

Human Trafficking: Organ Trafficking

What is happening?

Since the first successful organ transplants in the 1950s, organ transplantation has saved the lives of hundreds of thousands of people worldwide. The increasing ability to transplant organs has led to incidents of “organ theft,” the removal of an organ from an individual through force or coercing. This paper concerns the trafficking of people for the purpose of organ removal as opposed to the illegal sale or trafficking of organs that do not involve the trafficking of a human being.

Trafficking for the purpose of organ removal is defined in the Palermo Protocol to the United Nations Convention Against Transnational Organized Crime¹ reflecting growing awareness of this form of trafficking globally.

The Protocol states: “Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, 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 or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.”

The Declaration of Istanbul on Organ Trafficking and Transplant Tourism was adopted in 2008 at an international meeting organized by The Transplantation Society and the International Society of Nephrology and has been endorsed by over 100 countries. The document was updated in 2018 to ensure that it provided clear

and current directives for health professionals working in organ donation and transplantation, as well as for policymakers in these fields. The Declaration emphasizes that organ trafficking and transplant tourism violate the principles of equity, justice and respect for human dignity and target impoverished and vulnerable donors, including persons who are trafficked for organ removal. In the context of this Declaration, trafficking in persons for the purpose of organ removal is defined as the “recruitment, transportation, transfer, harboring, or receipt of persons, 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, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of the removal of organs.”²

As in other forms of human trafficking, the extreme poverty of the victims is exploited for the procurement of organs. Persons trafficked for the removal of organs encounter health risks both during and after the organ removal. They usually lack post-operative care. Deteriorating health often prevents victim donors from performing any job in the future that would generate income for themselves or for their family.

Donors are recruited by a variety of illicit methods, including coercion and fraud. The recruiter may coerce the victim to travel to another country under the fraudulent pretense of a job. When the donor realizes the job does not exist and that they do not have the resources to return home, the recruiter will offer money for payment of a “donated” organ. At other times, a person may be kidnapped, drugged and then wake up with an organ missing. The sale of organs is



illegal in most countries, Iran being the exception.

Crime and corruption is a factor in all forms of trafficking. This is perhaps even more pronounced in cases of trafficking for organ removal because of the needed skills of various medical professionals in the transplantation network.

Little is known about the health consequences of recipients. Since the donors are poorly screened, one would expect an increased incidence of infections, illness and rejection of the transplanted organ.

Why is this happening?

The driving force behind the trafficking of human beings for organ removal is the great disparity between the need for organs and the supply of viable organs available for transplant. It is estimated that only about 10 percent of those needing transplants receive them, despite the transplantation of almost 107,000 organs annually. It is estimated that a person is added to the transplant waiting list every 10 minutes. As of March 2020, more than 112,000 men, women and children were on the

United States' national transplant waiting list. However, in 2019 only 36,718 transplants were performed in the United States. Each year, the number of people put on the waiting list continues to be much larger than the number of donors.³

The desperation of those in need of organ transplants creates a lucrative opportunity exploited by trafficking networks. Recipients of organs generally live in situations dramatically better than those of the victims and provide the funds necessary, often innocently, to finance the activities of the human traffickers.

To date, organ recipients have not been charged in criminal investigations related to the trafficking of persons for the removal of organs. Thus far, wealthier nations, where the demand for organs is great, have failed to address this aspect of human trafficking, leaving the burden solely on the countries of the victims and countries where the transplants are conducted.

Information available to date does not reveal a pattern of victimization based on gender; however, traffickers tend to target the poorest and vulnerable in society which disproportionately are women and children.

The trafficking of human beings for organ removal is usually not included among the agenda of organizations working with human trafficking victims. The role of medical professionals and legislation in most countries prohibiting the sale of organs for transplantation adds to the complexity of this form of trafficking.

Although the number of trafficking victims for the purpose of organ removal is small compared to other forms of trafficking, the growing demand for viable organs underscores the need for greater attention in this area.

NOTES:

1) United Nations Global Report on the Trafficking in Persons, January 2019: <https://www.unodc.org/unodc/data-and-analysis/glotip.html>

2) Declaration of Istanbul: <https://www.declarationofistanbul.org/>

3) Organ Donor Statistics: <https://www.organdonor.gov/statistics-stories/statistics.html>

Reflection

May he defend the afflicted among the people and save the children of the needy. For he will deliver the needy who cry out, the afflicted who have no one to help. He will take pity on the weak and the needy and save the needy from death. He will rescue them from oppression and violence, for precious is their blood in his sight.

