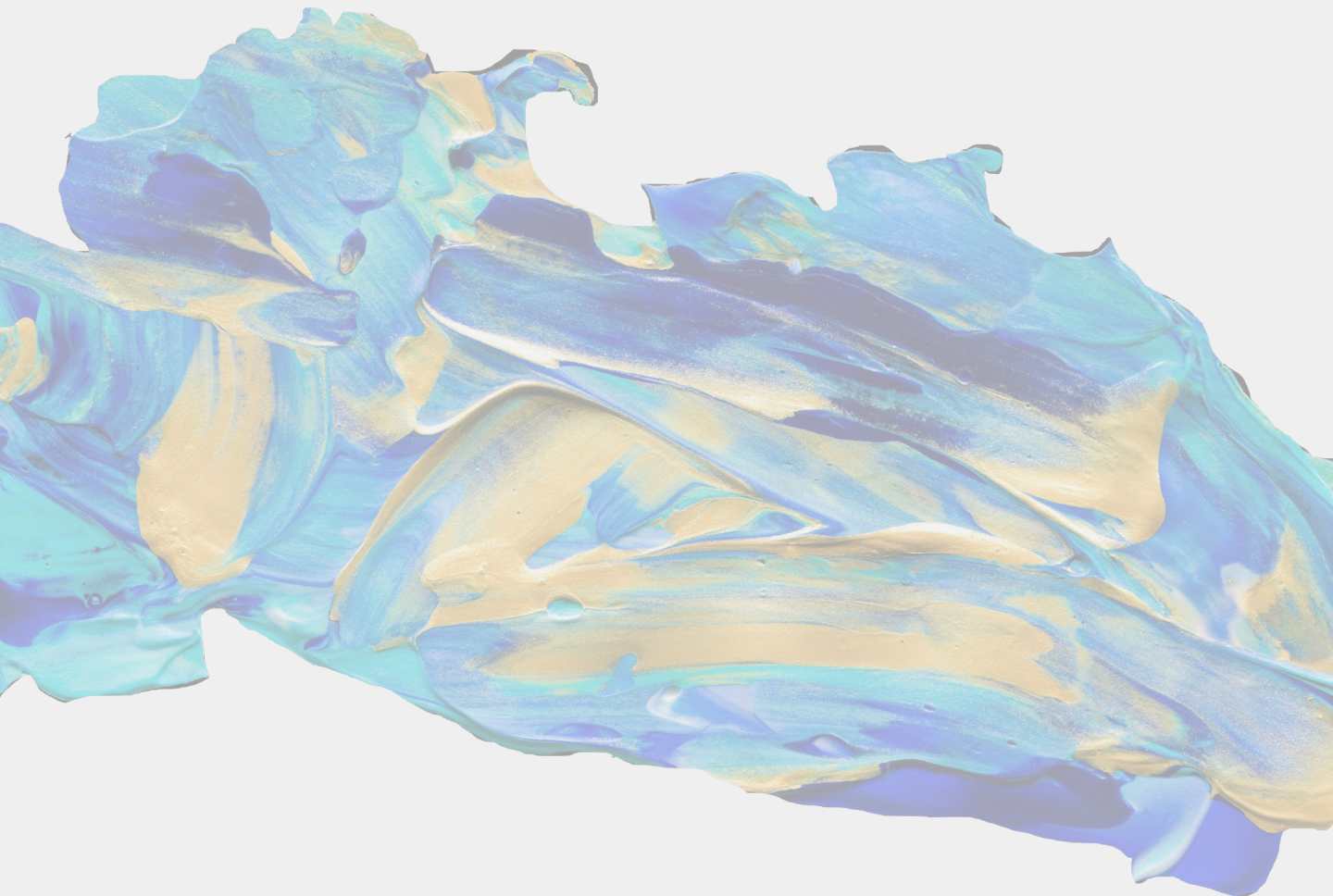




# **Coalition For Organ-Failure Solutions: Organ Trafficking**

Background Guide



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## Staff of the Committee

**Chair** Austin Turner

**Vice Chair** Vanessa Rodriguez

**Under Secretary General** Jessie Hsu

Taylor Cowser, Secretary General

Neha Iyer, Director General



# Letter from the Chair

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Hello Delegates!

It is my pleasure to welcome you to the 2020 BOSMUN conference. My name is Austin Turner and I will be your ECOSOC chair for this year's Coalition For Organ-Failure Solutions: Organ Trafficking. I am currently a freshman at Boston University and am double majoring in Business and International Relations. I attended high school in Dubai but have also lived in Chicago and Abu Dhabi. I have participated in conferences in Dubai, Shanghai, and Amman over the past four years and have held multiple chairing as well as delegate-level positions throughout my MUN experience.

