

EXTERNAL

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FURTHER INFORMATION ON MEDICAL LETTER-WRITING ACTION

(See ASA 38/11/91, 8 July 1991, ASA 38/04/92, 20 March 1992
and ASA 38/05/92, 17 July 1992)

EXECUTIONS AND ORGAN TRANSPLANTATION - TAIWAN

Keywords

Theme: Death penalty/ executions/ organ transplantation/ medical ethics/ medical abuse

Profession/association: Transplantation Society/ Neurology Society/ Medical Association/
Department of Health

For information only

In October 1990 Taiwan introduced legislation to allow the harvest of organs from executed prisoners for the purpose of transplantation. The first such execution took place in December 1990 and was followed by several others. Amnesty International does not have figures for the number of such executions which have taken place, but information provided by the Ministry of Justice indicated that by the end of July 1991, 22 executed prisoners had given organs out of a total of 51 prisoners executed during this period.

Following concern at the role played by the medical profession in procedures surrounding these executions, some professional bodies in Taiwan announced that they would no longer accept executed prisoners as a source of organs. In December 1991 the Taiwan Neurology Society declared that neurologists would no longer certify brain death in executed prisoners. (Prisoners had been anaesthetised and intubated prior to shooting in the back of the neck and then artificially ventilated to allow perfusion of the organs. Certification of death was based on brain stem death.) The Chinese-Taipei Medical Association and the Transplantation Society of the Republic of China subsequently announced that organs were no longer accepted from executed prisoners.

Despite these declarations, letters received from the Department of Health in mid-1992 made no reference to the practice having ended and the Chairman of the National University Hospital, in letters received at the same time, continued to defend the practice. Although the Neurology and Transplantation Societies have made clear and unambiguous statements about a halt to the use of executed prisoners' organs, concern remains that some doctors may be continuing to certify death to allow the use of organs. Neither can the possibility be ruled out that the authorities are considering other forms of death certification to permit the harvest of organs from prisoners to continue.

No figures for transplantations are available to Amnesty International since those of July 1991.

In a recent development, the Taiwan legislature announced in October 1992 that the law relating to executions had been amended to allow execution by lethal injection. Apart from the USA, no other country has resorted to this method of execution. For further information, please see ASA 38/07/92.)