China admits taking executed prisoners' organs

Demand is high, and supply is low -- except on death row; the nation leads worldwide in capital punishment.

By Mark Magnier and Alan Zarembo, Times Staff Writers
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BEIJING — After years of denial, China has acknowledged that most of the human organs used in transplants here are taken from executed prisoners and that many of the recipients are foreigners who pay hefty sums to avoid a long wait.

Speaking at a conference of surgeons in the southern city of Guangzhou, Deputy Health Minister Huang Jiefu called for a strict code of conduct and better record-keeping to stem China's thriving illegal organ trade, state media reported.

"Apart from a small portion of traffic victims, most of the organs from cadavers are from executed prisoners," Huang said Tuesday, according to a report Thursday in the English-language China Daily newspaper.

"The current big shortfall of organ donations can't meet demand," Huang said.

The acknowledgment of what had been an open secret online, in local magazines and among people awaiting transplants came about two weeks after China announced it would tighten oversight of capital cases, requiring that death sentences be approved by the country's highest court. Legal experts estimate that will reduce executions by a third.

Though China doesn't disclose the number of annual executions, Amnesty International says at least 1,770 people were put to death in 2005, based on a review of Chinese media reports. Some activists say the annual figure could be as high as 10,000.

The lower estimate represents more than 80% of at least 2,148 that Amnesty International says took place worldwide last year. The United States executed 60 prisoners.

In July, China ruled that all sales of organs were illegal. But enforcing its decrees can be a problem, especially when substantial profits are involved.

In September 2004, local media reported that well-known comedian Fu Biao spent more than $36,000 for a liver from an executed prisoner in Shandong province. And in July, China ruled that all sales of organs were illegal. But enforcing its decrees can be a problem, especially when substantial profits are involved.

Americans are among the foreigners who have headed to China for transplants as the waiting time for kidneys and livers has grown in the United States. U.S. transplant doctors say the majority seem to be patients of Chinese ancestry who feel comfortable navigating the medical system here.

One of them was Mabel Wu, 69, of Northridge, who received a kidney in July at the Hemodialysis and Organ Transplantation Center of the Taiping People's Hospital in Dongguan, a city in Guangdong province.

Dr. Gabriel Danovitch, Wu's kidney specialist at UCLA, did not endorse her decision.

"I have concerns and suspicions about who those donors are and what consent might have been involved," he said, adding that he also had concerns about the quality of medical care.

The family paid about $40,000 for the surgery. It was told only that the donor was a 30-year-old male.

Dr. Lily Wu, who is the patient's daughter and a UCLA cancer researcher, said the surgeon had told her he was concerned about the future organ supply because the government was becoming more restrictive about the death penalty.

http://www.latimes.com/news/nationworld/world/la-fg-organs18nov18,0,985742,full.story
As a result, she suspected the kidney came from a prisoner. "I didn't want to know," she said.

Her mother said four other patients had been at the hospital recovering from kidney transplants, all of them from Taiwan, when she was there.

She flew back to California 12 days after the surgery.

"I am very happy with this transplant," she said Friday. "I got a good kidney."

A Chinese transplant doctor, Dr. Zhonghua Chen, said at a conference in Boston in July that Chinese doctors had transplanted 8,102 kidneys, 3,741 livers and 80 hearts in 2005.

Some experts estimate that well over 90% of all organs transplanted in China come from executed prisoners, given the limited supply of organs from other sources. China has no system of voluntary donor cards. Furthermore, experts say, because China defines death as a cessation in heart activity rather than brain-stem activity, there's little opportunity to recover organs from other sources.

A doctor at Beijing's prestigious Tongren Hospital, who gave only his family name of Wang, said Friday that until recently the hospital's bathrooms, tunnels and a nearby footbridge had numerous advertisements about buying and selling organs. Shortly after the new rules were announced, the hospital cleaned them up, he said.

On Friday, restrooms at Tongren boasted a new coat of light blue paint and newly installed plastic surfaces that could be easily washed or scraped clean.

Despite Beijing's record of denying the use of prisoners' organs, some Chinese defend the practice.

"It is understandable that China relies on organs of executed prisoners, given that voluntary organ donation is not well established in China," said the doctor at Tongren.

A patient agreed.

"There simply aren't enough organs to go around," said a woman in her 50s who declined to be identified. "Saving someone's life using executed prisoner's organs is worth it. While it would be better not to, that's the reality in China."

Rules adopted in 1984 state that executed prisoners' organs can be used if the prisoner's relatives are unwilling to take the corpse or if the prisoner or his family agrees. But relatively little is known about how such organs are distributed, how organ decisions are made and which patients get preference.

Jurisdiction is a further complication. The ban on organ sales applies to hospitals answering to the Health Ministry. It is less clear whether hospitals run by the military or police — which presumably have the most access to organs given their prominent role in executions — will comply.

China in recent years has introduced mobile execution vans and lethal injection, supplanting the traditional method of a bullet to the back of the head. Beijing has touted these as more humane; critics say the changes facilitate rapid organ transfers.

Analysts said it wasn't exactly clear why China had become more willing to air its dirty laundry, but they noted that the increased openness of Chinese society was making denial of the practice more difficult.

"At some point, the skeleton in the cupboard can't be ignored anymore," said Robin Munro, a Hong Kong-based human rights activist and author of a report on the issue.

China has faced a growing call for change from many lawyers and academics. It also has been embarrassed by a chorus of overseas criticism, including a sustained campaign by Falun Gong, a spiritual movement banned in China that Beijing condemns as an "evil cult."

In July, a report by Canadian human rights lawyer David Matas and former parliamentarian David Kilgour concluded that hearts, kidneys, livers and corneas had been taken from Falun Gong practitioners and sold for large sums. The movement claims its members are executed on trumped-up charges to supply the organ trade. Beijing has denied the accusations.

"Based on what we now know, we have come to the regrettable conclusion that the allegations are true," the report says.

China also acknowledged this week the widespread practice of transplanting organs to foreigners arriving on tourist visas, though the Communist Party's newspaper said Thursday that the nation forbade medical institutions "to lure foreign tourists" for the
purpose. Many foreigners can afford to pay more and jump the long queue of those waiting for transplants.

Some 2 million Chinese need transplants each year, according to state media, but only 20,000 receive them.

Analysts said they hoped attention to a long-taboo subject would help spur reform.

"The reason we're seeing people sell organs illegally is because there's a lack of legal channels," said Zhu Gongwei, an attorney at the Beijing Zhongzhao law firm. "That's led to people cutting corners for quick profit…. We need enhanced oversight, special monitoring organizations and clear rules on what hospitals can perform these surgeries."

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Magnier reported from Beijing and Zarembo from Los Angeles. Yin Lijin and Cui Xiaohuo of The Times' Beijing Bureau contributed to this report.

*(INFOBOX BELOW)*

1,770

Estimated number of executions in China in 2005

80

Percentage of executions worldwide estimated to have occurred in China

90

Percentage of organs transplanted in China estimated to have come from executed prisoners

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