

27 August 2018

OPEN LETTER TO THE HONOURABLE GLADYS BEREJIKLIAN, BA, DIntS, MCom, MP, NSW PREMIER

Dear Premier,

Call for an immediate investigation into Real Bodies - The Exhibition

Australia's leading human rights lawyers, medical professionals, academics and civil society organisations urgently call on the NSW Government for an immediate investigation into Real Bodies - The Exhibition (**Exhibition**) currently showing at the Entertainment Quarter in Sydney until October 2018.

The Exhibition is a for-profit business and involves a display of 20 plastinated human bodies and 200 plastinated human organs, human fetuses and body parts. Mr Tom Zaller, President and CEO of Imagine Exhibitions, the company responsible for the Exhibition, has publicly admitted that there is no documentation verifying the provenance and identity of the deceased persons, and any certification of the deceased's consent for display at the Exhibition.¹

This raises serious questions about the legal and ethical operation of the Exhibition. The bodies have been sourced from the Dalian Hoffen Bio-technique Laboratory (**Dalian Hoffen**) in China. On their website, Dalian Hoffen advertise an extensive range of plastinated human corpses and specimens including the corpse of a pregnant woman², any of which can be purchased within 6 to 8 months from the time of ordering. The company also supplies universities, museums and exhibitions in more than 40 countries, however they do not publicly state the source of the bodies.

There are grave ethical and human rights concerns about the circumstances surrounding how and where the bodies and organs in the Exhibition were sourced. Credible evidence suggests that the exhibits may be the bodies and organs of executed prisoners of conscience including Falun Gong practitioners and Uyghurs, of whom there are currently over a million detained in China.³ The extrajudicial killing of prisoners of conscience for their organs breaches fundamental human rights laws, and laws governing crimes against humanity, organ trafficking and organ transplant tourism.

A recent ABC news article reports that China may have detained more than 1 million Uyghurs in labour camps on the basis of their religious beliefs.⁴ It is in these labour camps and "black jails" that organ trafficking is known to occur on an unprecedented scale, via the harvesting of organs and tissues from executed prisoners of conscience. The number of executions performed each year is a State secret but human rights organisations estimate that China carries out thousands of executions a year, more than the rest of the world put together.⁵

These concerns have led to the banning of exhibitions of this kind in other places including Hawaii, France, Seattle and Israel, and more recently in Vietnam where an exhibition of this type has been suspended until the organisers are able to provide legal documentation as to the origins of the

¹ 'Real Bodies: The Exhibition', controversy about 'disturbing' origins of corpses. Megan Palin. news.com.au 9 April 2018. Available from: <http://www.news.com.au/technology/science/human-body/real-bodies-the->

² <http://en.hoffen.com.cn/suhuabiaooben/guixiangjiaobiaoben/673.html>

³ Gutmann E. 2014. The Slaughter. Prometheus Books (Chapter 14); Kilgour D, Matas D, Gutmann E. 2016. An Update (chapter 11): <https://endtransplantabuse.org/an-update/>

⁴ China may have detained more than 1 million Uyghurs in secret camps, UN human rights panel says, 11 August 2018, <http://www.abc.net.au/news/2018-08-11/china-holding-1-million--uighurs-in-secret-camps-un-says/10109290>

⁵ Amnesty Intl., Death Sentences and Executions in 2015, p. 2, ACT 50/3487/2016, and Reprieve, Global executions in 2016, <http://www.reprieve.org.uk/press/global-executions-2016/>, Dec. 29, 2016

specimens.⁶ Concerns about unethically sourced human remains in exhibitions are shared by leading Australian museums.⁷

In Australia, trading in tissue and organ trafficking are serious modern slavery offences. On 6 June 2018 the NSW Parliament passed the *Modern Slavery Act 2018* which provides for the prohibition of trading in tissue. This provision has extraterritorial effect. Australia's *Criminal Code Act 1995* (Cth) also provides for offences of organ trafficking.

Using human organs and tissues without consent for financial profit is the antithesis of international ethical and legal practice as set out in the Declaration of Istanbul on Organ Trafficking and Transplantation and the Council of Europe Convention against Trafficking in Human Organs.⁴

The Exhibition organisers have provided no documentation regarding the bodies and specimens on display, and it remains unclear, without this documentation, whether the Exhibition has complied with Australia's laws, and internationally recognised legal and ethical standards regarding the use of organs and specimens.

In addition, it remains unclear whether the Exhibition complies with NSW's anatomy licensing laws. Despite repeated requests, NSW Health has failed to investigate the Exhibition to ensure it complies with NSW Health's Policy Directive for the *Conduct of Anatomical Examinations and Anatomy Licensing in NSW* and the *Anatomy Act 1977* (NSW). We request that you direct NSW Health to conduct such an investigation.

Whilst we have attempted to work with government in a collaborative way to reach a solution to these ongoing ethical and legal concerns about the Exhibition, our attempts have been futile. The Exhibition remains open until October 2018, and during this time the Exhibition may be breaching Australia's laws.

We now call on you as the NSW Premier for an immediate and full investigation into whether holding the Exhibition complies with Australia's laws, directives and ethical standards.

Yours sincerely,

Madeleine Bridgett
Co-Chair, Business and Human Rights Committee
Australian Lawyers for Human Rights



Cc: The Honourable Scott Morrison, MP, Prime Minister of Australia

⁶ Exhibition of real body parts suspended in Vietnam, 7 July 2018, <https://e.vnexpress.net/news/travel-life/culture-arts/exhibition-of-real-body-parts-suspended-in-vietnam-3774329.html>

⁷ Australia Museum <https://australianmuseum.net.au/exhibiting-human-remains>



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