

Question on notice
Public Hearing 8 June 2018
Response 6 August 2018

Madeleine Bridgett | Chair
Australian Advocacy and Initiatives Committee

International Coalition to End Transplant Abuse in China

Dear Sonya,

Thank you for your email.

I shall respond in this way. It is not uncommon, in fact it is usually the norm, that with international treaties countries will initially sign and then ratify some years later. I draw Senator Moore's attention to the list of signatories to the United Nations against Transnational Organised crime, an important international instrument regarding organ trafficking, and she can see from this link the gap in years between signing and ratifying:

https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=_en.

Further, the Convention against Trafficking in Human Organs is a relatively recent Convention, when viewed from the lens of how long it can take before countries sign and ratify international instruments. It opened for ratification on 25 March 2015. Further, this is a Council of Europe Convention and I note that most of the countries who have signed and ratified to date are members of the EU. Most likely because they would be more acutely aware of the Convention, compared to non EU countries.

A final point is that the US does not have a great track record of ratifying human rights treaties. This is a good article about the US' reluctance to sign human rights treaties - <https://www.newstatesman.com/north-america/2013/10/why-us-so-reluctant-sign-human-rights-treaties>. Australia should not follow suit, and should set a good example to the world of being a country that respects the human rights of all peoples, and one way to do this is to ratify human rights instruments such as the Convention against Trafficking in Human Organs, especially given it is the first international agreement aimed at addressing the crime of trafficking in organs, as opposed to the crime of organ trafficking.

I hope this assists the Inquiry.

Kind regards,

Madeleine