Welsh Government Proposal

Organ transplantation has taken place in UK since 1979. As a result the UK has explored innovative transplant surgery and has been one of the world’s leading pioneers of organ and tissue transplant.

However, the Welsh Government want to increase the number of organs available for transplant. They are therefore proposing to introduce two new laws.

Firstly, they want to introduce the death penalty for the most serious criminal offences, and secondly they want to make it legal to remove organs from executed criminals without prior consent or permission from relatives.

*Moral and ethical issues to consider:*

* Distributive Justice: Welsh Government argue that the donation of organs after a state ordered execution can be seen as a form of payback to society for criminal activities. This means that citizens are seen as belonging to the country – they are not free individuals - so their organs are then seen as being owned by the state.
* Utility: WG argue that the use of organs from prisoners is a way of maximising the benefit to the population. As increasing numbers of organs are needed to deal with the public’s needs taking them from executed prisoners is one way around this problem.
* Dignity and Respect: execution and forced harvesting of organs by the government does however fundamentally break the principle of dignity and respect for a person to control what happens to their body.
* Equality: in other countries where the same laws exist investigations have found that ethical and religious minorities were particularly targeted. This discrimination is an abuse of fundamental human rights. WG have given promises that this will not happen in Wales.

In 2006 one country which has the same laws was found to have greatly increased the number of executions of prisoners at the same time as the country also started selling harvested organs to other countries. A United Nations report concluded that organs were being harvested on demand and prisoners executed to meet the needs of the international organ market. This was recognised across the world as a fundamental breach of the Universal Convention on Human Rights.