherally. The Communist Party of China rules China through repression, having killed since its inception tens of millions to achieve and maintain power, more than Nazi Germany and the Stalinist Soviet Union combined. Repression of human rights in China takes many forms with many victims.

Because they have beliefs different from the Communists or tell the world about Chinese violations, the Communist Party of China persecutes Falun Gong, democracy activists, ethnic minorities and global religions - Tibetan Buddhists, Moslem Uighurs and Christians, human rights defenders, journalists, and internet bloggers. Yet, it persecutes the Falun Gong more and worse than any other group.

The Falun Gong began in 1992 as a blend of ancient Chinese spiritual and exercise traditions. It was initially encouraged by the Government of China as beneficial to health, but banned in 1999 because of Communist ideological envy over its increasing popularity. A number of human rights tribunals have all determined Falun Gong to be a form of religion.

Though the Chinese Communists are annoyed with the efforts of other victim groups, it is only the Falun Gong they feel pose a true threat. It is only the Falun Gong who the

Communists fear provide a viable alternative to the ideological pre-eminence of the Communist Party in China. Communism in China today has generated into an ideological vanity project for those in power. At time when no one could figure out what to make of Jiang Zemin's "Three Represents" musings, the Chinese people were ascribing to Falun Gong beliefs in the millions. Before their repression, the Falun Gong were more numerous than any other group, more numerous than the Communist Party itself.

It would be incongruous for oppressors to back off from what they see as their worst threat and remain unwavering in their hostility to other perceived enemies. Unravel the repression against the Falun Gong and all other victim groups will benefit.

Embracing the Falun Gong is practical. Who else, after all, has the newspapers, the TV, the radio, the numbers, the persistence day after day, year after year, city after city, country after country, to pursue human rights in China? Activism for promotion of respect for human rights in China around the world is, more than any other form, Falun Gong activism. For activists to cut themselves off from Falun Gong is to cut themselves off from their best, their strongest allies in the struggle for promotion of human rights in China.

As a matter of strategy as well as a matter of principle, the expression of concerns about human rights violations should lead with condemnation of the worst violations first. Falun Gong has the ignominious honour of leading by far the parade of human rights victims in China. They represent two thirds of the torture victims¹. The next largest victim group, the Uighurs, stands at eleven per cent. All others are single digits.

¹ Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak *MISSION TO CHINA*, UN Document E/CN.4/2006/6/Add.6, 10 March 2006, paragraph 42.

The United States Department of State reports:

"Some foreign observers estimated that at least half of the 250,000 officially recorded inmates in the country's reeducation-through-labour camps are Falun Gong adherents."²

Falun Gong practitioners and prisoners sentenced to death are the sole victims of organ harvesting, the killing of innocents for their organs for transplant surgery³.

It is remarkable, in light of the disproportionate victimization of this one group, how little their suffering receives attention from governments, intergovernmental organizations and non-governmental organizations concerned about human rights in China. The mobilization of concern about repression of the Falun Gong has not been commensurate with the gravity of the situation.

This behaviour is reminiscent of those who in the thirties and forties opposed Nazism without saying anything against antisemitism. Opposing human rights violations in China while remaining silent about Falun Gong victimization ignores the kernel at the centre of human rights violations in China.

The unprecedented and grotesque nature of organ harvesting in particular allows for greater mobilization in protesting human rights violations in China generally. For some who hear of, say, torture or arbitrary detention in China, the reaction may be that they have heard this all before too many times. People can quickly become jaded about almost anything, including the traditional forms of human rights violations. In contrast, when people hear about killing innocents for their organs, they sit up and take notice.

² 2007 Report on International Religious Freedom: China

³ David Kilgour and David Matas "Bloody Harvest: Organ Harvesting of Falun Gong Practitioners in China." at <www.organharvestinvestigation.net>

There is a common inclination to focus on the better documented over the worse violations. Yet that inclination suffers from an overly narrow audience selection. Protests of human rights violations have three basic audiences - the perpetrators, the victims and the public at large. For the perpetrator audience, in this case the Government of China, it is indeed easier to discuss the better documented over the worse. It is harder for the perpetrator to deny the better documented. The lesser documentation as well as the greater harm both drive the perpetrator to denials, a seeming dead end.

To this concern, there are two answers. One is that for the other two audiences, the victims and the public at large, it is far better to focus on the worse over the better documented. Surviving victims of human rights violations suffer both physically and mentally. A large part of their mental suffering is their sense of betrayal, their feeling of abandonment, the despair of being left alone to their fate.

Expressions of concern about human rights violations, though they may not move the perpetrators to change their behaviour, surely move the victims to help them cope with their suffering. Crimes against humanity are crimes against us all. By showing solidarity with the victims, we acknowledge that we too are victims of these crimes.

Though there are no surviving Falun Gong victims of organ harvesting, there are many surviving family members who believe, with good reason, that this is how and why their loved ones died. Organ harvesting of Falun Gong practitioners is a violation which all Falun Gong practitioners everywhere feel keenly. It would mock that feeling to ignore that violation.

For the public at large, focusing on the better documented over the worse violations looks Machiavellian. For all matters, but for human rights above all, the public expects human rights activists to act on principle. That means protesting the worst violations

first.

At the end of the day, respect for human rights violations will come from public awareness and mobilization. Unless respect for human rights is promoted by humanity at large, human rights principles will wither. By putting aside the worse violations in favour of those with more traction with perpetrator governments, we ignore our most crucial support, the public, in the struggle for respect for human rights.

Even when it comes to dealing directly with the Government of China, there is something to be said for raising worse violations which China denies than lesser violations which China admits. Many of the lesser violations in China are either embedded in law or so widespread that the Government of China just says we are trying and leaves it at that. With a violation China denies, it should be uncontroversial to work with China to set in places safeguards to prevent the violation from happening.

For instance, it is Chinese policy, though regrettably not practice, for organ harvesting to be done only with the consent of the donor. How can China say no to cooperation in setting up a functioning, documented, verifiable, supervised, standardized, comprehensive consent system for organ donation?

II. Mobilizing concern

Once we decide on the victims and violations we wish to focus, what next? Who should be our target audience?

Those inside China are heavily propagandized and brutally terrorized. For the Communist Party of China, it is all too easy to ignore internal opposition. The Government of China rules by force, not by consent. It is imposed, not elected. If individuals in China do not agree with the Party, the attitude of the Government is so much the worse for them. If the dissenters keep their opinions to themselves, they may be lucky and be ignored. If they express their opinions too openly, too persistently,

they are arrested, beaten, tortured, made to disappear.

That was the experience, for instance, of human rights lawyer Gao Zhisheng, who has had the courage to stand up, within China, to the Government of China. For his mettle, he has been repeatedly victimized. Today he remains among the disappeared. One has to applaud his courage. David Kilgour and I have nominated him for the Nobel Peace Prize.

However, it would be unrealistic to expect a whole bunch of others to be as courageous as he has been. It would be asking too much of others to ask them to risk suffering what Gao Zhisheng has suffered.

A dictatorship, in any case, is more likely to pay attention to external opposition than internal opposition. External opposition is hard to suppress or ignore.

Democratic governments cater to their electorates sometimes to the detriment of international opinion. With tyrannies, it is the opposite. They do not really care that much about what locals think of them, because they can maintain power through terrorizing the local population almost no matter how unpopular the regime is.

In contrast, tyrannies care very much about international opinion. International opinion impacts on their legitimacy, their respectability, their status, their hold on power. International criticism, since it can not be suppressed in the same way that local criticism can be, has, in some way, to be answered.

