



Submission No 12

**Inquiry into Slavery, Slavery-like conditions and People  
Trafficking**

**Name:** Mrs Marion Smith AM

**This Bill very rightly includes organ trafficking in the Amendment to Division 271 to deal with the danger of donors trafficked and the unethical use of live human tissue. There is another aspect to this same topic.**

1. *“The UN acknowledged that the skills of organ transplant can be abused or set in motion sales of organs by the poor or favouritism for the rich. Consequently, the international community has developed demanding protocols to assure that organ donations follow strict procedural and ethical guidelines, **codified by the Declaration of Istanbul in 2008.** One bedrock principle is that donors must give consent. Another is that condemned prisoners cannot be donors.”*

*Inquiry – Rep. Christopher H Smith -from the Washington Times Tuesday September 18, 2012  
Report of a US Government Inquiry - the whole article is very enlightening and of concern.)*

2. When we consider the risks involved it would be useful if it was established by law that official **provenance should be required for all imported human tissue.** There should be authorisation for any such material with proof of origin. This would also protect against possible transfer of disease or abuse of donors in countries without safeguards. **No human tissue or transplant material/organs should be imported if the country of origin has not signed the UN Declaration on Organ Donation – the Istanbul Declaration - and also officially cleared each batch for provenance.**

I believe the requirement should be included in this legislation as the illegal use of tissue/organs are of a similar importance to trafficking people. There is a great danger that there will be a lack of scrutiny on the products supplied from overseas if there is no legal and binding requirement for this to occur. Increasingly, human tissue/bone is used in medical repairing of limbs etc.

3. The other point that I would make is that there is a growing world practice of “transplant tourism” – people travelling from one country to another for the purpose of receiving a transplanted organ. In Australia, this is already happening for Surrogacy and other services with variable and questionable results. However, in the matter of organ transplant, our citizens should not be given a Visa to undertake this process in any country unless that Government has signed and is known to comply with the requirements of the Istanbul Declaration on organ and tissue transplant. This procedure should have official legal oversight at all stages.

Mrs Marion Smith AM

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