
Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE RAMPANT TRAFFICKING
OF HUMAN ORGANS

WHEREAS, the Constitution, Article 2, Section 15 provides that, "The State shall protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, Republic Act No. 7170, otherwise known as the Organ Donation Act of 1991 provides that, "Only authorized medical practitioners in a hospital shall remove and/or transplant any organ which is authorized to be remove and/or transplanted";

WHEREAS, Republic Act No. 9208, otherwise known as "Anti-Trafficking of Persons Act of 2003", also penalizes the recruitment, hiring, transport or abduction of persons for the purpose of removal or sale of organs;

WHEREAS, in a 29 January 2008 article of the *Philippine Daily Inquirer*, the Catholic Bishops Conference of the Philippines (CBCP) said in a pastoral statement that despite the existence of laws governing organ donation, the same good act was being abused and exploited usually at the expense of the economically poor;

WHEREAS, despite the prohibitions for health care professionals and facilities, the sale of organs is continuously rising because of high demand here and abroad; the demand for human organs also increased due to lack of access to good renal care and the steep price of getting life-prolonging dialysis;

WHEREAS, hospitals have also gone around the government's official ban on the sale of organs by using third parties that get commissions for every match between donor and patient;

WHEREAS, the high price fetched by organ donation has led many of the poor to sell their organs;

WHEREAS, the government needs to initiate a series of consultations with private and public health sector leaders on how to regulate organ donation in the face of rampant and under-the-table traffic in human organs;

WHEREAS, the government should also control organ donation by putting local recipients at the top of the waitlist before any foreign recipient;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate Committee to conduct an inquiry in aid of legislation, on the rampant trafficking of human organs.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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