

Committee: Disarmament & International Security Committee (GA1)

Issue: Combating illicit organ trafficking

Student Officer: Zoi Mathiopoulou

Position: Co-Chair

PERSONAL INTRODUCTION

Dear Delegates,

My name is Zoi Mathiopoulou and in this year's DSTMUN conference I have the pleasure to serve as a Co-Chair of this committee. In the time of the conference I will be a senior in high school in Athens College. I am looking forward in working with you and assisting you, in order to have a fruitful debate and a great time. Pay attention to the study guide and the general guideline we give you. This is a very interesting topic and I am very happy that it was allocated to me. If you have any questions, don't hesitate to email me: zmathiopoulos@gmail.com

King Regards,

Zoi Mathiopoulou

TOPIC INTRODUCTION

Organ transplantation is a medical term that should not be confused with organ trafficking. Even though both of these actions lead to the same result: patients who are in need of an organ transplant, receive one, the means vary from each other. Organ transplantation is necessary for many lives to be saved. People are born with not properly functioning organs or develop medical conditions during their lifetime that may lead to their failure. In older times these people would most likely die, as medicine was not as advanced to assist these patients through organ transplantation. Luckily, with modern technology in the field of medicine organ donations are possible and are saving lives.

On the contrary organ trafficking is an illicit procedure. Black market has developed in this sector and organ trade is a very big issue. The current situation is that usually poor, uneducated, people generally living under difficult conditions and that need some kind of financial support are lured by dealers to agree in giving a non-vital organ (e.g. one of the kidneys) in exchange for various rewards, usually money. Then this organ is sold to a buyer. Unfortunately, this is the more optimistic version of this procedure. Many times, they trick potential donors into agreeing, only to exploit their bodies and remove all vital organs, leading to the death of the donor.

As it is expected, lifesaving methods have a huge resonance and are thus widely used. However, the problem that arises is that the number of patients with organ failures is much bigger than the number of donations. Consequently, the waiting list for a transplant is enormously long and many die due to the wait. Although, this shows that there is a need for systemic change, the whole process of organ transplantation has very strict protocols of safety and legitimacy of the acquisition of the transplant from the donor.

Lastly, it is important that we see this issue from a socioeconomic aspect as well. Not everyone has the financial ease to adopt the role of the buyer in this illicit activity. Usually, the rich and people with more influence and power, that are high in the social hierarchy, draw in this decision, since, as it is aforementioned, they are scared that the waiting list is going to be fatally long. Therefore, we have on the one hand the lower social class that are either exploited or are victims of a collapsing system and on the other hand some other social groups that nurture and gain profit from organ trafficking.

DEFINITION OF KEY TERMS

Trafficking

“The act of buying or selling goods illegally”¹

Donation

“Money or goods that are given to help a person or organization, or the act of giving them”²

Organ Trafficking

“Organ trafficking is: "the recruitment, transport, transfer, harboring or receipt of living or deceased persons or their organs by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability”³

Organ donation

“The act of a person giving permission for a part of their body to be taken, while they are alive or after they are dead, and put into someone else's body to replace an organ that is not working correctly”⁴

Organ

“A part of the body of an animal or plant that performs a particular job”⁵

Criminal activity

Any act that is connected with crime, meaning illegal and harmful actions.

Medical tourism

“To travel to a foreign country for medical treatment, especially because it is less expensive than in your own country”⁶

¹ "Trafficking." Cambridge Dictionary | English Dictionary, Translations & Thesaurus, dictionary.cambridge.org/dictionary/english/trafficking?q=trafficking+. Accessed 30 June 2021.

² "Donation." Cambridge Dictionary | English Dictionary, Translations & Thesaurus, dictionary.cambridge.org/dictionary/english/donation. Accessed 30 June 2021.

³ "Organ Trafficking." Home, hottproject.com/about-the-crime/other-crimes/trafficking-in-organs.html. Accessed 30 June 2021.

⁴ "Organ Donation." Cambridge Dictionary | English Dictionary, Translations & Thesaurus, dictionary.cambridge.org/dictionary/english/organ-donation. Accessed 30 June 2021.