—Psalm 72:4, 12-14

Speak up for those who cannot speak for themselves, for the rights of all who are destitute.

—Proverbs 31:8-9

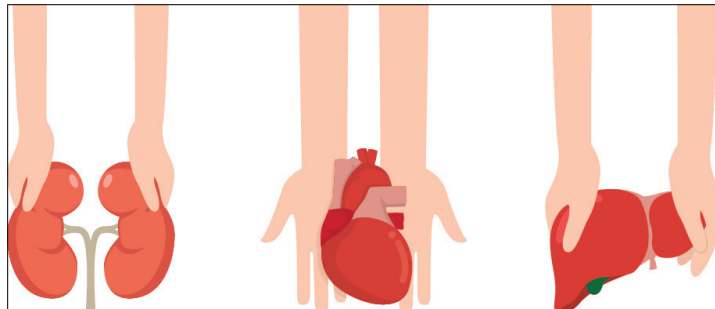
Additional Scripture

Genesis 37:23-28

Lamentations 5:1, 11, 13, 15

Acts 16:16-19, 23

Psalm 10



Other Resources

In the absence of objective truths or sound principles other than the satisfaction of our own desires and immediate needs, what limits can be placed on human trafficking, organized crime, the drug trade, commerce in blood diamonds and the fur of endangered species? Is it not the same relativistic logic which justifies buying the organs of the poor for resale or use in experimentation, or eliminating children because they are not what their parents wanted?

—Laudato Si' ("Praise Be"), Pope Francis, 2015 #123

"The seventh commandment forbids acts of enterprises that for any reason – selfish or ideological, commercial, or totalitarian – lead to the enslavement of human beings, to their being bought, sold, and exchanged like merchandise, in disregard for their personal dignity. It is a sin against the dignity of persons and their fundamental rights to reduce them by violence to their productive value or to a source of profit."

—Catechism of the Catholic Church

Resources

- *The National Human Trafficking Hotline Polaris Project* (www.polarisproject.org) is one of the best websites for information and resources. They provide the most accurate statistics, access to direct services for victims, education and advocacy regarding human trafficking. They maintain the national human trafficking hotline (1-888-3737-888) and textline (233733 or BeFree) 24/7 and can provide statistics on the hotline usage.
- *The National Center for Missing and Exploited Children (NCMEC)* (www.netismartzkid.org) has developed NetSmartz, a program that creates interactive, educational safety sources for children ages five to seventeen.
- *Protection of Human Beings Trafficked for the Purpose of Organ Removal: Recommendations* (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4946495/>)
- *Factsheet on trafficking for organ removal from International Organization for Migration in various languages* (<https://iomx.iom.int/resources/trafficking-organ-removal/factsheets/trafficking-organ-removal>)
- *UN Office on Drugs and Crime Assessment Toolkit: Trafficking in Persons for the Purpose of Organ Removal* (https://www.unodc.org/documents/human-trafficking/2015/UNODC_Assessment_Toolkit_TIP_for_the_Purpose_of_Organ_Removal.pdf)

What changes must be made?

Prevention

Health care professionals and the media need to campaign for the altruistic donation of organs upon death.

The root causes of organ removal need to be addressed, such as poverty and lack of economic opportunity for marginalized populations

Efforts must be made to raise awareness among potential victims through educational and awareness campaigns.

Legislation

There is a need for legislation on the national level in accordance with international standards.

Regulation

Traffickers take advantage of loose regulations in many countries. Governments, in cooperation with civil society, medical professionals, Non-Governmental Organizations (NGOs), and international organizations, should strive for transparency and accountability in donation and transplantation or organs.

There is a need for training of medical professionals who interact directly with organ donors to identify potential victims of trafficking.

Protection and Support

Uphold the safety and well-being of survivors of trafficking for organ removal. Legal support through the investigation process, medical and psychological services, and other special needs for victims.

Non-criminalization/non-punishment clauses should be written into law in order to fully support and respect the victims' human rights.

In order to protect the identity of trafficking victims, models have been used in identifiable photos.