

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 27 Session of 2017

INTRODUCED BY BAKER, JAMES, READSHAW, GAINNEY, MURT, PICKETT, PHILLIPS-HILL, MILLARD, GODSHALL, CALTAGIRONE, WARD, SCHLOSSBERG, TOEPEL, KAUFFMAN, HEFFLEY, KORTZ, ROZZI, FABRIZIO, GILLEN, KEEFER AND SAYLOR, JANUARY 23, 2017

AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 13, 2017

A RESOLUTION

1 Encouraging the medical community of this Commonwealth to help
2 raise awareness of unethical organ transplant practices in
3 China.

4 WHEREAS, Falun Gong is a spiritual practice with key values
5 of truthfulness, compassion and forbearance for achieving
6 physical and spiritual well-being through exercise and
7 meditation; and

8 WHEREAS, Since July 1999, Falun Gong practitioners have been
9 persecuted by the Chinese Communist Party, as documented by the
10 United States Department of State, the United States Commission
11 on International Religious Freedom, Amnesty International, Human
12 Rights Watch and many other governmental and third-party
13 organizations; and

14 WHEREAS, Persecution of Falun Gong practitioners involves the
15 widespread use of torture, forced labor work, brainwashing and
16 other abuses in extralegal reeducation-through-labor camps,
17 detention centers and prisons; and

1 WHEREAS, Prisoners are forced to undergo medical exams, blood
2 testing, urine testing and x-rays, despite being tortured; and

3 WHEREAS, The organ transplantation system in China does not
4 comply with the World Health Organization's requirement of
5 transparency and traceability in organ procurement pathways, AND <--
6 THE PEOPLE'S REPUBLIC OF CHINA HAS PREVENTED INDEPENDENT OR
7 IMPARTIAL INSPECTION, SCRUTINY AND VERIFICATION OF THE
8 TRANSPLANT SYSTEM; and

9 ~~WHEREAS, The People's Republic of China implemented~~ <--
10 ~~regulations in 1984 that permitted the harvesting of organs from~~
11 ~~executed prisoners; and~~

12 ~~WHEREAS, Former Vice Minister of Health, Huang Jiefu,~~
13 ~~admitted publicly that more than 90% of transplant organs~~
14 ~~extracted from deceased donors stemmed from executed prisoners~~
15 ~~in China; and~~

16 ~~WHEREAS, Organs were forcibly harvested from Falun Gong~~
17 ~~practitioners in detention centers and prisons without~~
18 ~~voluntary and informed consent; and~~

19 ~~WHEREAS, It is estimated that since 1999, more than 1 million~~
20 ~~Falun Gong practitioners have been detained and that~~
21 ~~approximately 65,000 Falun Gong practitioners have been killed~~
22 ~~for their organs; and~~

23 ~~WHEREAS, Hospitals receive organs from these prisons and the~~
24 ~~harvested organs are then used for transplants; and~~

25 ~~WHEREAS, Recipients for these transplants are Chinese or~~
26 ~~individuals from abroad, including United States citizens; and~~

27 ~~WHEREAS, The Government of the People's Republic of China~~
28 ~~continues to deny reports that many organs are taken without the~~
29 ~~consent of prisoners, yet prevents independent verification of~~
30 ~~its transplant system; and~~

1 ~~WHEREAS, In June 2001, Chinese doctor Wang Guoqi testified~~
2 ~~before the United States House of Representatives International~~
3 ~~Relations Subcommittee on International Operations and Human~~
4 ~~Rights that hospitals work in collusion with state security~~
5 ~~agencies to extract organs from executed prisoners without~~
6 ~~written consent of the organ donors and that these transplants~~
7 ~~were a lucrative source of income; and~~

8 ~~WHEREAS, The United States Department of State, in its 2011~~
9 ~~Country Reports on Human Rights Practices stated, "Overseas and~~
10 ~~domestic media and advocacy groups continued to report instances~~
11 ~~of organ harvesting, particularly from Falun Gong practitioners~~
12 ~~and Uighurs"; and~~

