



RESPONSES TO INFORMATION REQUESTS (RIRs)

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| References | | Research Directorate, Immigration and Refugee Board of Canada, Ottawa |
| Organization Chart | | |
| Publications | Treatment of Falun Gong Practitioners | |
| Tribunal | | |
| Decisions | <p>The practice of Falun Gong combines the traditional Chinese exercise of <i>qigong</i> with spiritual teachings (US 17 Nov. 2010, Sec. 1; EU 25 Apr. 2009; FDIC 27 Sept. 2009). Falun Gong's ideology calls for "truthfulness, forbearance and compassion" (<i>Guardian</i> 18 July 2009; FDIC 27 Sept. 2009). Sources indicate that Chinese authorities banned the movement in 1999, branding it a "cult" (RFA 8 Feb. 2011; US May 2011, 130; CHRD 10 Oct. 2008, 21; Xinhua 14 June 2009).</p> <p>According to Falun Gong sources, prior to the 1999 ban, the number of Falun Gong practitioners in China was approximately 70 million people (ibid. 17 May 2008b; US 17 Nov. 2010, Sec. 1).</p> | |
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| Research | <p>The Chinese authorities have reportedly pursued nationwide sanctions against Falun Gong practitioners since the 1999 ban (RFA 8 Feb. 2011; US May 2011, 130; CHRD 10 Oct. 2008, 21; Xinhua 14 June 2009). Amnesty International (AI) describes state actions against the Falun Gong as "a long-term campaign of intimidation and persecution" (AI 15 Dec. 2010). Similarly, the United States Commission on International Religious Freedom (USCIRF) states that since the ban, the Chinese government has carried out an "unprecedented campaign" against practitioners, including detaining a large number of believers and "abusing" them in detention (US May 2011, 130). Freedom House indicates that Falun Gong adherents in China "face harassment, imprisonment, and torture" (2010). In an open letter to the Secretary-General of the United Nations (UN) on the 10-year anniversary of the "crackdown" against Falun Gong practitioners in China, the Vice-President of the European Union's (EU) parliament, Edward McMillan-Scott, characterized the campaign against Falun Gong as "brutal and systematic persecution" and urged an inquiry into "the systemic process of imprisonment without trial, escalating torture, and the murder of thousands of innocent people under torture" (EU 25 Apr. 2009).</p> | |
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| Media Centre | <p>News sources posted on the website of the Embassy of China in Canada state that the Falun Gong is a "common enemy of mankind" and that it "will continue causing trouble and destruction" (Xinhua 8 July 2002). According to the Chinese news agency Xinhua, state authorities accuse the Falun Gong of using religion to "brainwash . . . practitioners," coaxing money from its followers, and promoting the</p> | |
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practice of setting themselves on fire as a means of achieving spiritual fulfillment (ibid. 14 June 2009). Xinhua reports that Falun Gong practitioners in China attend "rehabilitation workshops" to help rid them of "their obsession with the cult" (ibid.).

In contrast, the Falun Dafa Information Center (FDIC), an organization headquartered in New York that documents human rights abuses against the Falun Gong in China (8 June 2008), states that the Chinese Communist Party (CCP) targets the Falun Gong because of its rapidly growing popularity, its spiritual ideology, and its independence (17 May 2008b). The party's campaigns against the Falun Gong are a means of asserting its authority over the people (FDIC 17 May 2008b).