While this observation is generally true, it is more true for China than any other country. China is unique amongst the tyrannies of the world. It is a global power with economic and political outreach around the planet. Other tyrannies are hermit kingdoms, cut off from the rest of the world, ignoring criticism abroad while stifling it at home. Burma or North Korea are almost as indifferent to external as to internal

criticism. For Zimbabwe or Sudan or Cuba or Iran the story is much the same. China, though, cares because its global ambitions depend on its global image.

If we are going to mobilize concern about China outside of China, who should be our targets? Should it be people who are ethnic Chinese, Chinese nationals outside of China, people in government or business or the arts or sports or academia who have some dealings with China? Or should it be people with no connection to China whatsoever?

Just as any opposition from inside China is welcome, so too is any opposition which comes from people outside China who have a connection to China. But, I would suggest that the best strategy would be to attempt to mobilize those with no connection to China.

One reason is that the crimes of China are not just crimes against the Falun Gong or Uighurs or Tibetans or the Chinese people. They are crimes against humanity. They are crimes against us all. If we expect only or specifically those with some connection to China to be concerned, the message of the universal nature of the crimes is lost.

A second reason is that those with connections to China are all too easily intimidated or endangered. Nationals of China abroad have relatives at home under the thumbs of the Chinese state. Those engaged in dealings with China run the risk of their affairs going off the rails if they displease the Chinese Government.

A third reason is that the Government of China feels that it owns China and the Chinese. The Government of China sees itself as the voice of China and the Chinese people world wide. Criticism from within the state or from within the Chinese community outside of China is belittled as political, whether it is or not. It is a lot harder to characterize external criticism that way when it comes from total outsiders.

Those who are most free to stand against Chinese human rights violations, those whose stance carries most graphically the universal human rights message, and, consequently, those whose opposition China finds hardest to ignore, are those with no connection to China whatsoever. When David Kilgour and I stand against the killing of Falun Gong practitioners for their organs, we have nothing to gain, because we are not being paid and are not Falun Gong practitioners. But we also have nothing to lose unlike those inside China like Gao Zhisheng who are brutalized or even those outside China who have or would, for their careers, like to have dealings with China. As well, no one could plausibly suggest that we would have any political ambitions in China.

III. Combatting indifference

When we attempt to mobilize outsiders with no connection to China, we face another problem, indifference. When people themselves are victims or potential victims of human rights violations, it is easy to generate concern. Where the victims are others, all too many people, regrettably, just do nothing.

It is easy to decry inaction in the face of human rights violations. But why does it happen? Who are the people who do nothing?

Some feel helpless, believe that there is nothing they can do. Others are lazy, unable to muster the energy to act. A third group are self centred, focusing on their own lives at the expense of the lives of others. A fourth are intimidated, fearing that the perpetrators will reach out to get them if they protest.

All of these people accept that what is being done to the victims is wrong. They are just not prepared to do anything about it.

But by far the biggest obstacle to combating human rights violations is indifference. Who are the indifferent? They are people either who do not know or do not care.

Those who do not care are either callous or conflicted. The callous are sadists. They share the cruelty of the perpetrators. Massive human rights violations go hand in hand with ideologies which first preach and then justify those violations. Many of the callous are believers, signing on to the ideology of human rights violations.

The conflicted have contrary interests. They are fellow travellers of the perpetrators because they have family, social, career, financial or business interests which would be jeopardized by confronting the perpetrators. The conflicted are morally compromised. They put their lesser personal interests above the prevention of grave wrongs.

By far the greatest number of the indifferent are those who do not know. But how can anyone not know? Massive human rights violations are widely publicized. They are the stuff of daily headlines. Reams of books, reports, articles, broadcasts bring the atrocities of this world into every living room.

The answer is the ideologies which accompany violations. Perpetrators do not just kill and torture and rape. They also incite to hate, propagandize, disinform, distort, evade and fabricate.

People are indifferent because they do not pay close enough attention to sort out truth from falsehood, the real from the unreal. The indifferent place the truth of the victims and the fabrications of the perpetrators and their apologists at the same level, dismissing the whole as a political dispute in a faraway land.

There are many eloquent remarks against indifference. One is that the worst place in hell is reserved for those who are indifferent. Another is that all that is necessary for evil to flourish is for the good to do nothing. William Butler Yeats has written: "The best lack all conviction while the worst are full of passionate intensity". Elie Weisel has said: "Indifference is always the friend of the enemy for it benefits the oppressor - never the victim."

Accusations of human rights violations are not always true and not always well intentioned. Those politically opposed to any regime will easily resort to false accusations of human rights violations as a means of delegitimizing that regime.

The difference between imagined human rights violations invented for purposes of delegitimization and actual human rights violations denied by the perpetrators is reality. We can not ignore reality and just consider charges and denials of human rights violations as a bunch of words all of equal weight.

The difference between Holocaust deniers and the tragic stories of the victims of the Holocaust is the real, what actually happened. It would be irresponsible to feign neutrality between Holocaust deniers and Holocaust victims. Anyone concerned with truth and freedom and respect for human rights would disapprove strongly of those who treated Holocaust denial as a respectable opinion deserving the same weight and consideration as the tales of horror of Holocaust victims.

But Holocaust denial, like the Holocaust itself, is not an isolated experience. It is rather the most extreme form of a whole spectrum of speech abuses. Every grave human rights violation has its deniers. Perpetrators everywhere have a whole litany of sorry excuses; but the first line of defense for them all is "it did not happen".

IV. The global challenge

Chinese repression in China of the Falun Gong is brutal, horrifying, gross, systematic, widespread. It is the stuff of newspaper stories and human rights reports. It is plain and plainly awful.

Yet, that repression is not the whole story. When it comes to victimization of the innocent at home, China is much like many other tyrannies in the world. The chosen enemies vary from country to country, but, whatever the country, the story is much the

same -innocents suffer so that despots can stay in power.

However, when it comes to action abroad, China is different. Only China has the political muscle and economic weight to conduct a global propaganda campaign against its chosen victims who are primarily, but not only, the Falun Gong. Outside of China, Government agents do not have the power to kill, detain and torture. But they do what they can consistent with foreign law and even violating it in ways that diplomatic immunity allows them to do.

This world has not seen the likes of the Chinese government hatred of the Falun Gong since the Nazi Germany hatred of the Jews. Nazi Germany was not content to victimize its Jews in Germany. Antisemitism was a foreign policy, indeed the primary foreign policy goal of Nazi Germany. Nazi Germany was intent on persecuting and killing Jews everywhere in the planet that Jews were found.

China has not gone far as Nazi Germany, invading foreign countries so that it can murder its Falun Gong practitioners. But in its global sweep of repression against its chosen victims, it more resembles Nazi Germany than any other government since World War II.

This planetary attack against the Falun Gong takes a myriad of forms. First and foremost is incitement to hatred. The Government of China conducts a propaganda campaign against the Falun Gong wherever its agents are. The propaganda takes advantage of whatever media outlets are available.

The Government of China utters foul slanders against the Falun Gong. Falun Gong practitioners respond with vigorous criticism of the Communist Party of China. To outsiders not paying much attention and unfamiliar with the Falun Gong, this dispute superficially looks like a foreign political slanging match. The tendency is not to get involved. For media reporting a story where the dispute is relevant, there is a tendency

to report what each says, the Communist Party of China and Falun Gong practitioners, as they would any dispute, attempting to be neutral.

Yet, the Communist Party of China has committed massive human rights violations against the Falun Gong. The Falun Gong are a group of innocents, a non-political non-violent community.

The Communist Party of China, to justify its brutal hold on power, does what communist parties have done everywhere - it admits nothing and denies everything. It manufactures phoney charges, concocts facts, and imagines quotes. To put Chinese propaganda about the Falun Gong on the same level as evidence about the human rights violations perpetrated by the Communist Party of China, to create a false symmetry between them, ignores reality and turns a blind eye to the monsters staring us in the face.