13 ~~WHEREAS, In May 2012, the World Organization to Investigate~~
14 ~~the Persecution of Falun Gong released telephone transcripts and~~
15 ~~audio recordings of conversations between undercover~~
16 ~~investigators and senior Chinese Communist Party officials, in~~
17 ~~which several officials indicated that central authorities were~~
18 ~~aware of or involved in organ harvesting from Falun Gong~~
19 ~~prisoners; and~~

20 ~~WHEREAS, Voluntary and informed consent is the precondition~~
21 ~~for ethical organ donation and international medical~~
22 ~~organizations state that prisoners deprived of their freedom are~~
23 ~~not in the position to give consent; and~~

24 WHEREAS, THE PEOPLE'S REPUBLIC OF CHINA HAS NOT OFFICIALLY <--
25 REPEALED PROVISIONS IMPLEMENTED IN 1984 WHICH PERMIT THE
26 HARVESTING OF ORGANS FROM EXECUTED PRISONERS, THEREFORE THE USE
27 OF ORGANS FROM EXECUTED PRISONERS REMAINS LEGAL; AND

28 WHEREAS, THE OFFICIALLY REPORTED TRANSPLANT NUMBERS IN CHINA
29 INCREASED THREEFOLD NATIONWIDE BETWEEN 1999 AND 2004, PARALLEL
30 TO THE ONSET OF THE PERSECUTION OF FALUN GONG; AND

1 WHEREAS, THE CURRENT CO-CHAIRPERSON OF THE NATIONAL HEALTH
2 AND FAMILY PLANNING COMMISSION'S HUMAN ORGAN AND TRANSPLANT
3 COMMITTEE, DR. HUANG JIEFU, CLAIMED THAT CHINA WOULD STOP
4 SOURCING ORGANS FROM EXECUTED PRISONERS ON JANUARY 1, 2015, YET
5 NO OFFICIAL AGENCY OF THE PEOPLE'S REPUBLIC OF CHINA HAS MADE
6 THIS DECLARATION NOR HAS HUANG'S CLAIM BEEN VERIFIED BY
7 INDEPENDENT RESEARCHERS; AND

8 WHEREAS, CHINESE OFFICIALS HAVE RECLASSIFIED DEATH ROW
9 PRISONERS AS "ORDINARY CITIZENS" WITH THE RIGHT TO DONATE THEIR
10 ORGANS, ALTHOUGH THE USE OF PRISONER ORGANS FOR TRANSPLANT IS
11 SPECIFICALLY BANNED BY INTERNATIONAL MEDICAL ORGANIZATIONS; AND

12 WHEREAS, IN MAY 2016, HUANG JIEFU ANNOUNCED VIA STATE-RUN
13 MEDIA THAT CHINA WILL INCREASE THE NUMBER OF TRANSPLANT CENTERS
14 FROM 169 TO 300 OVER THE NEXT FIVE YEARS; AND

15 WHEREAS, LARGE DISCREPANCIES EXIST BETWEEN THE PEOPLE'S
16 REPUBLIC OF CHINA'S OFFICIALLY REPORTED TRANSPLANT NUMBERS AND
17 THOSE ESTIMATED BY INDEPENDENT RESEARCHERS; AND

18 WHEREAS, UPDATED EVIDENCE ESTIMATES BETWEEN 30,000 TO 100,000
19 TRANSPLANTS OCCUR ANNUALLY IN CHINA WITHOUT IDENTIFIED ORGAN
20 SOURCES; AND

21 WHEREAS, UPDATED EVIDENCE SUGGESTS UP TO 1.5 MILLION FALUN
22 GONG PRACTITIONERS MAY HAVE BEEN KILLED FOR THEIR ORGANS SINCE
23 2001; AND

24 WHEREAS, RECIPIENTS FOR THESE TRANSPLANTS ARE CHINESE
25 CITIZENS OR INDIVIDUALS FROM ABROAD, INCLUDING FROM THE UNITED
26 STATES; AND

27 WHEREAS, IN 2015, THE UNITED STATES COMMISSION ON
28 INTERNATIONAL RELIGIOUS FREEDOM'S ANNUAL REPORT AGAIN LISTED
29 CHINA AS A "COUNTRY OF PARTICULAR CONCERN," DUE TO SEVERE
30 VIOLATIONS OF HUMAN RIGHTS AND ILLEGAL ORGAN HARVESTING