6-10 Office

Sources indicate that the Chinese government established the 6-10 Office [also known as Office 610] in 1999 to implement its ban on the Falun Gong (US 2010, 105; CHRD 10 Oct. 2008, 21; HRIC 10 Sept. 2010). The 6-10 Office is described as an "extralegal" agency (US 2010, 105; Freedom House 2010) or "extrajudicial security apparatus of the central government" (HRIC 10 Sept. 2010). The independent non-governmental organization (NGO) Chinese Human Rights Defenders (CHRD) explains that the 6-10 Office has a higher status than the judiciary, the Public Security Bureau, and the Procuratorate (CHRD 10 Oct. 2008, 21). The CHRD further specifies that officials at the 6-10 Office have been responsible for the "torture and cruel treatment" of Falun Gong practitioners and that they act with impunity (ibid.). Freedom House reports that the 6-10 Office has used "surveillance, imprisonment, torture, and forced conversion" against Falun Gong adherents, which has sometimes led to "deaths in custody" (2010). Similarly, the NGO Human Rights in China (HRIC) explains that the methods of the 6-10 Office "include surveillance and harassment" and that Falun Gong practitioners are subjected to "psychological transformation through reeducation" (10 Sept. 2010).

The Congressional-Executive Commission on China (CECC), an office of the United States (US) government mandated to monitor human rights in China (US 2010, 1), states that the 6-10 Office "continues to expand its activities to punish Falun Gong practitioners" and notes that the office headed a campaign against the Falun Gong in preparation for the 2010 Shanghai World Expo (ibid., 105). The CECC notes that the 6-10 Office arranged "'special 610 work responsibility agreements'" with village and residential committees in Shanghai (ibid.). To meet the requirements of the "'610 prevention and control system,'" a township in Pudong district identified the need to ensure that Falun Gong practitioners be monitored 24 hours a day (ibid.).

The CHRD reports that, although Falun Gong practitioners can theoretically petition the Letters and Visits Office or sue "610 for torture," in practice, Falun Gong practitioners are treated as a "'special category'" and their complaints are not accepted by other government offices (Oct. 2008, 21). This information could not be corroborated among the sources consulted by the Research Directorate within the time constraints of this Response.

Killings

Falun Gong organizations have reportedly documented the killing of over 3,000 Falun Gong practitioners (Ownby 2008, 162; The Conscience Foundation and FGHRWG 2009, 36; FDIC 17 May 2008a). Specifically, the FDIC reports that, as of May 2011, it has recorded the deaths of 3,434 Falun Gong practitioners as a result of "persecution," but notes that the actual number of deaths is likely "significantly higher" (FDIC 30 May 2011), possibly "in the tens of thousands" (ibid. 17 May 2008a). The latter estimate factors in the difficulties of accessing sensitive information in China coupled with the reports of tens of thousands of missing Falun Gong practitioners (ibid.).

In a 2008 report submitted to the UN Committee Against Torture, the Conscience Foundation and the Falun Gong Human Rights Working Group (FGHRWG), two organizations based in the United States, explain that their information comes from the statements of approximately 1,000 Falun Gong practitioners who experienced police torture and subsequently fled China, as well as from Chinese people living overseas whose family members experienced "persecution" (Oct. 2008, 4). Like the FDIC, they note that their sources are likely aware of only a small percentage of the total number of Falun Gong practitioners subject to mistreatment (The Conscience Foundation and FGHRWG Oct. 2008, 5).

David Ownby, a professor of history and the Director of the Centre for East Asian Studies at the Université de Montréal, wrote in his book *Falun Gong and the Future of China* that Chinese authorities consistently forbid verification of the treatment of Falun Gong practitioners by independent human rights organizations (2008, 162-163). In his assessment, Falun Gong documentation is generally trustworthy, even though not all reports "stand up to strict academic scrutiny" (Ownby 2008, 163). He notes that the reports that 3,000 Falun Gong practitioners have been killed is generally acknowledged to be true by international human rights groups (ibid., 162).