There are, regrettably, all too many states inflicting massive human rights violations on their citizens. And there is never enough mobilization of concern to combat the violations.

Yet at least elsewhere, there is a general consensus that what is happening is wrong and needs to stop. When it comes to human rights violations in Zimbabwe or Iran or Burma or North Korea, the problems may seem intractable; but spreading awareness and appreciation of the problems is not.

Indifference is a problem with all human rights violations; but it is more acute for human rights violations in China. It is a good deal easier to mobilize concern about human rights violations in many other places than violations in China.

Even within China, there is a hierarchy. Repressed democracy activists, journalists, human rights defenders, Tibetan and Christian activists generate more sympathy than

the Falun Gong.

David Kilgour and I, in working on our report on organ harvesting of Falun Gong practitioners in China, have faced two formidable tasks. One was determining whether or not the allegations of organ harvesting of Falun Gong practitioners in China were true. The second, once we determined that they were true, was mobilizing concern about this foul practice. As difficult as writing our report was, shaking the global community out of its indifference towards violations of human rights against the Falun Gong has been even more difficult still.

It is not as if we were dealing with a slight or inconsequential problem. Why outside the Falun Gong community itself is there so little concern about the so numerous, so awful violations the Falun Gong suffer? One reason may be the very strangeness of the name Falun Gong.

The words "Falun" and "Gong" in Western languages mean nothing. Falun Gong victims are often people without Western connections or Western languages. It is a lot easier to relate to victims who have universal labels - journalists, human rights defenders, democracy activists, than a group with a name which means nothing to most ears.

Another reason is the economic clout of China. Some people regrettably measure the strength of their human rights commitment by its impact on their pocket book. China's economic weight by far surpasses that of other major human rights violators.

But the most likely explanation of all is the global campaign of China against the Falun Gong, the harassment, the bullying, the spying, the disinformation, pervasiveness and the persistence of Government of China anti-Falun Gong propaganda. The incitement to hatred which generates the persecution against the Falun Gong within China has become a primary message that embassies of China bring to the rest of the world.

The Chinese global disinformation campaign against the Falun Gong has three basic prongs. One is getting out their own propaganda. The second is blocking in every way they can the flow of any contrary information. The third is initiatives from those trying to please China.

V. Propagandizing

When it comes to propaganda against the Falun Gong, China does not make an effort to be accurate. The lies are shameless, blatant, patent, unabashed.

The Chinese are disciples of the big lie technique of former German Nazi leader Adolf Hitler. Adolf Hitler in his 1925 autobiography *Mein Kampf* defined the big lie propaganda technique as a lie so colossal that no one would believe that someone "could have the impudence to distort the truth so infamously".

Hitler wrote:

"There is only so much room in a brain, so much wall space, as it were, and if you furnish it with your slogans, the opposition has no place to put up any pictures later on, because the apartment of the brain is already crowded with your furniture."

The United States Office of Strategic Service, in a psychological profile of Hitler, wrote:

"His primary rules were: never allow the public to cool off; never admit a fault or wrong; never concede that there may be some good in your enemy; never leave room for alternatives; never accept blame; concentrate on one enemy at a time and blame him for everything that goes wrong; people will believe a big lie sooner than a little one; and if you repeat it frequently enough people will sooner or later believe it."⁴

⁴

Hitler as His Associates Know Him (OSS report, p.51)

The most obvious Chinese use of this technique is the constant labelling of the Falun Gong as an evil cult, though it has none of the characteristics of the cult. But the big lie is not just a single lie. It has many different facets.

The global Chinese campaign David Kilgour and I have seen is unlike anything we see from Zimbabwe or North Korea or any of the other major human rights violators. As a court room lawyer, I am used to having people disagree with me. But I have never seen anything like the disagreement with our report from the Government of China. The Chinese government disagreement studiously avoids the plausible and gravitates towards the outrageous.

It would take far too long to go through the substance of Chinese disinformation, point by point, and point out why it is wrong. Here is just one example, which gives a flavour of what the Government of China is doing.

I went to Israel to speak on May 30, 2007 at a symposium on organ transplants at Beilinson hospital near Tel Aviv. The Chinese Embassy to Israel circulated a statement at the symposium that the report David Kilgour and I wrote on organ harvesting of Falun Gong practitioners contains:

"verbal evidence without sources, unverifiable witnesses and huge amount of unconvincingly conclusive remarks based on words like "probably", "possibly", "maybe" and "it is said", etc. All these only call into question the truth of the report."

Yet, all one has to do to is to look at the report to see that every statement we make in our report is independently verifiable. There is no verbal evidence without sources. Where we rely on witnesses we identify them and quote what they say. Our study has been corroborated by independent disinterested researchers. We did, in the first version of our report, because of our limited knowledge of Chinese geography, place a

couple of Chinese cities in the wrong provinces. Other than that, no one has found even one element of our report incorrect or even questionable.

The report is on the internet and is word searchable. Anyone who searches it can see that the words "probably", "possibly", "maybe" and the phrase "it is said" are not used in our report, not even once. But people do not bother to search.

Some people, for reasons of political or diplomatic or economic convenience, will swallow anything said by the Communist Party of China, true or not. For these fellow travellers, what is relevant is only that it is said by the Communist Party of China. Its truth is a matter of indifference.

However, we have met others for whom the truth matters, who are not associated in any way with the Communist Party of China, but yet who assert, without having read our report, that it is based on rumour. The only explanation is that these dupes have heard or read Chinese Communist propaganda about our report, that they have been misled by the big lie.

When the Chinese government puts words in quotation marks and asserts that they come from our report, there is a tendency to assume that these quotes are real. People can not believe that someone could have the nerve to distort the truth so grossly.

1. Web sites

The most simple and obvious vehicle for Chinese propaganda is Chinese embassy web sites. Go to any Chinese embassy web site anywhere in the world and you will find posted on that web site an attack on the Falun Gong.

The Embassy of China in Canada web site home page has three links connecting the

reader to anti-Falun Gong propaganda⁵. One is titled "Cult Falun Gong". The second is titled "Memorandum on Falun Gong". The third is titled "Response to the so-called Revised Report on China's Organ Harvesting". No other topic merits more than one link. Tibet has only one link. So does Taiwan.

2. Spamming

Politicians or civil servants who meet with Falun Gong as well as media who interview them are often the recipients of spammed anti-Falun Gong propaganda. A lead spammer is Charles Liu, who also uses the name Bobby Fletcher. He is a down the line Chinese government apologist, general parroting positions of the Government of China including denial of the existence of the Tian An Men square massacre of 1989. But his main efforts have been directed to discrediting the Falun Gong, through directed e-mails, discussion groups, letters to the editor and internet blogs. The Western Standard reports:

"Liu's actions mirror disinformation campaigns waged by the Chinese government in the past. Typically, these include the deliberate spreading of false or misleading facts to sow confusion or doubt among the conflicting accounts."⁶

3. Publication of newspapers

The Government of China publishes, prints and distributes both Chinese and local language newspapers in foreign countries which are nothing more than anti-Falun Gong propaganda tracts. In Canada, an example is La Presse Chinoise.

La Presse Chinoise is a small Montreal newspaper with a print run of 6,000 copies. But in August 2006, it published an issue thirty two pages long, printed 100,000 copies and

⁵ <www.chinaembassycanada.org>

⁶ Kevin Steel "Sowing Confusion; Embarrassed by reports of live organ harvesting, China's sympathizers launch a high-tech disinformation campaign" April 9, 2007

distributed it across Canada. This issue had no advertisements. It was distributed for free. And it contained no news whatsoever, only an attack on the Falun Gong. The issue did not say it was financed by the Government of China. But according to an investigative report by Mark Morgan of La Grande Époque, that was the reality⁷.