⁵ "Organ." Cambridge Dictionary | English Dictionary, Translations & Thesaurus, dictionary.cambridge.org/dictionary/english/organ. Accessed 30 June 2021.

⁶ "Medical Tourism." Cambridge Dictionary | English Dictionary, Translations & Thesaurus, dictionary.cambridge.org/dictionary/english/medical-tourism. Accessed 30 June 2021.

BACKGROUND INFORMATION

The organs that are traded (or trafficked) in the black market have a price that can vary from \$30,000 USD to \$150,000 USD. When it comes to the black market the eyes are the cheapest organ, lungs the costliest and kidneys are the most highly demanded. This demand is expected, as kidneys are among the organs with the highest failure rate. The price of an organ is equivalent to its size, the adversity of the operation and its demand.

Figure B

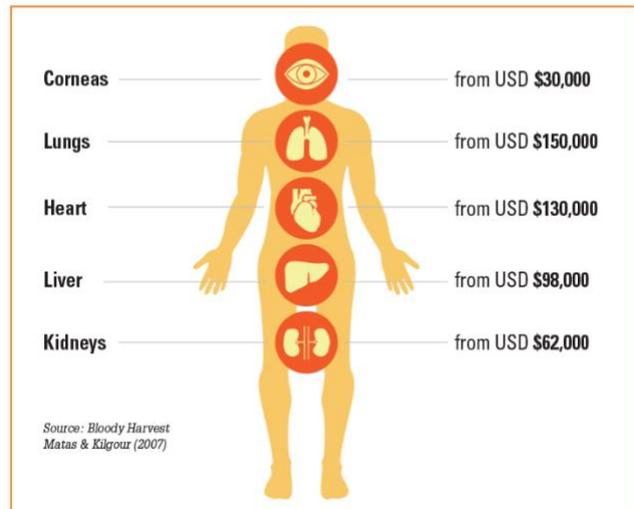


Figure 1: The price variation of organs

The demand for organ trade

In modern medicine organ transplantations are procedures that have saved many lives. Many patients need to replace vital organs and the problems that arises is that there aren't so many donors.

The problem of organ shortage is bigger than one might imagine. Global organ trade is driven by the universal organ shortage and the ongoing increasing death tolls, due to this shortage. To put into perspective, in the USA over 114.000 people are on organ waiting list, when a new patient is added in the list every 10 minutes and while around 20 people die daily due to the organ shortage issue.

A lot of countries have fatally long waiting lists. Apart from the USA, in Canada a patient can wait up to 7 years for a kidney transplant. Of course, this means that if a patient has a prominent and persistent health issue, a setback like this can be lethal. Consequently, many patients turn to transplant tourism (look section below) or to organ trade.

As death scares people the most, the wealthier may try to find ways other than a waiting list to save themselves. Bearing in mind, as well, the statistics⁷ projecting that only 10% of the global translation need is satisfied through legally available organs, it is expected that people might look into organs in the black market.

Transplant tourism

⁷ Deutsche Welle (www.dw.com). "'Organ Transplantation Covers Only 10 Percent of Global Need'." DW.COM, www.dw.com/en/organ-transplantation-covers-only-10-percent-of-global-need/a-16851246. Accessed 2 July 2021.

Transplant tourism is a phenomenon where patients head out abroad to buy organs for transfers. Three associations address transplant tourism: the World Health Organization (WHO), the Transplantation Society (TTS), and the International Society of Nephrology (ISN).

The WHO addresses transplant tourism in World Health Assembly (WHA) Resolution 57.18. The WHA goal calls upon states to shield weak gatherings from transplant tourism yet doesn't restrict the acquisition of organs by patients abroad. The second record that addresses transplant tourism is the Declaration of Istanbul on Organ Trafficking and Transplant Tourism (DOI), set up in 2008 during a culmination coordinated by the TTS and the ISN. The DOI is the principal report, drawn up by relocate experts, that characterizes and censures transplant tourism. Though the DOI is proposed to impact relocate experts and transplantation social orders, the WHO expects to impact governments. Both demonstration in show to address transplant tourism.