Between January and April 2011, the FDIC documented 26 cases in which Falun Gong practitioners in China died as a result of "abuse in custody" (30 May 2011). The article states:

The 26 victims come from all age groups, strata of society, and geographical regions. The youngest was a 32-year-old woman from Hebei province, and the oldest was a 71-year-old retired railroad worker from Hunan. Half of those killed (13 people) were abducted from their homes or workplaces simply because they were known to the authorities as practicing Falun Gong. At least six others were detained while exercising their right to free expression, such as printing and distributing leaflets to inform fellow Chinese of human rights abuses. Many of the victims had been detained or imprisoned prior to their most recent abduction, highlighting the persistent efforts of the Chinese authorities to seek out known Falun Gong practitioners. (FDIC 30 May 2011)

The FDIC notes that the majority of the victims died as a result of "physical and psychiatric torture," and that more than half of the victims had been held in prison camps (ibid.). Details of the cases, which were compiled by the FDIC from photographs and the statements of relatives or friends of the deceased (ibid.), indicate that some victims had been subjected to force-feedings, beatings, electric shocks, sleep deprivation, being hung by the hands in handcuffs, deprivation of food or water, injection with drugs or other mistreatment (ibid. n.d.).

The UN Human Rights Council's Special Rapporteur on freedom of religion and belief, in a report covering her communications with several governments between 1 December 2008 and 30 November 2009, brought forward 16 individual cases in which Falun Gong practitioners allegedly died from injuries incurred while in detention (UN 16 Feb. 2010, para. 19). The report provides the names of the deceased, and the details of their alleged detention and injuries (ibid., para. 20-35). The victims, who died between August 2007 and February 2009, were from a variety of locations in China, including Beijing, Shanghai, and various villages, towns and cities in Liaoning Province, Heilongjiang Province, Shaanxi Province, and Shandong Province (ibid.). In addition to being Falun Gong practitioners, some of the victims were arrested for distributing materials about Falun Gong, for discussing Falun Gong with others, or for visiting overseas websites (ibid.). One example provided in the report explains the fate of a man from Xuanwu Town, Hanyin County, Shaanxi province as follows:

[He] was arrested on 15 June 2006 after talking about Falun Gong to people in the countryside. The police sent him to Zaozihe Forced Labor Camp. There the guards

tied him with a rope. When he went on a hunger strike to protest his detention, the guards force-fed him with a highly concentrated salt solution, chilli powder, water and even laundry detergent. They also tied up his body, and whipped him with wire, resulting in his whole body being covered with bruises. He was returned home on 25 June 2008 after he began coughing up and vomiting blood. He died on the following day, 26 June 2008. (ibid., para. 30)

Another example reports on a woman who

was arrested on 1 March 2008, by officers from the Yangjing Police Station in Pudong New District, Shanghai. Her husband was called and told to go to the Pudong New District Police Department and to the Neighbourhood Administration to do some medical parole paper work. When he arrived at the hospital, he saw that his wife's eyes were protruding, her pupils were enlarged, and that she was bleeding from the mouth. No one treated her although more than thirty agents of the 610 Office were present. She died on 13 March 2008. (ibid., para. 26)

Detention

AI reports that "tens of thousands" of Falun Gong practitioners have been detained since the movement was banned (AI 22 Oct. 2010). Ownby writes that Chinese authorities have harassed and detained "tens of thousands" or possibly "hundreds of thousands" of Falun Gong practitioners (2008, 161-162), while the Conscience Foundation and the FGHRWG claim that "millions" have been detained (Oct. 2008, 5). The detainees have been held in various types of facilities, including

- "psychiatric hospitals" (AI 22 Oct. 2010; US 17 Nov. 2010, Sec. 2; The Conscience Foundation and FGHRWG 2009, 36; US May 2011, 131),
- prisons (ibid.; AI 22 Oct. 2010; RFA 8 Feb. 2011), and
- labour camps known as Re-education Through Labour (RTL) facilities (AI 22 Oct. 2010; HRIC Oct. 2008; US May 2011, 131).

The UN Human Rights Council's Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment reports that Falun Gong practitioners, among others, "are often accused of political crimes such as endangering national security through undermining the unity of the country, subversion or unlawfully supplying state secrets to individuals outside the country" (5 Feb. 2010, 22). Falun Gong sources, reports the US Department of State's *International Religious Freedom Report 2010*, indicate that, since 1999, approximately 6,000 Falun Gong adherents have been sentenced to prison terms (US 17 Nov. 2010, Sec. 2).

