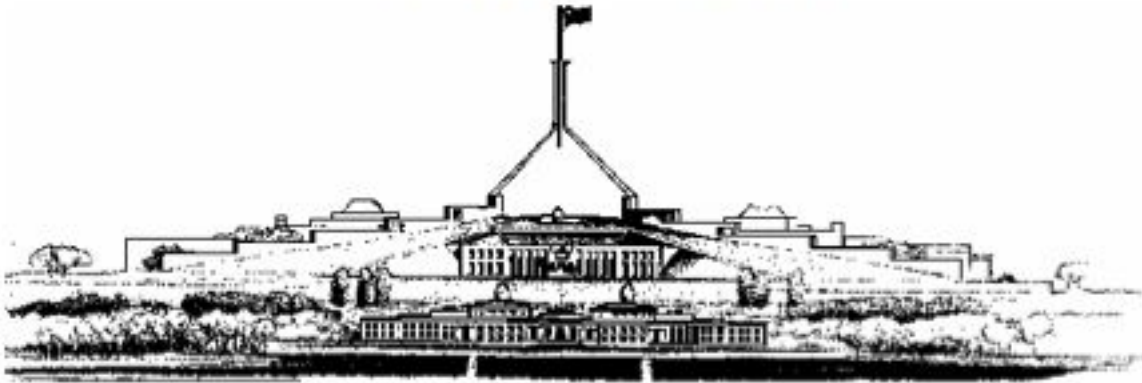




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

PROOF

Federation Chamber

PRIVATE MEMBERS' BUSINESS

China: Organ Harvesting

SPEECH

Monday, 8 February 2016

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

<p>Date Monday, 8 February 2016</p> <p>Page 143</p> <p>Questioner</p> <p>Speaker Parke, Melissa, MP</p>	<p>Source House</p> <p>Proof Yes</p> <p>Responder</p> <p>Question No.</p>
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Ms PARKE (Fremantle) (12:50): I move:

That this House:

(1) notes continuing concerns in relation to the practice of harvesting organs from prisoners in the People's Republic of China, in addition to allegations of an illegal organ harvesting trade in other parts of Asia and in Europe; and

(2) calls on the government to:

(a) acknowledge the illegal trade of organs as a significant health policy and human rights issue in the international community and publicly condemn organ transplant abuses;

(b) engage in international dialogue, in a human rights context, relating to the harvesting of organs, ensuring cooperation to protect the poorest and most vulnerable groups from organ transplant tourism and the illegal sale of tissues and organs through the development of tools to ensure traceability of organs;

(c) consider federal measures and encourage Australian states and territories to consider measures to ensure that trafficking of human organs is addressed;

(d) urge the Chinese government to immediately cease the practice of harvesting organs from prisoners;

(e) support and encourage universal adoption and implementation of the WHO Guiding Principles on Human Organ Transplantation regarding protection of donors, transparency and the implementation of quality systems including vigilance and traceability; and

(f) urge the Chinese government to increase efforts to set up an organised and efficient national register of organ donation and distribution, and to cooperate with requests from the United Nations Special Rapporteurs and other international bodies and governments for investigations into the system.

Many Westerners, including Australians, are travelling overseas to have organ transplants rather than waiting years for organs to become available at home. While this is a potentially dangerous operation for the organ recipient it is almost always fatal for the donor, if they are in China. As we heard on the SBS *Dateline* program, 'Human harvest' last year, at least 10,000 organs are transplanted in China every year yet there is only a tiny number of people on the official donor register.

Today, China is ranked second in the world for procedures of this kind, and there is no question that organs are overwhelmingly sourced from executed prisoners or from live prisoners of conscience who are held for their beliefs or minority status. As far back as 1994, Human Rights Watch made the following report:

A growing worldwide trade in human organs, whereby the poor in countries such as India and Brazil are induced to sell their body parts to meet the transplant needs of high-paying customers, largely from the developed countries, has been widely condemned because of its financially exploitative nature and its abuse of medical ethics. China's extensive use of executed prisoners as a source of organs for medical transplantation purposes, a problem which so far has received somewhat less international attention, likewise creates serious cause for concern on a number of basic human rights grounds.

The consent of prisoners to use their organs after death, although required by law, appears rarely to be sought.

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According to Chinese legal authorities, some executions are even deliberately mishandled to ensure that the prisoners are not yet dead when their organs are removed.

The lack of adequate judicial safeguards in China, coupled with the existence of government directives allowing political offenders and other nonviolent criminals to be sentenced to death, virtually guarantee that a significant number of wrongful executions will take place. Some of those unfairly sentenced may be unwitting organ donors.

The use of condemned prisoners' organs involves members of the medical profession in the execution process in violation of international standards of medical ethics. Chinese doctors participate in pre-execution medical tests, matching of donors with recipients and scheduling of operations, often on a first-paid, first-served basis. Surgeons are commonly present at execution grounds to perform on-site removal of vital organs.

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The practice of using executed prisoners' organs for transplant purposes creates an undesirable incentive for the authorities to refrain from either abolishing capital punishment or reducing the scope of its application.

The practice in China of taking organs from people without consent, including from death-row inmates and political prisoners, and of effectively allowing a system of organ harvesting to operate without check is truly one of the modern horrors. Despite official commitments in recent times to stamp out this abhorrent abuse there is ongoing evidence and testimony that the state-sanctioned harvesting of human organs continues, often in circumstances that constitute torture.

Whistleblower accounts of these cruel practices are horrific. In a 2006 public rally held in Washington DC, one whistleblower gave an account of a secret death camp called Sujiatun, which is apparently one of 36 such camps within China: 'There is a hidden facility in Sujiatun that held a large number of Falun Gong practitioners. During their detention their corneas and internal organs, including bone marrow, were being harvested while they were still alive. Even their hair was used to make wigs, and their skin and fat were being traded. Their remains were finally thrown into a crematory, which left no trace.' An independent investigation conducted by a former Canadian Secretary of State, David Kilgour, and Winnipeg human rights lawyer, David Matas—both nominated for the 2010 Nobel Peace Prize for their work in this area—confirmed the practice in their 2006 report.

China, after many years of denying the practice, has in recent years declared it would no longer harvest organs from executed prisoners. However, transplant rates are continuing to grow without a corresponding growth in legitimate organ donation rates.

In December 2013 the European parliament expressed deep concern over persistent and credible reports of systematic state sanctioned organ harvesting from non-consenting prisoners of conscience, including Falun Gong practitioners, and called on the Chinese government to end the practice of organ harvesting from prisoners immediately. The Canadian parliament and US congress have also condemned the unconscionable practice. The United Nations special rapporteurs have called on the Chinese government to account for the sources of organs used in transplant practices, and the World Medical Association and American Society of Transplantation have called for sanctions on Chinese medical authorities.

Numerous countries have moved to prohibit their citizens from travelling to China for organ transplants. The Australian government has endorsed the non-binding 2008 Declaration of Istanbul on Organ Trafficking and Transplant Tourism, and in 2013 the Senate passed a motion urging the government to oppose the unethical practice of organ harvesting in China.

China is a long way from establishing an ethical, legal, transparent and properly regulated organ donation and transplant system. As a self-proclaimed respecter of human rights, it is incumbent on Australia to do everything possible through legislation, international diplomacy and education to ensure that the measures referred to in the motion are taken and that illegal organ harvesting is brought to an end.

The DEPUTY SPEAKER (Mr John Cobb): Is there a seconder?

Mr Danby: Yes, I second it.

The DEPUTY SPEAKER: You reserve your right to speak?

Mr Danby: I do.