4. Communications to newspapers

The Embassy of China in this country or that will write letters to editors of local newspapers setting out Chinese propaganda and disinformation. As well, embassies will send letters or e-mails to friendly reporters filled with the usual Communist bumph.

Letters are often published in the papers to which they are addressed, giving free, widespread, local language distribution to this propaganda. Stories are written that the Government of China objects to this or that, as if there was justification or grounding to the objection.

For instance, the Chinese embassy in Canada sent off in January 2007 an e-mail to the Ottawa Citizen protesting the NTDTV Chinese New Year dance spectacular then just performed in Ottawa. The Ottawa Citizen, in all seriousness, published a story setting out the Chinese embassy objections⁸.

5. Flyers

Chinese government goes from hi-tech to lo-tech in its abuse of Falun Gong, from digital media, to simple flyers handed out at meetings. Embassy and consular officials wander around to public gatherings handing out anti-Falun Gong literature.

⁷ "La régime chinois prend le contrôle d'un journal montréalais", July 10, 2007.

⁸ Jason Loftus "Chinese Regime Tries to Crush Cultural Show in Canada" Epoch Times, January 18, 2007.

One such set of flyers, handed out by officials of the Calgary, Alberta, Canada consulate led to a hate crimes investigation. The Chinese officials placed anti-Falun Gong hate literature outside a conference room of the American Family Foundation Conference at the University of Alberta in Edmonton in June 2004. The Edmonton Police recommended hate crimes prosecution of Chinese consular officials Cao, Jianye and Yeh, Chi Yao for this distribution⁹.

6. Broadcasting

There is a similar story with the electronic media. CCTV-4, a Chinese government TV satellite broadcaster sought permission to broadcast into Canada on a digital basis. The Canadian Radio-television and Telecommunications Commission in December 22, 2006 concluded that this broadcaster had a history of abusive comment, incitement to hatred and contempt, incitement to violence and threats to physical security against the Falun Gong¹⁰. The CRTC approved the application, but with a warning that unless CCTV-4 is free of abusive comment it would be removed from the list of eligible satellite services authorized for digital distribution in Canada¹¹.

7. Phone calls

A form of harassment Falun Gong practitioners report is incessant phone calls with taped messages. The messages harangue the listeners in Chinese and English in three minute recorded statements demonizing the Falun Gong. The tapes include Chinese patriotic songs.

⁹ See David Kilgour and David Matas "Bloody Harvest: Organ Harvesting of Falun Gong Practitioners in China" Appendix 8. The Attorney-General of Canada refused to consent to the prosecution. The complainants challenged the refusal in the Alberta courts, unsuccessfully.

¹⁰ Broadcasting Public Notice CRTC 2006-166, paragraph 95 to 107

¹¹ Paragraphs 112 and 113.

Some practitioners have received as many as twenty five calls a day. Calls have been made to homes, cell phones and work places. The calls fill up message machines. Calls made to cell phones pile up charges which are based on use. The high frequency of the phone calls prompts phone owners to turn off their cell phones.

Complaints to phone companies or the police lead nowhere. The calls have been traced to mainland China. Foreign police and phone companies can do nothing about such calls.

8. Letters

Write to the Chinese embassy to ask them to stop the persecution of the Falun Gong and the Chinese embassy will send you by return mail a barrage of anti-Falun Gong propaganda. The embassy sends out booklets and video compact disks filled with disinformation about the Falun Gong. The embassy sends out this same disinformation unsolicited to government officials, members of legislatures and parliaments and even civic officials who raise concerns or who even might possibly raise concerns about the treatment of the Falun Gong.

9. Tours

If anyone wants a guided tour and a heavy dose of anti-Falun Gong propaganda, China is more than happy to oblige, all expenses paid. Academics are usually self respecting enough to avoid these tours. They are prepared to go so far as to keep silent about the Falun Gong in order to get access to China, but no farther.

Some journalists are different. They take the trips and figure that they are maintaining journalistic ethics as long as they report the reality of Falun Gong persecution in the same articles as the disinformation the Chinese propaganda machine has fed them.

10. Speeches

Though the Government of China prefers working through intermediaries it can bully or pay than step out front, the Government of China, when all else fails, will send a representative to repeat in person anti-Falun Gong slander. That is what happened at an organ transplant forum at which I spoke in May 2007 at Beilinson Hospital near Tel Aviv, Israel.

Once the Chinese embassy found out that the event was going ahead with me on the speaker's list, they sent down a spokesman to reply to my intervention. They distributed on every chair before the symposium a paper titled "Position Paper of Chinese Government on Allegations of So Called organ harvest" containing the usual nonsense.

I spoke first and the Chinese embassy first secretary second. I picked up from one of the chairs the circulated statement and used my time slot to respond to the remarks about our report in the statement that I expected the Chinese official would and, in the end, did say.

The Chinese remarks, as is their wont, were mostly not about our report; they were rather a slanderous attack on the Falun Gong, having nothing to do with organ harvesting at all. These remarks were incitement to hatred, akin to Holocaust denial, manifesting the very bigotry which led to the violation that they were denying.

11. Public displays

The Government of China uses its embassies and consulates to mount public displays against the Falun Gong. For instance, the Chinese consulate in Toronto Canada has displayed an array of anti-Falun Gong posters along the wall where people wait in line to apply for visas. The exhibition is titled "Combat Cults and Protect Human Rights". The posters state "Falun Gong is a Scourge".

VI. Blocking

1. Spying

For blocking to be effective, China needs to know not only what is being said, but also what is being planned. Accordingly China engages in spying or what is euphemistically called intelligence gathering on the Falun Gong.

Defectors tell us that this spying or intelligence gathering on the Falun Gong is the primary task of Chinese embassies around the world. Falun Gong practitioners everywhere are constantly being monitored and spied on by the Government of China. This intelligence gathering and spying is an invasion of privacy of Falun Gong practitioners. But the consequences are a good deal worse than that.

Defectors Chen Yonglin and Hao Fenguin made public statements about the Chinese Falun Gong intelligence gathering and spy network. Chen defected from the Chinese consulate in Sydney Australia in May 2005. Hao worked for the 6-10 office in Tainjin City, China. The 6-10 office is the bureaucracy in China designated with responsibility for repression of the Falun Gong. It is named after the date June 10, 1999 when the Communist Party decision to ban the Falun Gong was made. Hao visited Australia in February 2005 and sought asylum once there.

Chen said that there was as many as 1,000 Chinese government spies in Australia. Hao confirmed Chen's statement¹².

2. Infiltration

The Falun Gong has on occasion been spied on by persons who practice Falun Gong in order to accumulate information about other Falun Gong practitioners which is then communicated to the Government of China. A few of these people have been

¹² Taipei Times, AFP "Australia gives Chinese ex-cop a protection visa" August 2, 2005; BBC News "China Defector Accuses Australia", June 6, 2005.

unequivocally identified. For a number of others, there is suspicion but no certainty.

3. Hacking

Falun Gong practitioners find that their e-mail accounts are hacked. It is possible for a customer to find out from his or her internet service provider the locations from which the e-mail account has been accessed. Falun Gong practitioners who have made inquiries discover that their e-mail accounts are being accessed from places they have never been.

