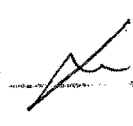


9 DEC -8 P6:25

SENATE

RECEIVED BY: 

P. S. Res. No. 1519 :

INTRODUCED BY SENATOR VILLAR

RESOLUTION

URGING THE COMMITTEES ON HEALTH AND DEMOGRAPHY AND PUBLIC ORDER AND ILLEGAL DRUGS TO REVIEW, IN AID OF LEGISLATION, THE EXISTING STATUTES AND POLICIES ADDRESSING ORGAN DONATION AND TRAFFICKING IN ORDER TO HALT THIS CRIMINAL ACTIVITY AS WELL AS TO EDUCATE THE FILIPINOS ON THE HEALTH IMPLICATIONS OF ORGAN TRANSPLANTATION

Whereas, Section 15 Article II of the 1987 Constitution states that, "The State shall protect and promote the right to health of the people and instill health consciousness among them";

Whereas, RA 7170, otherwise known as the "Organ Donation Act of 1991" is a law that addresses organ donation;

Whereas, the Philippines is a signatory to the 2008 Declaration of Istanbul on Organ Trafficking and Transplant Tourism;

Whereas, Organs, tissues and cells (OTC) trafficking often takes the form of what is known as "transplant tourism", with recipients travelling, usually from wealthier nations, to acquire organs in countries where measures to prevent the crime or protect live donors are not in place or not implemented;

Whereas, the Philippines has become a 'hot spot' for human organ trafficking, according to a report¹;

Whereas, the victims are usually impoverished, illiterate and not given any choice in the sense that they have no other job or occupation and upon making the sale, they wind up sicker or dead;

Whereas, the government should take measures to protect the poorest and most vulnerable groups from 'transplant tourism' and the sale of tissues and organs including attention to the wider problem of international trafficking in human tissues and organs;

Whereas, the international trade in human organs is on the increase fuelled by growing demand as well as unscrupulous traffickers prompting for a serious reappraisal of current legislation to call for more protection for the most vulnerable people who might be tempted to sell a kidney and other internal organs for as little as US\$ 1000 as well as to provide for stiffer penalties to individuals and organizations engaged in this type of business;

¹ http://www.bioedge.org/index.php/bioethics/bioethics_article/philippines_a_hot_spot_for_organ_trafficking/

Whereas, it is estimated that 5 per cent to 10 per cent of kidney transplants performed annually around the world are the result of trafficking;

Whereas, the Guiding Principles on human organ transplantation adopted by the World Health Assembly (WHA) in 1991, state that organs should "be removed preferably from the bodies of deceased persons," and that live donors should in general be genetically related to the recipient in addition to prohibiting the "giving and receiving of money, as well as any other commercial dealing;

Whereas, in Asia, South America and Africa, there is widespread resistance, for cultural and personal reasons as well as due to the high cost, to using cadaveric organs, or those from dead bodies, thus increasing the demand of transplanted organs from live, often unrelated, donors;

Whereas, steps should be taken in educating the Filipino people on the significance of transplantation as well as organ selling through studies and research conducted by government agencies concerned;

Whereas, it is the responsibility of the State to protect its people from individuals who take advantage of them as well as to look after their health and over-all well being to ensure the preservation of valuable human material; NOW THEREFORE BE IT

RESOLVED, as it is hereby resolved, to urge the Committees on Health and Demography and Public Order and Illegal Drugs to review, in aid of legislation, the existing statutes and policies addressing organ donation and trafficking in order to halt this criminal activity as well as to educate the Filipinos on the health implications of organ transplantation.

Adopted,


MANNY VILLAR
Senator