Factors that have fostered the demand for organ trafficking

Poverty

Being a donor in developing and less economically developed countries (LEDCs) is very common, as in the illicit organ trade the donors are paid for their service. It is not a big amount of money but it helps many to survive from poverty. On average the amount that the donors are paid from the brokers is around \$1,000 USD. For people living in poverty this is a satisfactory amount, but if it is closely observed in relation with the amount that the buyers pay for the same organ, which averages out at around \$100,000 USD, the amount the donors are paid is degradingly low.

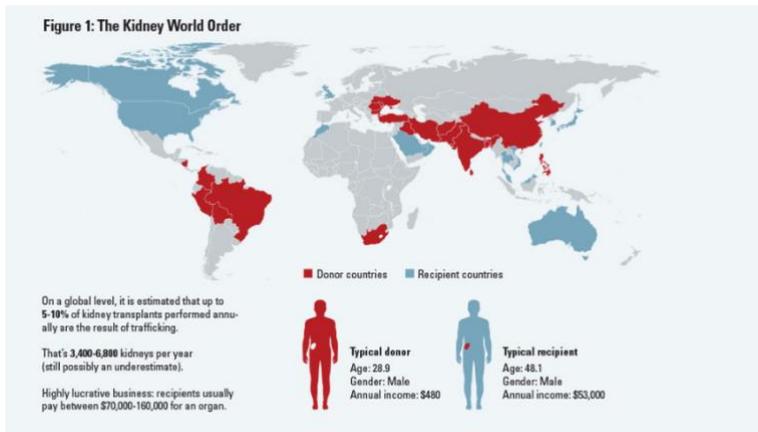


Figure 2: the difference between donor countries and recipients

Usually, donors are lured by the brokers into thinking that there is going to be a vast sum of money as a reward, when in reality they get taken advantage of and often die during the procedure due to a lack of a proper medical equipment. Also, the fact that many people are uneducated and unemployed is making the conditions riper for illegal trade.

Migrants

Migrants are actually one of the social groups that are under the most imminent danger of getting exploited in organ trafficking. Many times, when migrants owe others money or a favor they cannot pay off, they pay with their organs.

Technology and Internet

Digital technology and internet are tools that traffickers can use, in recruiting people that in turn scout for victims. Through the use of social media platforms, chatrooms, advertisements, adult websites etc. users are being eased into gaining access and dealing with the black market. This proves to be helpful for the traffickers, as they can more easily approach the victims and allure them in agreeing in any deal, they offer them.

The internet, also, provides another advantage in favor of the brokers. Through a rigorous search in the internet and any social media profile the victim may have, they can even gain access to personal information and mail accounts that will help them build a better and complete profile of their victim.

COVID-19 health crisis

Due to the outbreak of COVID-19 many people have lost their jobs and gone through significant economic damage. For this reason, some people are looking for easy ways to make money and make sure they don't lose their home or die from hunger.

As mentioned before, internet platforms are a popular way for brokers to allure possible new victims. During the COVID-19 health crisis the way internet affects organ trade has shifted. Citizens that have lost their jobs, or even worse their homes decide to post on numerous Facebook pages their intention and willingness to sell a kidney. During this past year, it has been discovered that pages like this have increasingly more visitors and comments from sellers and buyers.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

China

In 2001 there was the first report that organ harvesting is happening in China. Claims have been made that over 90% of organ transplants of deceased donors come from executed prisoners. In reality, China has been harvesting organs for years, but stopped in 2015, due to the widespread global criticism. Even though, this practice has officially stopped, many cases of Chinese doctors for forcefully harvesting organs from detainees have been reported.