In order for an e-mail account to be accessed, the person accessing the account would need the password for that account. Hacking predicated a successful spy effort to identify the account. Those passwords are presumably identified by prior hacking efforts or double agency. If one Falun Gong practitioner uses the computer of a second Falun Gong practitioner to access the e-mail account of the first practitioner and the second practitioner whose computer is used is an agent of the Government of China, then Chinese officials have access to the password of the first practitioner.

4. Viruses

One use to which the Chinese government puts information gathered through its intelligence efforts or spying is to send viruses to Falun Gong practitioners and those in contact with them electronically. In the course of arranging a visit I made in 2007 to Australia to speak at NGO events paralleling the APEC summit, I, along with the rest of a list serve I was on, received such a virus. A technical expert traced back the virus to mainland China. The virus sender assumes the identity of one person on the list serve so that the message with the virus appears to be coming from someone known to the list serve.

Fortunately, the virus did not infect my computer because of the systems I use. Others were not so lucky. The receipt of viruses by Falun Gong practitioners traced to mainland China is commonplace.

5. Cyber-attacks

Web sites hosting information about the Falun Gong are subject to cyber-attacks from China. For instance, the website Bestnet, which hosted a mirror site of a Falun Gong site, reported on July 30, 1999 a denial of service attack which "appears to be coming from sources inside China". See <<http://legalminds.lp.findlaw.com/list/cyber-rights/msg01159.html>> Web master John Walker wrote:

"The Government of China may use intimidation to rule inside it's own borders but I'll be damned if I will let them get away with it here."

A denial of service attack is a flooding of requests with incomplete information which eventually causes the target machine to crash. Internet sleuths were able to trace the internet protocol address. From that they were able to find the name and street address of the owner of that IP address. Though the name of the owner was innocuous, the street address was the headquarters of the Government of China Ministry of Public Security¹³.

6. Pressuring broadcasters

The Government of China does not just attempt to disrupt live events. It wades into the media as well, attempting to use its diplomatic weight to shut up or distort local media information about the persecution of the Falun Gong. Again here is an example from Canada.

The Canadian Broadcasting Corporation announced that it was broadcasting on November 6, 2007 a TV documentary by Peter Rowe on the persecution of the Falun Gong in China which featured our report. The Government of China phoned up the CBC

¹³ "You've Got Dissent!: Chinese Dissident Use of the Internet and Beijing's Counter-Strategies" by Michael Chase, JamesC. Mulvenon, 2002, Rand Corporation.

and the CBC pulled the show. It was replaced with an old documentary on Pakistan because, so the CBC spokesman said, recent turmoil in Pakistan made the rebroadcast timely.

But, as it turned out, timeliness was not the concern. The CBC went back to the producer Peter Rowe and asked for changes. He initially balked and then made some. But the changes he made were not enough. The CBC made more changes on its own after the producer refused to cooperate further.

The CBC version of the documentary was broadcast November 20. Since the original version had already been aired, without notice in the middle of the night in Montreal a few days earlier, and became available on You Tube, it was possible to compare the two.

The deletions were hard evidence to substantiate the findings David Kilgour and I had made of the mass killings of Falun Gong. One item deleted was the playing of tapes of telephone admissions from hospitals in China acknowledging that they were selling Falun Gong organs. Chinese government denials remained.

The additions were typical Chinese propaganda. The CBC on its own, for instance, added this screen to the documentary:

"Amnesty International does not have conclusive evidence to back up the allegation the Falun Gong are killed for their organs."

Yet, silence is not evidence of anything. Amnesty International silence on a human rights violation is not proof and not even evidence that a violation is not occurring. The organization does not claim to be a verifier or source or encyclopedia of all human rights violations.

The CBC, before the commercial which led into the documentary, flashed on screen

with footage of Falun Gong practitioners a bit of Chinese propaganda straight up: "China regards Falun Gong as a cult". For people who know nothing about the Falun Gong that sort of introduction was bound to mislead.

7. Pressuring advertisers and distributors

Businesses which advertise in the newspaper the Epoch Times report threatening telephone calls. So do businesses which serve as distribution depots for the newspaper, places where the newspaper can be picked up by customers.

The Epoch Times is a globally distributed newspaper which is general in nature but which has a focus on Chinese human rights violations. Many Falun Gong practitioners are involved in the paper.

The telephone calls slander the Falun Gong and warn the advertisers and distributors of a loss of business if they persist. For instance, a travel agent in England was warned that, if his agency continued to advertise in the Epoch Times, his agency would no longer be able to book flights on Chinese airlines. Though the callers do not identify themselves as Government of China representatives, only representatives of the Government of China would be in a position to utter such threats.

These threats have had an impact. The Epoch Times reported a drop off in advertising and distribution points after the calls began. In England, these calls were the subject of a complaint to the UK Foreign Office. However, the Foreign Office refused to take any action, claiming that there was insufficient proof that the calls were made.

8. Lobbying regulators

Because of limited band width radio and TV broadcasters have needed regulatory permission to broadcast. The Government of China has lobbied foreign broadcast regulators, asking them to use their powers to keep off the air any broadcaster who would provide information about the persecution of the Falun Gong.

In Canada New Tang Dynasty TV applied in February 2005 to the Canadian Radio-television and Telecommunications Commission (CRTC) for approval to broadcast in Canada. NTDTV is a global satellite TV network which began in 2002. It broadcasts in Chinese, as well as other languages. Its programming is more than 90% Mandarin. It is independent of the Government of China and reports on Chinese human rights abuses. Because of that, it has aroused the enmity of the Government of China.

Zhang Jiyan, the defecting wife of a Chinese diplomat smuggled out of the Chinese embassy in Canada a document showing an embassy plan "to knock down NTDTV's attempt to enter the cable television network". Huikang Huang, deputy head of the Chinese embassy, suggested rallying Chinese Canadians and Chinese visa students to write to the CRTC to oppose the NTDTV application¹⁴. Subsequently the public record shows that the CRTC did in fact receive nearly identical letters opposing the application from the National Congress of Chinese Canadians, the Federation of Ottawa Carleton Chinese Organizations and the Chinese Student Association of the University of Ottawa¹⁵. The NTDTV application to the CRTC, nonetheless, succeeded¹⁶.

9. Using fronts

The Chinese government establishes organizations abroad which are nominally independent from the government but in fact act as its agents. Many universities have Chinese student organizations which are tightly connected to the local Chinese embassy

¹⁴ Jason Loftus "TV Network Calls on Canada to Expel High-Ranking Chinese Official Over Interference" Epoch Times April 22, 2007.

¹⁵ Jason Loftus "Chinese Embassy Tried to Silence TV Network in Canada, Leaked Document Shows" Epoch Times April 4, 2007

¹⁶ Broadcasting Public Notice CRTC 2005-105, November 24, 2005

or consulate. The Chinese government uses threats of exit visa denials and intimidation of the family back home to get students abroad to spy on their classmates and intimidate the Falun Gong.

I personally was witness to the activities of these groups in Columbia and Princeton Universities when I spoke there in April 2007. At Columbia, an organization titled the Columbia University Chinese Students and Scholars Association posted this threat on its web site "Anyone who offends China will be executed no matter how far away they are". When I spoke there, a group came to the address with banners and red flags which security required them to leave outside. They nonetheless held up placards which said in Chinese and English that Falun Gong is an evil cult. I had obtained the e-mail which they had used to bring their colleagues out and for my talk proceeded to read through it and react to it. Not liking what they were hearing, the group left my talk and the room en masse in mid stream. In Princeton, there was a similar gang protest, though this time the Chinese government agents were allowed to bring in posters which they held up at the back of the room.

10. Using funding

The Chinese government also gives grants for universities to establish Confucius institutes. These institutes are supposedly for Chinese studies. But once established, they become spy outlets for the Chinese government and leverage on the university to attempt to ban Falun Gong activity.