I look forward to working with each and every one of you as well as entertaining and productive debate from every delegate. In addition, I hope that any delegate, be it their first or last high school conference sees me as someone to reach out to, to ask questions, and to support you throughout the conference.

All the best,

Austin Turner

([ajturner@bu.edu](mailto:ajturner@bu.edu))



# Letter from the Vice Chair

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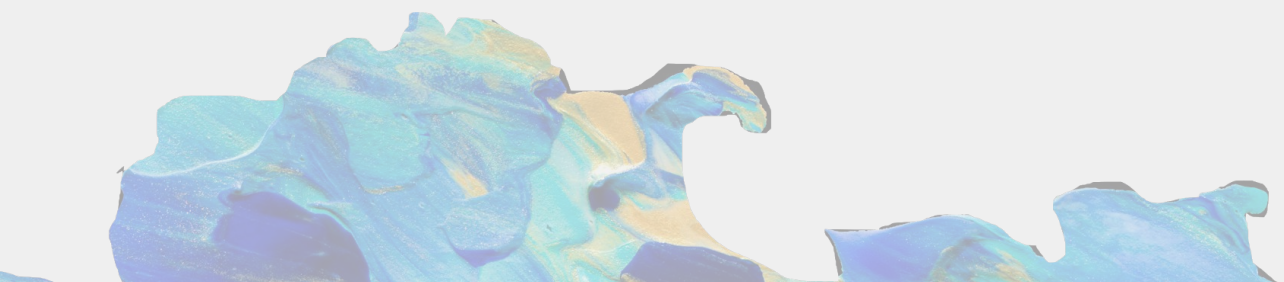
Welcome Delegates!

My name is Vanessa Rodriguez and I am thrilled to be your vice chair for this committee. I have been doing Model UN for 2 years now and have mainly worked and competed in crisis committees. With that being said, this is my first ECOSOC and I am more than excited to be in room! Being that this committee tackles the ethical issues as well as social and political effects of organ trafficking, I know for sure that this will be a very interesting committee for the weekend. I am currently a sophomore at Boston University with a dual degree in business and economics and I am originally from Miami, Florida.

I cannot wait to meet you all and see how this committee goes being that it is one that brings in ethics as well as politics. I hope you enjoy this committee to the maximum potential and don't be afraid to reach out if you need anything. ([vanerod@bu.edu](mailto:vanerod@bu.edu)). Our goal is to make sure everyone enjoys BosMUN. See you all soon!

Best,

Vanessa Rodriguez



# Committee Logistics

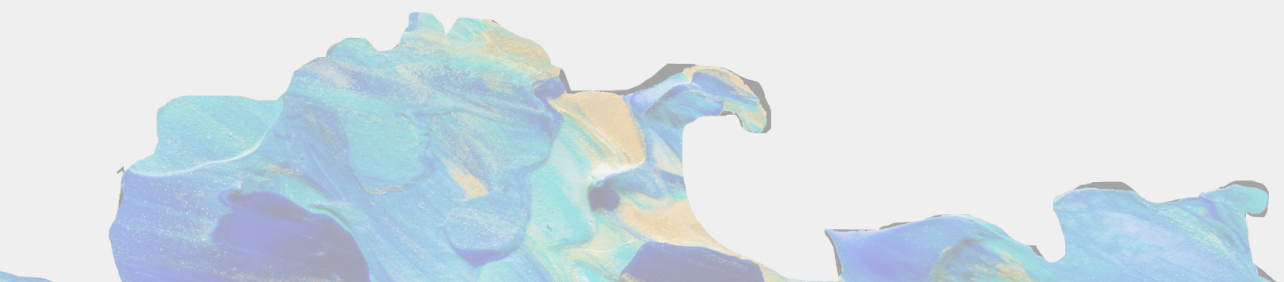
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## 1. Parliamentary Procedures and Communication within Committee

BosMUN follows North American Parliamentary procedure. This committee will follow the structure of an ECOSOC committee where resolutions will be created and voted upon. Note passing will be allowed in this committee as long as it is not disruptive. Pre-written papers and resolutions will not be permitted. Laptops will be allowed in this committee. However, the use of cellphones will be prohibited as it can interrupt committee.

## 2. Awards Criteria

Awards will be given depending on a delegates preparation and contribution to committee. Moreover, a delegate who is awarded will be one who is respectful and adheres to all the guidelines and rules presented in this background guide as well as by BosMUN.