Period*	Name of case/country of prosecution	Alleged nr. illegal transplants	Other countries involved**
2001-2004	Moldova ¹²⁶	≥ 18 cases (transplants in Istanbul)	Israel, Turkey
2003-2013	Netcare, South Africa ¹²⁷	109 cases	Israel, Brazil, Romania
2004-2006	St. Ekaterina Hospital, Bulgaria ¹²⁸	≥ 20 cases	Russia, Georgia, Israel
2005-2006	Bulgaria ¹²⁹	9 cases (transplants in Ukraine)	Turkey
2006-2007	Israel (Michael Zis case) ¹³⁰	≥ 4 cases	Ukraine
2007-2008	Ukraine (Michael Zis case) ¹³¹	Not specified, attempts	Israel
2008-2013	Medicus case, Priština, Kosovo ¹³²	≥ 30 cases	Belarus, Canada, Israel, Poland, Russia, Ukraine, Turkey, USA, Kazakhstan, Germany
2008-2013	Gurgaon, Delhi, India ¹³³	500-600 cases	India, Greece, Turkey, Nepal, Canada, UK, US
2009-2010	Azerbaijan Int. University Medical Center ¹³⁴	13 cases	France, Israel, USA, Ukraine
2010-2013	Shalimov Institute, Ukraine; transplants in Ukraine and Azerbaijan ¹³⁵	25 cases (estimated 100 cases)	Azerbaijan, Belarus, Kosovo, Moldova, Russia, Uzbekistan, Ecuador, Israel
2008-2012	Rosenbaum case, USA ¹³⁶	≥ 3 cases	Israel
2011-2014	Egypt ¹³⁷	60 cases (estimate several hundreds)	Sudan, Jordan, Eritrea, Ethiopia, Somalia

Figure 3: Cases of organ trafficking according to country and year

The country now relies on donations. Around 2.000.000 people in China are in need of a transplant each year but in reality, there are only 20.000 operations per year happening, because of the shortages in the supplies. This has led to the skyrocketing of the illicit organ trade.

Egypt

Even though Egypt stands with the conventions and the protocols against illicit organ trafficking, there are no transplantation laws. Meaning there isn't a clear legal framework that enunciates what is legal and illegal and where the line is being drawn in transplantations. Also, there is a high rate of liver diseases which enlarges the need for transplants.

Iran

Iran is actually the only country in the world where you can sale and buy organs legally. This regulation although only applies for Iranian citizens. There are no regulations and as long as you can afford the procedure. Moreover, this procedure applies only to kidney transplants due to their high demand.

Even though there is his regulation, this doesn't mean that there isn't a black market for organs and that organ trafficking is illicit.

United States

In the United States, as in every country, organ trafficking is illegal due to its huge population and huge gap between the socioeconomic classes. As it is aforementioned, in the section Background Information, the United States face an urgent problem with organ transplantation waiting lists. Consequently, a very high rate in illegal organ trade has risen in the USA.

European Union

The European union has adopted many protocols and declarations regarding the banning of organ trade and the EU countries are actually the ones with the lowest rate of trafficking. The EU Member States have varying national frameworks encouraging and allowing individuals to consent to give organs after passing. With the 'opt-in' framework (moreover called 'explicit consent or 'informed consent' framework), assent must be given expressly. The 'opt-out' framework underwrites the principle of 'presumed consent' (quiet being commensurate to assent) unless a particular ask for non-removal of organs for donations is made sometime before passing away. Generally, the European Parliamentary has adopted many resolutions regarding the matter.

BLOCS EXPECTED

Two blocks should be formed: one should include countries with higher rates of organ trafficking, which are in greater need of assistance, such as the Philippines, Columbia, Egypt etc. The other block should include countries that are not suffering as much from organ trafficking, which are more economically developed, such as Germany, Sweden, Denmark etc.

TIMELINE OF EVENTS

Figure A

Global distribution of living donor transplantation activity - 2017



Figure 4: Global rates of illicit organ trafficking

Courtesy Jeremy Chapman
Data source: Global Observatory on Donation and Transplantation (www.transplant-observatory.org) slide courtesy of S. White

Date	Description of event
19 th October 1984	National Organ Transplant Act of 1984 (NOTA) Bans Buying and Selling Organs.
15 th November 2000	The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime was adopted by the United Nations.
July 2006	China banned organ trafficking.
2007	China declared that Chinese citizens would have a priority in transplants and foreigners will not have the right of a transplant.
2008	Declaration of Istanbul Custodian Group (DICG)
2014	The Convention Against Trafficking in Human Organs was adopted
February 2017	“Summit on Organ Trafficking hosted by the Pontifical Academy of Sciences in Vatican City”
2018	The Convention Against Trafficking in Human Organs was actually put into action.

