China admits to organ trade from executed prisoners

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After years of denial, the Chinese government finally admitted that China's booming transplant business is heavily dependent on organs harvested from the country's large number of executed prisoners.

Deputy Health Minister Huang Jiefu told a surgeons' conference in the southern city of Guangzhou in November: "Apart from a small number from traffic [accident] victims, most of the organs come from cadavers of executed prisoners". He called for a stricter rules and better recording to curb the organ trade.

Regulations adopted in 1984 state that organs of executed prisoners may be harvested only if the prisoner or his family consent or if relatives are unwilling to take away the corpse. Once harvested, however, there is little regulation governing the distribution of the organs or the procedures by which patients get a preferential transplant.

Huang did not call for an end to this gruesome business, but pointed to tighter regulations now under consideration. "We want to push for regulations on organ transplants to standardise the management of the supply of organs from executed prisoners and [to] tidy up the medical market," he told the *Caijing* magazine. Huang claimed the measure would help improve China's image.

Many of the transplants, however, are carried out in military hospitals run by the Peoples Liberation Army (PLA), where there are few controls. The PLA is still heavily dependent on its business enterprises, including the lucrative transplant trade for foreigners.

The scale of the business was highlighted in November by a health ministry spokesman who criticised "transplant tourism". Rich foreigners arrive on tourist visas and jump the long queue of Chinese citizens waiting for transplants. Each year some two million Chinese need a transplant, but only 20,000 people, mainly the wealthy or privileged, receive one.

Dr Wang from Beijing's prestigious Tongren Hospital told the *San Francisco Chronicle* that until recently his hospital openly advertised the buying and selling of organs. Foreigners typically pay a hefty premium for transplants in China, but the operation is still cheaper than in the West.

The London-based *Times* this month cited an article in the Israeli *Maariv* newspaper reporting that dozens of people were travelling to China each month for transplants. One patient who received a kidney transplant told the newspaper: "A Chinese sentenced to death saved my life."

China has no system of voluntary organ donation. Estimates put the proportion of organ transplants from executed prisoners at more than 90 percent. The Falun Gong organisation has accused the Chinese government of taking organs from their members being held in prison or labour camps. To date, there is no proof of these accusations, which Beijing has denied.

Executed prisoners provide a huge pool of potential organs. Some 68 crimes are covered by the death penalty in China, including non-violent offences such as tax fraud, embezzling state property and accepting bribes.

Amnesty International has estimated that 3,000 people were sentenced to death in China in 2005 and more than 1,770 people were executed. The true figure is believed to be much higher. In March 2004, a senior member of the National People's Congress announced that China executes around 10,000 people each year. Even the lower estimate represents more than 80 percent of the 2,148 executions reported worldwide in 2005.

The official acknowledgment of the trade in prisoner organs came only weeks after China announced tighter

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controls on the death penalty. Some legal experts speculate that the changes could reduce the number of prisoners executed by a third.

Under the new legislation, which comes into effect in January 2007, all death penalties handed down by provincial courts will be reviewed and ratified by the Supreme Peoples Court. Death sentences and executions still remain a state secret, however, so the impact of the review process will be difficult to access.

Even with this reform, Amnesty International warned that those facing the death penalty were unlikely to receive a fair trial. Trials in China are marked by lack of access to lawyers, no presumption of innocence, political interference in the legal process and admission of evidence extracted under torture.

Many of those sentenced to death come from the rising number of poor, who are driven to desperate acts to look after themselves and their families. Arrest and incarceration all place further burdens on the families of the convicted, who must pay for all prison expenses. In the case of an execution, the family must not only pay for the funeral, but the cost of the bullet used. All of this is part of the systematic humiliation and penalisation of family members, who are regarded as partly responsible for the crime.

The Stalinist regime in Beijing also uses the death penalty as a means of terrorising anyone opposed to its dictatorial rule. In early December, Chen Tao, one of tens of thousands of farmers who demonstrated against the construction of a dam in Sichuan in December 2005, was secretly executed. Chen killed a policeman in fierce clashes with police. His lawyer angrily protested that the government executed his client without even informing him.

Like the transplant trade, execution has become a profitable business. A report in *USA Today* in June noted that firing squads were being phased out in favour of lethal injections using specially equipped "death vans" that shuttle from town to town.

The manufacturers promoted their "death vans" by pointing to the savings for poor localities that would otherwise have to build execution facilities. They hailed the virtues of local executions as a crime deterrent. The same company also makes bulletproof limousines for the country's expanding wealthy elite.

Chinese authorities claim that lethal injections are more "humane". But a researcher for Amnesty International, Mark Allison, contends that the injections facilitate the illegal trade in prisoners' organs. "Injections leave the body intact and require the participation of doctors, so organs can be extracted in a speedier and more effective way than if the prisoner is shot," he said.

Despite the new regulations, there is no doubt that this grisly trade is set to continue and expand.

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