1 PRACTICES STATING, "IMPRISONED FALUN GONG PRACTITIONERS ARE
2 PARTICULARLY TARGETED"; AND

3 WHEREAS, IN 2015 AND 2016, THE CONGRESSIONAL-EXECUTIVE
4 COMMISSION ON CHINA CONDEMNED ONGOING UNETHICAL FORCED ORGAN
5 HARVESTING PRACTICES IN CHINA; AND

6 WHEREAS, IN JUNE 2016, THE UNITED STATES HOUSE OF
7 REPRESENTATIVES PASSED HOUSE RESOLUTION 343 EXPRESSING CONCERN
8 OVER CHINA'S ORGAN PROCUREMENT FROM NONCONSENTING PRISONERS OF
9 CONSCIENCE, INCLUDING FROM "LARGE NUMBERS OF FALUN GONG
10 PRACTITIONERS AND MEMBERS OF OTHER RELIGIOUS AND ETHNIC MINORITY
11 GROUPS"; AND

12 WHEREAS, The practice of sourcing organs from prisoners is a
13 violation of ethical guidelines in medicine; and

14 WHEREAS, The killing of prisoners for the purpose of selling
15 their organs for transplant is an intolerable violation of the
16 fundamental right to life; therefore be it

17 RESOLVED, That the House of Representatives call upon the
18 Government of the People's Republic of China to immediately end
19 the practice of forced organ harvesting from all prisoners,
20 particularly from Falun Gong prisoners and members of other
21 religious and ethnic minority groups; and be it further

22 ~~RESOLVED, That the House of Representatives call upon the~~ <--
23 ~~Government of the People's Republic of China to increase~~
24 ~~accountability and transparency in the organ transplant system~~
25 ~~and punish those responsible for abuses; and be it further~~

26 RESOLVED, THAT THE HOUSE OF REPRESENTATIVES CALL UPON THE <--
27 UNITED STATES GOVERNMENT TO INITIATE A PROHIBITION FOR EACH
28 UNITED STATES TEACHING HOSPITAL TO TRAIN CHINESE DOCTORS IN
29 TRANSPLANT SURGERY UNTIL THE PEOPLE'S REPUBLIC OF CHINA
30 FACILITATES INDEPENDENT, IMPARTIAL INSPECTIONS OF ITS TRANSPLANT

1 INFRASTRUCTURE; AND BE IT FURTHER

2 RESOLVED, THAT THE HOUSE OF REPRESENTATIVES SUGGEST THAT THE
3 UNITED STATES GOVERNMENT ENACT LEGISLATION THAT WILL PROHIBIT
4 UNITED STATES CITIZENS FROM RECEIVING ORGANS ABROAD WHERE ORGAN
5 SOURCING IS NOT TRANSPARENT AND TRACEABLE ACCORDING TO
6 INTERNATIONALLY ACCEPTED GUIDELINES; AND BE IT FURTHER

7 RESOLVED, THAT THE HOUSE OF REPRESENTATIVES REQUEST THE
8 MEDICAL COMMUNITY OF THIS COMMONWEALTH TO CAUTION PATIENTS
9 AGAINST TRAVELING TO CHINA FOR ORGANS; AND BE IT FURTHER

10 RESOLVED, That the House of Representatives urge the United
11 States Government to commence a full and transparent
12 investigation into organ transplant practices in the People's
13 Republic of China; and be it further

14 RESOLVED, That the House of Representatives call upon the
15 United States Government to prohibit any doctors involved in
16 unethical organ procurement or transplantation surgery using
17 organs harvested from living prisoners in China from gaining
18 entry into the United States; and be it further

19 RESOLVED, That the House of Representatives encourage the
20 medical community of this Commonwealth to help raise awareness
21 of unethical organ transplant practices in China; AND BE IT <--
22 FURTHER

23 RESOLVED, THAT COPIES OF THIS RESOLUTION BE TRANSMITTED TO
24 THE PRESIDENT OF THE UNITED STATES, THE VICE PRESIDENT OF THE
25 UNITED STATES AND THE SECRETARY OF STATE OF THE UNITED STATES
26 AND TO EACH MEMBER OF CONGRESS FROM PENNSYLVANIA.