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

National Organ Transplant Act of 1984 (NOTA)

On October 19, 1984, the Congress of the United States approved the National Organ Transplant Act (NOTA). It established the framework for the U.S. organ transplant system and has served as a model for the development of other transplant networks worldwide.

By establishing a national Organ Procurement and Transplantation Network (OPTN), the law directed that organ allocation be managed on a national basis and developed through a unique public-private partnership. Since the initial network contract was finalized in 1986, United Network for Organ Sharing (UNOS) has served as the OPTN under contract with the U.S. Department of

Health and Human Services. OPTN policies are developed by a broad community that includes donation and transplant clinicians and professionals and people personally touched by the donation and transplant experience.

Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

This protocol was adopted and signed by the UN in the 15th of November 2000. Since then, the problem is much more recognized and countries and international bodies are starting to see it as a bigger and more important threat.

The three main purposes of this Convention are to secure and help the victims of organ trafficking, with full regard for their human rights. To advance participation among States Parties in arrange to meet those objectives. Lastly, to avoid and combat trafficking in people, paying specific consideration to women and children.

This protocol is very effective, as it covers every aspect of the matter and provides a solution for every aspect of organ trafficking. It has sections regarding the settlement of disputes, the protection of possible victims and the repatriation of victims of trafficking in persons.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Declaration of Istanbul Custodian Group (DICG)

This Declaration was established in 2008 and created many definitions that gave a clearer image of the matter of illicit organ trafficking and transplant tourism.

In other words, the DICG has been a compelling gathering of global partners checking unlawful practices by their attention to patients who get back to their nation of origin for refined clinical consideration following an organ transplant.

Through this convention, the matter has been set on common ground. Hence, it is easier for countries and organizations to identify comparable actions. Also, when an issue is defined, every detail of it is covered and acknowledged it is more difficult for people who benefit from transplant tourism to find a loophole.

Convention Against Trafficking in Human Organs

The European council adopted it in 2014, but only after 2018 it has been implemented. It is the first legal body that has given definitions to the problem that have been globally agreed.

The convention gives security measures and stipends for victims. Also, anticipation measures are given to guarantee transparency and even-handed get to transplantation services.

The tradition calls on governments to set up as a criminal offence the unlawful evacuation of human organs from living or perished donors in some specified cases. One of them is when the operation happens without the free, unaffected, not forced knowledgeable and precise consent of the living or deceased donor, or, within the case of the deceased donor, without the operation being approved under its domestic law.

POSSIBLE SOLUTIONS

First of all, measures can be taken regarding the organ transplantation and donation system. Organ donation systems can be developed and bettered. For this to happen, the waiting lists must be shorter and the support of the patient better. This means that selfless donations should be encouraged and supported, as well as encouraging people to declare themselves as organ donors. This support can happen through campaigns that raise awareness on the topic and actually explain to people the benefits and the importance of organ donation. In the same sense, governments should support donors through acknowledging their selfless act. More specifically, the government may encourage selfless donations by means such as award the citizens with a merit badge, an extra allowance or the announcement of their name during a big celebration.

In like manner, measures such as boosting researches to help innovate new methods that don't require transplants, while preventing diseases and upgrading the quality of life in order to avoid the need of a transplant, are going to relief the transplantation system. Through funding researches new technologies can be found in the medical spectrum that may innovate synthetic organs that can actually support a living organism without harming it more, increasing the life expectancy of the patient. Comparatively, we cannot prevent organ failures by birth, but with the evolution of medicine cures for diseases accountable for organ failures may be found. With this act, it is possible that less people will need an organ transplant. Thus, the waiting list can be shortened and patients will be able to find a donor faster.

Lastly, the legislation of a stronger legal framework to prohibit organ trafficking is a possible solution. As with every illegal activity there is a legal framework designed to prevent it, there should be one for organ trafficking. With cautious and systematic research of the topic, its causes and the way it is conducted laws that

implement the protection of people from getting exploited and the protection of the medical system of getting corrupted.

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