The use to which a Confucius institute is put depends on the local embassy or consulate which grants the funds. But I have been to some universities which report that the ethnic Chinese staff of these institutes, once established, become targets of Chinese government officials seeking out information about Falun Gong activity on campus.

Tel Aviv University removed in 2008 an exhibit on Falun Gong meditation. Professor Yoav Ariel, a lecturer in the East Asian Studies Department, confirmed that he had

ordered the exhibit removed because of a request by the Chinese embassy. Ariel said that the university must take into consideration its ties with Chinese universities, with which it conducts student exchanges. The University has had a Confucius Institute, endowed by the Government of China, since 2007¹⁷.

11. Urging cancellations

Another use the Government of China makes of intelligence gathered information is to attempt to thwart every public event which would disclose the persecution of the Falun Gong. The Government of China leans on hosts, asking them to cancel such events.

One particularly sorry example of this is the global Chinese government effort to undermine the touring dance spectacular sponsored by New Tang Dynasty TV (NTDTV). For instance, the Chinese embassy in Sweden called on city officials in Stockholm and Linköping to cancel the venues for the Chinese dance spectacles scheduled there for January 2008 because the performers had links to the Falun Gong¹⁸.

A similar effort was successful in Seoul and Pusan South Korea. In 2007, two venues in Seoul, the National Theatre of Korea and the Convention and Exhibition Centre terminated their contracts with the dance company as the result of pressure from the Chinese embassy¹⁹. A successful lawsuit against Convention and Exhibition Centre meant that the event was eventually performed at a later date. In 2008, the Korean Broadcasting Corporation theatre in Pusan behaved in a similar fashion, backing out of

¹⁷ Ofra Edelman "TAU exhibit on Falun Gong meditation shuttered over Chinese pressure, students charge" Haaretz 11/03/2008

¹⁸ "Dance show risks Sweden China row" <<http://news.bbc.co.uk/2/hi/europe/7218690.stm>>

¹⁹ "Divine Performing Arts Debuts in South Korea" Epoch Times, Apr 25, 2007

a contract for a dance performance after the Government of China protested²⁰.

12. Urging proscription

Where an event is going ahead despite Chinese efforts to cancel it, the Government of China, as a second recourse, tries to shape the event. It asks for elements of the program to be changed or deleted which its officials claim are offensive to China.

Here is an example. I have already mentioned the event where the Chinese first political secretary spoke in Israel. When I arrived in Israel on the Sunday before the event, I was told that the Chinese embassy had asked Israeli Foreign Affairs to cancel the event at which I was asked to speak. The Foreign Affairs Assistant Deputy Minister Avi Nir and the Health Assistant Deputy Minister Boz Lev put the request to the Beilinson hosting hospital, which refused. Foreign Affairs and Health then asked the hospital to withdraw the invitation to me to speak even if the program continued. The hospital refused that too. Foreign Affairs and Health then asked the hospital to withdraw the invitation to Roy Bar Ilan, a Falun Gong practitioner, to be part of the closing panel. This the hospital did, even though the program, as advertised even on the day of the event included his name.

The event was a marathon, going from 5 p.m. to 9 p.m. with a dozen speakers. For the very last portion of the symposium, there was a panel of all the previous speakers plus a few new ones. The new ones made short statements and then we all took questions from the floor.

I took advantage of this question period to raise my own question. I prefaced the question by saying that my question was not about China but about Israel, since there were many Falun Gong practitioners in Israel, including several in the room. I asked

²⁰ Yang Sun "Chinese Embassy Interferes with DPA in South Korea Again" Epoch Times, January 15, 2008

Roy Bar Ilan, who was in the audience and who I noted was supposed to be on the panel, to answer the charges the Chinese embassy official had made against the Falun Gong.

The chair, in response to that question, without giving Roy a chance to answer it, said, abruptly and unceremoniously that the symposium was over. And it was. No thanks were given. There was no applause for the speakers. Everyone just dispersed.

13. Attempting to prevent meetings

One phenomenon David Kilgour and I have both experienced is diplomatic Chinese efforts to prevent parliamentarians and government officials from meeting with us. On a trip to Australia, in August 2006, David Kilgour spoke on our report at a forum in Melbourne hosted by Liberal Party member Victor Perton. The Melbourne Chinese consulate sent a letter to all members of the Legislative Assembly asking them not to attend the forum.

Similarly, when I was in Finland in September 2006 meeting with the Finnish parliamentary human rights committee, their chair informed me that the Chinese embassy had called, urging them not to meet with me. The chair replied that embassy officials were welcome to meet separately with the committee, but that the committee would nonetheless meet with me.

14. Urging non-attendance

Where events go ahead despite the best Chinese efforts to stop them, the Government of China tries to discourage people from attending them. Letters are sent from embassies and consulates to notables and dignitaries slandering the events, the Falun Gong and urging non-attendance.

For instance, a letter from the Consulate General of the People's Republic of China to New York Assemblyman Michael Benjamin dated December 11, 2007 urges him not to

support in any form the dance spectacular hosted by NTDTV in New York in 2008, suggesting that to do so would impair US China relations. NTDTV is a satellite TV network sympathetic to the plight of the Falun Gong. Assemblyman Benjamin indicated he would attend the event regardless and made the letter public.

15. Bullying

The general approach of Chinese officials to foreign officials and political leaders on the subject of the Falun Gong is a mix of incitement to hatred and bullying. For instance, in a letter in March 2003 to Canadian Member of Parliament Jim Peterson, the Chinese chargé d'affaires in Canada "advised the Canadian government of the sensitivity of the issue [of the Falun Gong] in the overall bilateral relations [between Canada and China]"²¹. In other words, sympathy to the plight of the Falun Gong would impact adversely on Canadian Chinese bilateral relations.

The Chinese consulate in Toronto wrote city councillors in 2004 urging them to oppose a motion for the proclamation of a Falun Gong week. The letters said: "If passed, the motion will have a very negative effect on our future beneficial exchanges and cooperation." Among the "beneficial exchanges and cooperation" Toronto City Councillor Michael Walker heard mentioned were threatened were the sale of a Canadian made nuclear reactor, the CANDU, to China, the construction by the Canadian company Bombardier of a rail link to Tibet, and a two panda loan to the Metro Toronto zoo²².

16. Inciting discrimination

Incitement to discrimination leads to discrimination. While hate propaganda is most

²¹ John Turley-Ewart "Falun Gong persecution spreads to Canada" National Post, March 20, 200.

²² Jan Wong, "Feeling the long arm of China" Globe and Mail, August 6, 2005.

effective in a closed society like China, it has its insidious effect even in open societies.

Active discrimination becomes a way of getting the message out. If Falun Gong practitioners are denied access to service and benefits, even abroad, simply because they are practitioners, it becomes a way of discouraging the practice.

For example, the Ottawa Chinese Senior Association terminated of membership of Daiming Huang because she practises Falun Gong. As well, the Association confronted her about her beliefs, organized petitions against her practices, and subjected her to demeaning comments about her beliefs. The Human Rights Tribunal of Ontario in January 2006 ruled that this was discrimination, exposing the woman to contempt and loss of standing and isolation within her community and an affront to her dignity. The Tribunal ordered the Association to pay Mrs. Huang \$18,000.00 as well as to allow Falun Gong practitioners to become members of the association²³.

