

Congressional-Executive Commission on China
Hearing on
Stopping the Crime of Organ Harvesting—What More Must Be Done?

Wednesday, March 20, 2024, 10:00 am

1334 Longworth House Office Building

Statement of Senator Jeff Merkley, Cochair

As delivered

Thank you, Mr. Chairman, for convening this hearing.

The issue of human rights abuses in the organ transplant system has been a long-standing concern of this Commission. For example, back in 2006 the Commission reported that “Executed prisoners likely are the source of the majority of organs used in transplant operations in China, according to reported statements from Chinese officials and reports from U.S. human rights organizations.”

The notion that prisoners, including prisoners of conscience, might be executed so that their organs can be transplanted into other people is horrific.

This is an area where we can say that international pressure appears to have produced some results. In 2014, China pledged to stop obtaining organs from executed prisoners and to “ensure the voluntary donation from citizens is the sole legal source of human organs...”

But have they done what they promised? Many experts have cast doubts about whether China has adhered to its pledges and abided by international standards. That is what we are here to explore.

A Congressional Research Service report notes that “researchers on organ harvesting in China have relied largely on circumstantial evidence, logical inferences, and interviews to support their arguments.”

In part, this problem can be blamed on Chinese authorities, who make it so difficult to get accurate and trustworthy data. The system is not transparent. The Chinese government has refused to agree to independent or international investigations into its organ transplant practices or provided information that refutes the allegations of human rights violations.

We need facts to make assessments and formulate policy. We must continue to demand that the Chinese government provide more transparency so that we can assess whether they are meeting international standards. But we must also take care not to let our policy responses be based on circumstantial or outdated evidence.

Two years ago the Tom Lantos Human Rights Commission, in a hearing chaired by today’s chairman, Representative Smith, addressed this topic with two of the witnesses with us today. I look forward to hearing any new information that they have uncovered since then.

Chairman Smith is also the author of the Stop Forced Organ Harvesting Act, which passed the House a year ago. I am a cosponsor of the Senate version and hope we can move it soon on our side.

Lastly, I observe that one clear action that the Chinese government can take to provide assurance that its institutions are not harvesting organs from executed prisoners is to stop executing prisoners. I urge China to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty. I should note that for significant but different reasons the United States should do so as well.

I look forward to the testimony of the witnesses.