AI provides details on cases in which Falun Gong practitioners have been charged with "'using a heretical organization to subvert the law'" and sentenced to prison terms of three or four years (AI 22 Oct. 2010; ibid. 15 Dec. 2010). For example, in July 2010, a Falun Gong practitioner was sentenced to four years imprisonment; the charge against the prisoner--of distributing Falun Gong materials--was allegedly made following a confession that was extracted through torture while the practitioner was held in detention (ibid.). The practitioner, a former lecturer at Jiaotong University in Shanghai who had also been imprisoned in 2001 for five years for practicing Falun Gong, claims he was subjected to torture, sleep deprivation, and long periods of solitary confinement while in prison (ibid.).

In yet another example, AI expressed its concern over the case of a 60-year-old Falun Gong practitioner who was sentenced to a three-year prison term in August 2010 (ibid. 22 Oct. 2010). According to AI, he was not receiving adequate medical treatment for his diabetes or for the head injuries he suffered from having been tortured while in detention (ibid.). AI notes that the practitioner was transferred to a different unit of the prison, called a "'prison training team'," and that there are several reports of Falun Gong practitioners being held apart from the

rest of the prison population and forced to renounce their beliefs through methods that include "torture and ill-treatment" (ibid.).

Falun Gong sources report that over 1,000 Falun Gong practitioners have been detained in psychiatric institutions (FDIC 17 May 2008b; The Conscience Foundation and FGHRWG Oct. 2008, 10). The US Department of State's *Country Reports on Human Rights Practices for 2010* notes that Falun Gong practitioners sent to psychiatric institutions have been housed with "criminally insane" people, forcibly medicated and subjected to electric shock treatment (US 8 Apr. 2011, Sec. 1c).

Several human rights organizations indicate that Falun Gong practitioners have been targeted for detention in the RTL labour camps [also known as *laogai*, *laojiao* or *laodong jiaoyang*] (AI 2008, 7; HRIC 1 Apr. 2009; CHRD 10 Oct. 2008, 8). Falun Gong sources estimate that more than 100,000 practitioners have been sent to RTL camps (US 17 Nov. 2010, Sec. 2; FDIC 17 May 2008b). These labour camps are reportedly a form of detention in which people are not formally charged and are not given a trial (AI 22 Oct. 2010; RFA 8 Feb. 2011; HRIC 1 Apr. 2009; US 31 Oct. 2008, 3). In spite of that, they can be incarcerated for up to three years (HRIC 1 Apr. 2009; US 17 Nov. 2010, Sec. 2). One report suggests that the prison term can last as long as four years (US 31 Oct. 2008, 3). The Laogai Research Foundation (LRF), an organization that researches China's RTL camps and other human rights abuses, indicates that as of June 2008, it had identified 1,422 forced labour camps in China, and suggests that the actual number is likely higher (LRF 2008).

The FDIC characterizes these labour camps as "China's gulag system"; detainees are forced to work in the camps for up to 20 hours a day without pay; and Falun Gong practitioners are subject to "brainwashing" sessions to get them to renounce the Falun Gong and name other active participants (4 May 2008). AI states that detainees in RTL facilities, particularly those who defy "'re-education'" efforts, have reportedly been subject to "torture and other ill-treatment" (AI 2008, 7). The LRF similarly states that "millions of Laogai prisoners continue to endure 'reform' exercises that entail forced labor, political indoctrination, and often, physical and mental abuse" (LRF 2008). According to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the RTL regime

employs measures of coercion, humiliation and punishment aimed at altering the personality of detainees up to the point of breaking their will, and can itself be considered as inhuman and degrading treatment or punishment, if not mental torture. (UN 5 Feb. 2010)

AI notes that Falun Gong practitioners are targeted in security sweeps prior to major events, such as the World Expo in Shanghai, in which "dozens" were reportedly sent to a prison or RTL camp (AI 2011). As suggested earlier, the CECC also notes that "a large number" of practitioners were detained and imprisoned during security precautions leading up to the World Expo, and that those who did not renounce the Falun Gong were subject to "torture and other abuse" in prison and RTL camps (US 2010, 103).