17. Practising discrimination

The opportunities for the Government of China on its own to inflict discrimination abroad on Falun Gong practitioners are few. Mostly the Government of China has to act through local agents. However, there are some matters which, by the very nature of sovereignty, remain within their control abroad.

a) Denial of Passports

Chinese nationals abroad whom the Chinese government has identified as Falun Gong practitioners will be denied passport renewal unless they renounce in writing their belief

²³ *Huang v. 1233065 Ontario Inc. (Ottawa Senior Chinese Cultural Association)*, 2006 HRTO 1. The decision was set aside on procedural grounds, inadequate service. See *1233065 Ontario Inc. (Ottawa Senior Chinese Cultural Association) v. Ontario Human Rights Commission*, 2007 CanLII 44345.

in Falun Gong. I have visited over thirty countries in order to promote the recommendations of the report David Kilgour and I wrote on organ harvesting of Falun Gong practitioners in China. In the course of those visits, I have met many Falun Gong practitioners in different countries who have been denied passport renewal. They have been told by their embassies that the reason is that they are Falun Gong.

For Chinese nationals abroad, the absence of a passport causes difficulties with the host countries. The Universal Declaration of Human Rights states "No one shall be arbitrarily deprived of his nationality"²⁴. Passport renewal denial based on the beliefs of the passport holder violates this right.

b) Denial of Visas

China uses its visa entry and exit system for anti-Falun Gong propaganda purposes. Known Falun Gong practitioners are not allowed to leave China.

i) Practitioners

No one is allowed entry who is known to be Falun Gong or sympathetic to Falun Gong, especially where the purpose is as benign as even simply meeting other Falun Gong practitioners in private. This is true even of Hong Kong. More than 70 Falun Gong practitioners from Taiwan were denied entry to Hong Kong in February 2003 to attend an experience sharing conference. This denial is currently the subject of court proceedings.

ii) Scholars

It is going too far to say that the only China scholar who is reliable is a person who has never been to China. But there is a grain of truth in that assertion. Scholars who criticize the human rights record of the Government of China, particularly its treatment of the Falun Gong, are unlikely to get visas to enter China.

²⁴

Article 15(1).

iii) The Olympics

Another example is the Olympics. According to an Associated Press report of November 8, 2007, Li Zhanjun, director of the Beijing Olympics media centre, in reacting to news stories of a Bible ban during the Olympics said texts and other items from major religious groups that are brought into China for personal use by athletes and visitors are permitted. Li also said religious services - Christian, Muslim, Jewish, Hindu and Buddhist - will be available to athletes in the Olympic Village. However, he said, the policies do not apply to Falun Gong. Li said

"We do not acknowledge Falun Gong because it is a cult. Falun Gong texts, Falun Gong activities in China are forbidden. Foreigners who come to China must respect and abide by the laws of China."

Local laws are never a justification for violation of international standards. Though the Government of China says foreigners must respect local laws, that statement, like almost everything else China says about the Falun Gong, is misleading. It is China which must respect the international prohibition against discrimination on the basis of belief.

iv) Journalists

While journalists who the Government of China has identified as sympathetic are given a royal tour, all expenses paid, journalists identified as likely to report on Chinese human rights violations are denied visas. An example is the visas granted reporters accompanying Canadian Prime Minister Paul Martin on his visit to China in January 2005. Originally, Danielle Zhu and David Ren of NTDTV were granted visas for the trip. But then the visas were revoked. PEN Canada protested the revocations, but to no avail²⁵.

²⁵

"Government revokes visas for two television reporters seeking to accompany Canadian prime minister on visit

c) A refusal to deal

China insists that the people with whom it does business are not Falun Gong practitioners. It insists that anyone who deals with China in any way practise the discrimination China does. Just as Nazi Germany in the pre war days refused to deal with anyone, no matter what their status abroad, who was Jewish, today the Government of China refuses to deal with anyone, no matter what the connection of the person to the business or project or government with which they are dealing, who is a Falun Gong practitioner.

For instance, the Government of Canada funds projects in China through the Canadian International Development Agency. Canadian recipients of CIDA funding provided through contribution agreements which mandate the beneficiaries to do work in China are required by China not to allow any Canadian citizen Falun Gong practitioners to participate in the work funded by the contribution agreement.

18. Theft

Theft of the Epoch Times is endemic. It is distributed free in bulk at boxes and commercial establishments for passers by to pick up. In many places, the newspapers disappear from their distribution points soon after they are dropped off. Distributors have caught culprits stealing the papers. The culprits acknowledge being paid to do this, without saying who is paying them. Though complaints are laid with the police, the police will not prosecute, saying it is not a crime to steal what is free.

The problem reached such proportions in California that the legislature actually enacted a law to deal with it²⁶. The legislation, passed in September 2006, creates an offence

to China" January 14, 2005.

²⁶ Assembly Bill number 2612, Chapter 228, amending section 19.8 to add section 490.7 to the Penal Code.

of taking more than 25 copies of a free newspaper if done to deprive others of the opportunity to read the newspaper. The person who introduced the bill Assembly Minorit Elader George Plescia, Republican, La Jolla, acknowledged that the bill was a response, amongst other incidents, to the disappearance of thousand of copies of the Epoch Times in the San Gabriel Valley²⁷.

19. Beatings

The most grotesque form of blocking of protest against Chinese human rights violations is the beating of protesters. These beatings are not as systematic as the other forms of blockage. But they occur with regularity.

An example is Argentina where a group of protesters were beaten in December 2005. At the time Luo Gan, head of the 6-10 office, was visiting Buenos Aires. During his visit the Falun Dafa Association filed a criminal lawsuit against him, relying on his presence as the basis for court jurisdiction. The next day Falun Gong practitioners protesting at Congress Square in Buenos Aires were assaulted by a group which, according to Amnesty International, were "connected to officials of the Chinese government". The practitioners were beaten. Their banners and photo displays were stolen.

The police were present at the beatings but did nothing to stop the attackers. A policeman told one Falun Gong practitioner that the police had orders not to interfere with the attack. The Amnesty International director for Argentina, Pablo Marsal, said: "Officials of another country are violating our Argentine sovereignty in our country."²⁸

VII. Working towards the CCP

²⁷ "Governor signs bill providing fines stealing newspapers" Associated Press, SEptember 11, 2006.

²⁸ John Nania "A Strange Chinese Export" Association for Asian Research, December 26, 2005

The regime of Nazi Germany was characterized by initiatives from the bureaucracy and military in line with Hitler's broadly but dimly defined, vaguely worded goals in an attempt to meet his perceived wishes. Ian Kershaw has argued that many of the steps that led to the Holocaust were undertaken by German officials without express orders from Hitler on the expectation, which turned out to be correct, that such initiatives would find favour with him. This behaviour has been characterized as "working towards the Fuhrer"²⁹.

We see something similar with the Chinese Communist Party and its persecution of the Falun Gong. Outside of China, the obsession of the Chinese Communist Party over the Falun Gong is apparent and the level of its intervention both to propagandize against the Falun Gong and to block any attempts to expose their persecution is quite detailed. Nonetheless, it would be going too far to say that every propaganda and blocking effort is just action by the Government of China or compliance with specific requests from the Government of China. In some cases, individuals take their own initiatives in an attempt to meet the perceived wishes of the Government of China. These individuals work towards the Communist Party of China.

1. New Zealand

In both Wellington and Auckland New Zealand, Falun Gong participation in the annual Santa Claus parades in 2007 became an issue. The Wellington City Council and the Auckland Santa Parade Trust both initially refused to allow the Falun Gong to participate in their parades.

Auckland Regional Council deputy chairman Michael Barnett opposed the participation of the Falun Gong in the Auckland parade because, according to him, the Falun Gong

²⁹ Kershaw, Ian *Hitler 1889-1936 Hubris*, W.W. Norton, New York, 1998 pages 529-531

"attack a country that New Zealand has a relationship with".³⁰ The Falun Gong, of course, do nothing of the sort, but rather only protest their own persecution.

