



January 15, 2009

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Dear Sirs,

We received your letter about the feature report *Malaise dans le Chinatown*, which aired October 30, 2008, on *Enquête*.

You make an impassioned plea on the subject and we want you to know that we respect your convictions. We realize that you feel strongly about this issue and are defending it in good faith.

We do not intend to address all of the points you raised, but would like to make the following remarks.

You surely noticed that our report starts off by mentioning the persecution suffered by Falun Gong followers in China. For years, our news programs have reported regularly on the high number of executions carried out each year in China, as well as the country's spotty human-rights record, deficient justice system, and restrictions on lawyers. We have never denied that Falun Gong practitioners are persecuted in China; on the contrary, we've reported on it frequently in the past.

But this time we focused on a different angle of the Falun Gong story: the tension that exists in Montreal's Chinatown, a very real tension that many residents confirmed to us. Our investigative report showed that this tension was largely caused by Falun Gong's presence in the neighbourhood—a visible presence that manifests itself in myriad ways. As May Chiu explained in our report, there really is a "*Malaise dans le Chinatown*":

Il y a une inquiétude vis à vis le pouvoir du Falun Gong mais aussi en même temps il y a une autre inquiétude vis à vis le gouvernement de Chine. Donc c'est peut-être que les gens se sentent coincés entre 2 pouvoirs qui sont en opposition et ils ne savent pas comment se situer.

You claim that Falun Gong is neither an organization nor a movement; that it has no leadership and no official structure; and that it is made up entirely of ordinary practitioners and small local associations that receive no central funding.

The experts we spoke to, however, described Falun Gong as being a spiritual and religious movement. According to what was cited in the ruling of the Quebec Court of Appeal, which heard the case brought against Crescent Chau by Falun Gong supporters, the latter themselves describe Falun Gong in those very terms.

Moreover, many of the group's high-profile initiatives suggest that we're dealing with a highly structured, well-coordinated organization, with no shortage of money to roll out large-scale communications campaigns or file multiple lawsuits. The public demonstrations by its practitioners are also organized with precision and discipline. The media organs (print, broadcast and Web) that promote the cause aren't clearly identified, but work in lockstep. Lastly, those who dare to criticize Falun Gong get denounced in a remarkably structured and coordinated manner.

These public activities are clearly backed by considerable financial resources. For instance, the newspaper *La Grande Époque* has bureaus in 30 countries, is printed on quality paper in 17 languages, but contains little advertising. It's obvious to any observer that Falun Gong's explanations about its funding and organization do not match to the actual resources deployed. It's therefore not surprising that this very visible presence in some Western cities raises many questions within local Chinese communities. Nor is it surprising that other observers, journalists and experts are also asking questions. In short, it's perfectly normal that some people are wondering who might have an interest in funding this movement.

Our reporters met with experts to try to understand more about the movement. Not Chinese government representatives, but fully independent experts. One of these experts is David Ownby, who has followed Falun Gong for nearly 10 years and has become a world-renowned authority on the group. He has associated with Falun Gong practitioners for many years. In fact, he was the one who acted as an expert witness on behalf of the group in its lawsuit against Crescent Chau. Our reporters also interviewed Harry Wu, a Chinese dissident who has served enough prison time in China to be above suspicion of colluding with the Chinese government.

You seem to consider that simply asking questions on the topic is analogous to denying the Holocaust and makes journalists guilty of spreading hate propaganda. These are very serious charges. Hate propaganda is a crime in Canada. We strongly refute such accusations. Our role as public broadcaster is precisely to ask questions in order to shed as much light as possible on major stories.

As it happened, our reporters discovered that they were far from being the only ones asking questions, particularly about the issue of China's alleged organ harvesting from Falun Gong members and, consequently, your report on the matter. Since this is the main concern of your letter, we will address this aspect of the *Enquête* report in greater detail.

All of our research has shown that a lively debate exists of clear public interest, if only because the issue has been widely discussed by international bodies and led to various responses by Falun Gong sympathizers in Canada. Yet the people we interviewed openly questioned the proof supporting this allegation. Our report reflects this fact, through the voice of David Ownby as well as those of Harry Wu and the Amnesty International representative.

While it may be true that Harry Wu comments specifically on the hospital story that broke in 2006, and to which our report refers, he's quick to express the same

reservations about the content of your document, which seems to have left him no more convinced. Furthermore, David Ownby, who refers specifically to your report on camera, takes care to point out that you “inevitably had to” rely on indirect evidence. He thus puts the challenges you faced back into perspective. As for the Amnesty International representative, she doesn’t deny that organ harvesting goes on in China, but questions the extent of the allegations contained in your report. They were legitimate views from credible sources and deserved to be heard.

In your letter, you refer to the most recent report by the United Nations’ Special Rapporteur on Torture, dated November 2008. It is important to note that this report deals with “claims” and “allegations” of torture and organ harvesting, recommending that an investigation be conducted and that measures be taken “as appropriate” to prosecute such abuses. This use of qualifying language cannot be overlooked.

Following is an excerpt from the resolution of the UN’s Committee Against Torture, dated November 21, 2008:

*While noting the State party’s (China) information about the 2006 Temporary Regulation on Human Organ Transplants and the 2007 Human Organ Transplant Ordinance, the Committee takes cognizance of the **allegations** presented to the Special Rapporteur on Torture who has noted that an increase in organ transplant operations coincides with “the beginning of the persecution of [Falun Gong practitioners]” and who asked for “a full explanation of the source of organ transplants” which could clarify the discrepancy and disprove the **allegation** of organ harvesting (A/HRC/7/3/Add.1). The Committee is further concerned with information received 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 (arts. 12 and 16).*

*The State party (China) should immediately conduct or commission an independent investigation of the **claims** that some Falun Gong practitioners have been subjected to torture and used for organ transplants and take measures, **as appropriate**, to ensure that those responsible for such abuses are prosecuted and punished.*

We therefore believe that our report was undeniably in the public interest and that the *Enquête* reporting team did its job in full compliance with CBC/Radio-Canada’s *Journalistic Standards and Practices*.

We hope you find these thoughts useful. The Radio-Canada Ombudsman is conducting an independent review of the report; it should be made public shortly.

Thank you for taking the time to write to us.

Regards,

Geneviève Guay
Director, Complaints Handling
and Corporate Affairs
News – French Services