Legal Recourse

According to AI, only a small percentage of lawyers in China are willing to represent Falun Gong clients or take on other sensitive cases; those lawyers that have taken on such cases "have been harassed, assaulted, kept under surveillance and prosecuted" (AI 28 Feb. 2011). Human rights organizations, UN agencies and media sources have reported on cases in which lawyers who defend Falun Gong practitioners have been

- detained (ibid.; US May 2011, 10),

- disbarred (Reuters 8 May 2010; *LA Times* 9 May 2010; US May 2011, 10; AI 28 Feb. 2011),
- physically assaulted by the police (HRIC 13 May 2009; UN 24 Feb. 2010, para. 333-334),
- threatened by the police (ibid.; AI 15 Dec. 2010; HRIC 10 Sept. 2010), and
- made to disappear (US May 2011, 10; Reuters 8 May 2010; *Guardian* 8 Mar. 2008; RFA 29 Oct. 2010).

Organ Harvesting

In 2006, David Kilgour, a former Canadian minister of state for Asia and the Pacific and former Member of Parliament, together with David Matas, a Winnipeg-based human rights lawyer, produced a report about the practice of harvesting the organs of Falun Gong practitioners in China (*Ottawa Citizen* 7 Dec. 2010). The report was expanded in 2007 and published as a book in 2009 (ibid.). The authors note that they were not allowed to visit China for their research, but nonetheless conclude, based on a "piecing together of the evidence," that

the government of China and its agencies in numerous parts of the country, in particular hospitals but also detention centres and 'people's courts', since 1999 have put to death a large but unknown number of Falun Gong prisoners of conscience. Their vital organs, including kidneys, livers, corneas and hearts, were seized involuntarily for sale at high prices, sometimes to foreigners, who normally face long waits for voluntary donations of such organs in their home countries. (Matas and Kilgour 2009, 16)

The authors base their conclusions on several factors, including the following:

- Testimony that suggests that Falun Gong practitioners in detention are given blood tests and medical examinations, while other prisoners are not (ibid., 50);
- Public reports that show that the number of transplants in China far exceeds the number of known sources for transplant organs by as much as 41,500 (ibid., 94, 96);
- The websites of Chinese hospitals that advertise short wait times for organ transplant operations (ibid. 31 Jan. 2007, 15);
- Transcripts of telephone conversations, conducted by the World Organization to Investigate [the] Persecution [of] Falun Gong, in which hospital personnel reveal that Falun Gong adherents are a source of organ transplants (ibid. 2009, 80);
- The testimony of family members of Falun Gong practitioners who died in detention, stating that they saw incisions on the bodies of their loved ones where organs were removed (ibid. 31 Jan. 2007, 45-46);
- The testimony of a woman who claimed that her husband, a surgeon at the Sujiatun hospital in Shenyang City, removed corneas from 2,000 Falun Gong prisoners at the hospital while other surgeons removed their other vital organs (ibid., 54-55).

However, the allegations of the doctor's wife were not corroborated when the Sujiatun hospital was visited by US embassy officials (US 25 May 2006, 7) and independent reporters (*Ottawa Citizen* 24 Nov. 2007).

Several sources report that Chinese officials have admitted that prisoners sentenced to death are used as a source of organ transplants, but deny using the organs of Falun Gong practitioners (Matas and Kilgour 31 Jan. 2007, 13; *Ottawa Citizen* 24 Nov. 2007; Ownby 2008, 225-226). The LRF indicates that the number of executions in China is a "state secret," but estimates that in 2009 there were at least 5,000 people executed, some of whom had been charged with non-violent offences such as "'endangering national security'" (LRF n.d.). A Xinhua News Agency article indicates that the 164 hospitals that are authorized to perform transplants "have been relying on death row inmates as a major source of organ

donations" (4 May 2011).