Wellington parade organizers eventually backed down and allowed the Falun Gong to participate. Auckland remained adamant. Wellington, nonetheless, recidivated, banning the Falun Gong from its 2008 Chinese New Year's Parade. Peter Dunne, leader of the New Zealand political party United Future, believes that the two city councils are scared of upsetting the Chinese government while free trade talks with New Zealand enter the final stages³¹.

Had the Chinese embassy in New Zealand made specific requests to Auckland and Wellington not to allow the Falun Gong to participate in the parades? That is perfectly possible given the pattern of Chinese behaviour. But there is no public record of such a request and there is another explanation - that both the Wellington City Council and the Auckland Santa Parade Trust were working towards the Communist Party of China, anticipating its wishes and taking their own initiatives to attempt to please the Party.

2. Australia

The Minister of Foreign Affairs since March 2002 has been signing a certificate once a month banning Falun Gong adherents from displaying banners outside the Chinese embassy in Canberra. Australia is the only democratic country to impose such a restriction on the Falun Gong³².

³⁰ Brian Rudman "Victory for Falun Gong" New Zealand Herald Friday November 16, 2007.

³¹ 08 Feb 2008, Radio New Zealand, "United Future's leader Peter Dunne is critical of a decision to ban the Falun Gong from Wellington's Chinese New Year parade".

³² Mike Steketee, "Kowtowing to China", The Australian, March 12, 2005.

3. Canada

Mayor Sam Sullivan of Vancouver in June 2006 issued an order that Falun Gong protests in front of the Chinese consulate, by then going on for five years, must stop. Mayor Sullivan acknowledged that the Falun Gong display bothered the Chinese. He also said that he has heard from people from the Federal Government who said the protest is not helpful to promoting closer links with China³³. The enforcement of the order has been suspended pending a court case challenging its legality.

4. Iceland

The Government of Iceland in June 2002 denied entry to Iceland to Falun Gong practitioners who were planning to come to protest Falun Gong persecution during the state visit of Chinese president Jiang Zemin. The Government provided a list of these practitioners to Icelandair, which denied boarding. Others, who arrived with other carriers, were deported on arrival or detained for deportation. The list came from the Government of China³⁴. The Icelandic Parliamentary ombudsman concluded in December 2005 that this denial of entry and deportation violated Icelandic law³⁵.

5. France

French police arrested Falun Gong practitioners in January 2004 who were demonstrating in Paris during the visit of Chinese President Hu Jintao. The Falun Gong demonstrators were wearing yellow scarves. The only reason the police gave for the arrests were "yellow scarves are illegal in France today". Those arrested were

³³ Brian Hutchinson "Falun Gong Must Go" National Post June 16, 2006

³⁴ United States Department of State International Religious Freedom Report 2002 "Iceland"

³⁵ Iceland Review Online "Government broke law in denying Falun Gong entry says Ombudsman" December 12, 2005.

questioned for two hours and then released³⁶.

6. Hong Kong

Hong Kong police arrested and charged Falun Gong practitioners with obstruction for a protest outside the Chinese government liaison office in March 1992. The protesters were convicted in June 2002. Local human rights activists and opposition politicians called the case a political prosecution to appease Beijing³⁷. The convictions were eventually overturned on appeal³⁸.

7. Singapore

The Singapore prosecution charged nine Falun Gong practitioners for assembly without permit for handing out flyers in the downtown area in October 2005. The flyers provided information about the report David Kilgour and I wrote. Their purpose was to call attention to the organ harvesting of their fellow practitioners.

The charges were issued July 2006 nine months after the event, during the visit of Li Lanqing a former head of the 6-10 office. The Human Rights Law Foundation suggested that the charges were geared in part to prevent practitioners of Falun Gong to stage a protest during the visit of this official³⁹. Judge Amy Tang in June 2007 found five of the accused guilty⁴⁰.

³⁶ "Taiwanese Falun Gong slams Police" AFP January 30, 2004

³⁷ Dirk Beveridge, AP, August 21, 2002 "As Hong Kong court prepares arrest warrants, convicted Falun Gong say someone stepping in to pay their fines."

³⁸ United States Department of States Country Reports on Human Rights, 2006, China, Hong Kong and Macau.

³⁹ Statement of Human Rights Law Foundation November 30, 2006

⁴⁰ Singapore Democratic Party "Singapore Subordinate

8. Thailand

Thai police rounded up ten Falun Gong practitioners and their families in December 2007 while the practitioners were holding a demonstration outside the Chinese embassy in Bangkok protesting Chinese human rights violations. The protesters were charged with not carrying passports and kept in a detention centre.

The practitioners were refugees, and recognized as such by the Office of the United Nations High Commissioner for Refugees. They did not have passports because of the Chinese policy of denying passport renewal to Falun Gong. The Bangkok Post reported "China has been known to put pressure on its close allies, such as Thailand, to suppress the group's (Falun Gong's) activities."⁴¹

9. Universities

If there is one thing you need to know to understand the Government of China, it is its treatment of the Falun Gong. When China treats the Falun Gong as its number one public enemy, when China, to all appearances, spends more staff time, money, effort on the Falun Gong at its embassies and consulates around the world than on anything else, when China fills its prisons and labour camps with Falun Gong, that obsession tells us nothing about the Falun Gong. But it tells us volumes about the Government of China. A focus on Chinese preoccupation with the Falun Gong gives us clearer insights into the mentality and dynamics of the Government of China than any other focus.

Yet, in Chinese studies departments at universities around the world, almost without exception, there are no courses, no research projects, no publications, no guest lectures on the Falun Gong. China studies departments around the world are thunderingly silent

Court" January 22, 2007.

⁴¹ "Falun Gong detainees find Norway home" January 27, 2006

about the persecution of the Falun Gong, despite the fact that this persecution tells us more about China than virtually anything else. In China studies departments, the Falun Gong is studiously ignored.

It as if university physics departments were to ignore Einstein's theory of relativity, as if university English literature departments were to ignore Shakespeare. How could this happen?

When universities ignore something so central to China, so obvious, it is not out of ignorance. It is rather out of a desire not to antagonize China. China scholars feel they need cooperation of the Government of China, at the very least to get visas to enter China, to pursue their work. In order to ensure that cooperation, they stay away from a subject the Government of China would not want them to consider. Scholars have enough integrity not to take the Chinese government line on the Falun Gong. But if they say anything else, Chinese officials hit the roof. To avoid that reaction, they say nothing.

VIII. Combating indifference

This paper, long as it is, is just the tip of an iceberg. One can recount many more examples of these sorts of propagandizing, blocking and anticipatory actions. They are small matters compared to the torture and killings within China. But they stem from the same ideology and mentality which generate the graver abuses. And they have an impact on the persecution in China.

The struggle against human rights violations needs solidarity to succeed. Chinese government efforts abroad against the Falun Gong eat away at that solidarity.

This perpetual Chinese global campaign of incitement turns some against the Falun Gong. For many others, the result is immobilization. People do not have the time or the energy to pierce through the Chinese veil. They throw up their hands and walk

away, leaving the Falun Gong to their fate. The end result is indifference.

How do we combat the indifference of those who do not know? By making our very best efforts to ensure they do know. What that means for China, is making every effort to get out the truth about what is happening there and not taking anything coming from the Government of China about their victims on faith, not to repeat anything they say against their victims unless it is verified. To do less means contributing to Chinese persecution.

.....
.David Matas is an international human rights lawyer in Winnipeg, Manitoba, Canada. He is the co-author with David Kilgour of the report "*Bloody Harvest: Organ Harvesting of Falun Gong Practitioners in China*"