

# PUBLIC SUBMISSION

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Conditions of Participation for Transplant Programs (CMS-10266)

**Comment On:** CMS-2026-0133-0001

Conditions of Participation for Transplant Programs (CMS-10266)

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## Submitter Information

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## General Comment

Please do not accept any transplants from Israel since they are taken from Palestinian POWs and non-consenting children.

Organ trafficking in conflict zones is not a new phenomenon. War zones, where law has collapsed, and human life is devalued, provide fertile ground for illegal activities. The removal of organs from war victims has been documented in conflict areas worldwide, including the Balkans and Sub-Saharan Africa. United Nations Human Rights Conventions and the Geneva Conventions established clear rules for the protection of civilians during conflicts. However, Israel has not ratified the Fourth Geneva Convention of 1949, which mandates respect for the dignity of the dead and prohibits the looting or mutilation of bodies. In addition to Israel's avoidance of these international obligations, ethical and religious differences surrounding organ transplants feed into the controversy. Jewish teachings highlight the principle of 'pikuach nefesh' (saving a life), orthodox Jews, in particular, reject organ donation, arguing that a person who is brain-dead is still alive. As a result, organ donation rates in Israel remain low. In Western countries, about 30% of people have organ donor cards, while in Israel, this figure hovers around 14%. This gap fuels allegations that Israelis travel abroad for organ transplants and that Palestinian organs are being targeted. The first significant emergence of organ trafficking accusations against Israel came during the First Palestinian Intifada in the late 1980s and early 1990s. During this period, many Palestinian families claimed bodies of relatives who died in operations undertaken by Israeli forces were returned missing organs. The case of young Palestinian Bilal Ahmed Ghanem, killed by Israeli soldiers in 1992, and a 2009 article in the Swedish newspaper Aftonbladet titled "Our Sons' Organs Were Stolen" further highlighted these claims. The article included interviews with families who alleged Israel harvested organs from deceased Palestinians and suggested a broader organ trafficking network connected to Israeli medical institutions.

Israeli officials have previously admitted to removing body parts from Palestinians and other groups. In a controversial 2014 Israeli television program, senior officials confessed to harvesting skin from deceased Palestinians and African workers, which was used to treat burns on Israeli soldiers. The director of the Israeli Skin Bank revealed the country's human skin reserves had reached 17 square meters, a significant amount for a small population, suggesting a more extensive organ collection practice. Israeli doctor and

anthropologist Meira Weiss, in her book 'Over Their Dead Bodies' (2002), provided details about the systematic harvesting of organs from Palestinians, which were used for medical research in Israeli universities and transplanted into Israeli patients.

A report released by Euro-Med Human Rights Monitor in October 2023 rekindled concerns regarding allegations of organ harvesting involving Palestinians, particularly in cases where bodies returned from Israeli custody showed signs of tampering. Gaza health officials reported inconsistencies in the bodies released, pointing to organ removal. According to the report, Israeli forces collected dozens of Palestinian bodies from hospitals in northern Gaza, which were returned in a mutilated state. In July 2024, the Israeli newspaper, Haaretz reported the Israeli military held the bodies of 1,500 Palestinians at the Sde Teiman camp. A 2015 report by the European Parliament, 'Trafficking in Human Organs', listed Israel as one of the central countries involved in organ trafficking, describing it as an importer and consumer of organs. The same report noted Israel's refusal to sign the 2008 Istanbul Declaration, which aimed to combat organ trafficking.

Interest in organ transplants in Israel can also be tracked through internet searches and online activity. The Israeli Ministry of Health's official website lists hospitals with organ transplant units. According to my research, Google searches related to organ transplants in Israeli hospitals have spiked within the U.S. following the start of War on Gaza on October 7, 2023. Google Trends data show that searches for terms like "kidney in Israel" and hospitals such as Sheba Medical Centre, Soroka Medical Centre, and Rambam Health Campus saw a Google trend score increase from 0 to 100 in October 2023, whereas hospitals without transplant units, like Lis Maternity Hospital and Assuta Hospital, showed no such rise and the score is 0. Article 16 of the Convention expressly prohibits the desecration of the dead and the mutilation of corpses. However, Israel does not recognize the applicability of the convention in Gaza and the West Bank.