Nevertheless, EU parliamentary vice-president McMillan-Scott maintains that Falun Gong practitioners are being killed for their organs (EU 25 Apr. 2009). On a visit to China in 2006, he interviewed two Falun Gong practitioners who had previously been prisoners (ibid.). One practitioner stated that while he was incarcerated, his friend had disappeared from his prison cell; he later saw his friend's body in the morgue with cuts where body organs had been removed (ibid.). McMillan-Scott notes that the interviewee was subsequently charged with "'meeting a distinguished foreigner'" and sent to prison (ibid.).

Some sources question the methodology and findings of the Kilgour and Matas report (*Ottawa Citizen* 24 Nov. 2007; Ownby 2008, 225-226). For example, the *Ottawa Citizen* reports that the founder of the LRF stated that there is no documentary evidence to support the allegation that Falun Gong practitioners are systemically killed for their organs (24 Nov. 2007). For his part, Ownby stated the following:

In sum, while evidence of the harvesting of Chinese prisoners' organs seems to be beyond dispute, the scale of the practice is not known. There appears to be little evidence that imprisoned Falun Gong practitioners have been a particular target of the practice or that concentration camps have been set up to facilitate the harvesting of practitioners' organs. On the other hand, it seems likely that Falun Gong practitioners who are part of the prison population would be candidates for harvesting, in part because at least some practitioners are young and healthy, in part because the movement has been vilified within China. In other words, it does not stretch the bounds of credibility to imagine that some imprisoned Falun Gong practitioners have been targets for organ harvesting, and accounts of such are found in Falun Gong sources as early as 1999. (2008, 226)

The UN Committee Against Torture expressed concern with reports "that Falun Gong practitioners have been extensively subjected to torture and ill-treatment in prisons and that some of them have been used for organ transplants" (UN 12 Dec. 2008, para. 25). The Committee called on the Chinese government to "immediately conduct or commission an independent investigation of the claims" and to prosecute and punish those responsible (ibid.).

Treatment of Falun Gong leaders

In a 2006 report by the US Congressional Research Service, it states that Article 300 of China's criminal code calls for "cult leaders and recruiters" to be sentenced to seven or more years in prison and for "cult members who disrupt public order or distribute publications" to be sentenced to three to seven years in prison (US 25 May 2006, 4). The report notes that between 1999 and 2001, 150 to 450 Falun Gong "group leaders" were sentenced to prison terms of up to 20 years (ibid.). A representative of the Falun Dafa Association of Canada (FDAC), in correspondence with the Research Directorate, explained that at the start of the ban against the Falun Gong, volunteers who had set up Falun Gong practice sites in their communities were initially targeted as "leaders" (10 June 2011). After the ban, many practitioners continued to practice on their own (FDAC 10 June 2011).

The representative stated that the manner in which authorities treat Falun Gong practitioners is not based on whether the person is thought to be a leader, a practitioner who quietly practices in his or her home or one who distributes Falun Gong materials (ibid.). He explained that Falun Gong practitioners who try to explain "the truth" about Falun Gong in China, whether overtly or covertly, have a greater chance of being discovered by the police than those who practice privately in their homes (ibid.). If caught, both types of practitioners are subject to the same "persecution tactics" (ibid.). He expressed the opinion that Chinese officials view Falun Gong practitioners and supporters as a "threat to the regime" because they can potentially expose the government's culpability in "crimes against

humanity" (ibid.).

The representative also explained that the Falun Gong does not have a formal leadership structure, and that the practice is done individually through meditation and exercises (FDAC 10 June 2011). Matas noted, in an address to the International Conference on Human Rights Education held at the University of Western Sydney and printed in the Falun Gong-affiliated *Epoch Times*, that although Li Hongzhi is the spiritual leader of Falun Gong, there is "no organizational hierarchy" (*Epoch Times* 6 Nov. 2010). The London-based *Guardian* indicates that the Falun Gong does not have "formal rituals of worship" nor official membership (18 July 2009).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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