

State of Arizona
House of Representatives
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HOUSE CONCURRENT MEMORIAL 2004

A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS AND THE ARIZONA MEDICAL COMMUNITY TO
TAKE ACTION AGAINST STATE-SANCTIONED ORGAN TRANSPLANT PRACTICES IN CHINA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America and the leaders of
2 Arizona's medical community:

3 Your memorialist respectfully represents:

4 Whereas, since July 1999, the People's Republic of China has
5 persecuted practitioners of Falun Gong—a spiritual practice with key
6 values of truthfulness, compassion and forbearance for achieving physical
7 and spiritual well-being through exercise and meditation—as documented by
8 the United States Department of State, the United States Commission on
9 International Religious Freedom, Amnesty International, Human Rights
10 Watch, Freedom House and many other governmental and third-party
11 organizations; and

12 Whereas, the persecution of Falun Gong practitioners involves the
13 widespread use of torture, forced labor work, illegal detention centers
14 and prisons, and these illegally detained prisoners of conscience
15 experience forced medical examinations, including blood and urine testing,
16 x-rays, ultrasounds and CT scans; and

17 Whereas, the official reported transplant numbers in China increased
18 threefold nationwide between 1999 and 2004, parallel to the onset of the
19 persecution of Falun Gong; and

20 Whereas, the organ transplant system in China does not comply with
21 the World Health Organization's requirement for transparent and traceable
22 accessibility of organ procurement practices, and the People's Republic of
23 China has prevented any independent or impartial inspection and
24 verification of its transplant system; and

25 Whereas, the current chairman of China's Human Organ and Transplant
26 Committee, Dr. Huang Jiefu, claimed that China would stop sourcing organs
27 from executed prisoners on January 1, 2015, yet no official agency of the
28 People's Republic of China has made such a declaration nor has this claim
29 been verified by any independent researcher. In May 2016, Dr. Jiefu
30 announced via state-run media that China would increase the number of
31 transplant centers from 169 to 300 over the next five years; and

32 Whereas, the People's Republic of China has not officially repealed
33 provisions implemented in 1984 that allow the harvesting of organs from
34 executed prisoners, and the use of organs from executed prisoners
35 therefore remains legal; and

36 Whereas, large discrepancies exist between the People's Republic of
37 China's officially reported transplant numbers and those estimated by
38 independent researchers; and

39 Whereas, updated evidence estimates that between 30,000 and 100,000
40 transplants occur annually in China without identified organ sources; and

41 Whereas, updated evidence suggests that a significant number of
42 Falun Gong practitioners may have been killed for their organs since 1999;
43 and

44 Whereas, recipients for these transplants are Chinese citizens and
45 individuals from abroad, including the United States; and

1 Whereas, in 2015, the United States Commission on International
2 Religious Freedom's annual report again listed China as a "country of
3 particular concern" due to severe human rights violations and illegal
4 organ harvesting practices, stating that "imprisoned Falun Gong
5 practitioners are particularly targeted"; and

6 Whereas, in 2015 and 2016, the Congressional-Executive Commission on
7 China condemned ongoing, unethical forced organ harvesting practices in
8 China; and

9 Whereas, in March 2015, the Council of Europe passed a Convention
10 against Trafficking in Human Organs that stated "trafficking in human
11 organs violates human dignity and the right to life and constitutes a
12 serious threat to public health"; and

13 Whereas, in May 2016, the Minnesota Legislature passed Resolution
14 S.F. No. 2090, "expressing concern over persistent and credible reports of
15 systematic, state-sanctioned, forced organ harvesting from nonconsenting
16 prisoners of conscience, primarily from Falun Gong practitioners
17 imprisoned for their spiritual beliefs, and members of other religious and
18 ethnic minority groups in the People's Republic of China"; and

19 Whereas, in June 2016, the United States House of Representatives
20 passed House Resolution 343 expressing concern over China's organ
21 procurement from nonconsenting prisoners of conscience, including "large
22 numbers of Falun Gong practitioners and members of other religious and
23 ethnic minority groups"; and

24 Whereas, in September 2016, the European Parliament passed Written
25 Declaration 0048, which states that "the international community has
26 strongly condemned organ harvesting in China and actions should be taken
27 to end it"; and

28 Whereas, the charitable medical ethics advocacy association Doctors
29 Against Forced Organ Harvesting, which has monitored and objectively
30 reported on the transplant situation in China for the last decade, was
31 nominated for the 2016 Nobel Peace Prize; and

32 Whereas, the killing of prisoners, including religious or political
33 prisoners, to sell their organs for transplant is an egregious and
34 intolerable violation of the fundamental right to life.

35 Wherefore your memorialist, the House of Representatives of the State of
36 Arizona, the Senate concurring, prays:

37 1. That the United States Congress immediately conduct a full and
38 transparent investigation into organ transplant and procurement practices
39 in the People's Republic of China.

40 2. That the United States Congress prohibit the entry into the
41 United States of doctors involved in unethical organ procurement or
42 transplant surgery using organs harvested from prisoners in China.

1 3. That the United States Congress enact legislation to prohibit
2 United States citizens from receiving organ transplants abroad if the
3 organ sourcing is neither transparent nor traceable according to
4 international ethical guidelines.

5 4. That Arizona's medical community caution patients against
6 traveling to China for organs and strive to raise awareness among health
7 care providers, students, patients and the public of the unethical organ
8 transplant practices in the People's Republic of China.

9 5. That the Secretary of State of the State of Arizona transmit
10 copies of this Memorial to the President of the United States Senate, the
11 Speaker of the United States House of Representatives, the Executive
12 Director of the Arizona Medical Board and the Dean of the University of
13 Arizona College of Medicine.