# Quick Introduction to Committee

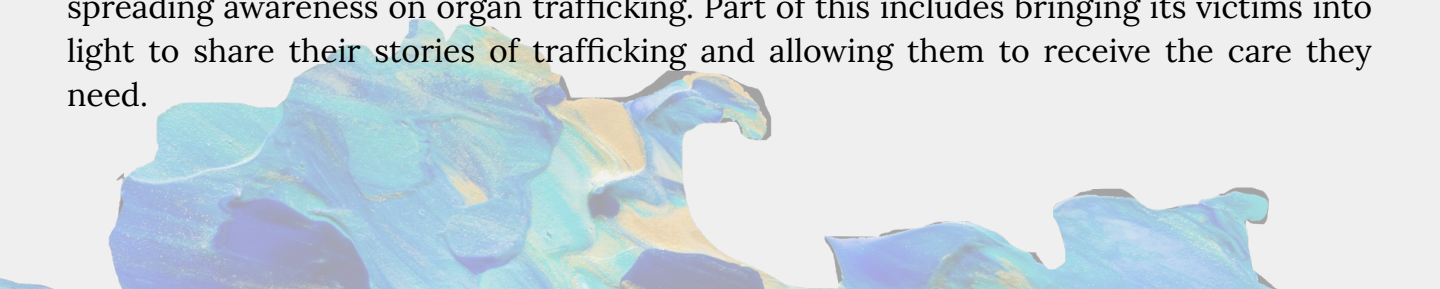
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Organ trafficking has been an issue that has been discussed for years by governments and international organizations but still persists. Being a form of human trafficking that exists around the globe, it is a danger to many people since anyone can become a victim of it. This committee will specifically take place in current day (2020) where countries will debate upon the legality of organ trafficking or the social and political effects of it. This topic is one that has already been debated by the UNODC Working Group in October 2011. Delegates can refer back to the debate notes in order to establish their resolution papers as well as gain more information regarding the topic. The aim of this committee will depend on the topic focused. Being that organ trafficking is a problem that can occur in plain sight, a resolution needs to be created in order to make a change as soon as possible.

The Coalition for Organ-Failure Solutions<sup>1</sup> is an NGO that has worked closely with victims of black market organ trade as well as the trafficking of people for the purpose of organ removal. They combine means of prevention, policy advocacy, and survivor support to combat abuses of organ trade. The organization holds permanent offices in Washington D.C. as well as in Cairo and has partners in Bahrain, India, Bangladesh, Kuwait, Pakistan, the UAE, as well as Yemen. The organization has developed five outreach program services that are its primary focus. These are:

1. Health services and long-term clinical follow up
2. Health education
3. Income generation/ employment assistance
4. Counseling and peer support
5. Referral to legal service

Previously, the COFS has used monetary aid from a UN Voluntary Trust Fund for Victims of Human Trafficking in order to assist and identify persons trafficked for the removal of organs across regions in India and Egypt. In recent years however, COFS has changed their outlook and expanded operations in India where they have worked on spreading awareness on organ trafficking. Part of this includes bringing its victims into light to share their stories of trafficking and allowing them to receive the care they need.



# History of Organ Transplants and Organ Trafficking


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Organ transplants are known to save the lives of many. Ever since 1954, when the first successful kidney transplant was conducted, organ transplants have been a topic of debate. Currently, an organ donor can be living or deceased. In the case of a deceased donor, they can donate their organs if they consent to it prior their death or if there exists a “lack of objection” (UNODC). In the case of a living donor, the regulations tend to get more specific. Generally speaking, the living donor should be “genetically, legally, or emotionally related to their recipients” and must also give consent voluntarily (UNODC). Moreover, there can be no monetary influence and the donor is also should have follow ups. However, please note that these regulations vary per country.

Apart from consent, before an organ is successfully transplanted, the donor undergoes various examinations and screenings to make sure the organ is safe for transplant. From blood tests to antibody screenings, a donor tends to get fully examined before the organ is successfully removed and approved for transplant. By setting these regulations, the life of the donor is prioritized while making sure that the reason for the donation is not by force.

Although the system for organ transplants seems to be efficient, in 2007, 65,000 patients waited for a kidney transplant and only 25,000 took place in the European Union<sup>2</sup>. Because of this, the demand of organs is greater than the supply in a global aspect which led to the rise of black market organ trade. A variety of organs are trafficked and traded on the black market, the most prominent organ being the kidney: a kidney is being traded every hour in the black market (Griffin). And, due to the high needs, the organs that are often transplanted have not been fully checked. Instead, they go through minimal to no screening which tends to put the life of the receiver in risk.

It is often debated that organ trafficking can be seen as a form of human trafficking where, both the recipient and donor are in danger of major health consequences due to the lack of professional medical attention. However, due to the “stealth nature”<sup>3</sup> of organ trafficking, it is a form of trafficking that is often ignored compared to sex and labor trafficking. Additionally, some of the organ trafficking that occurs is related to cases involving sex and labor trafficking.

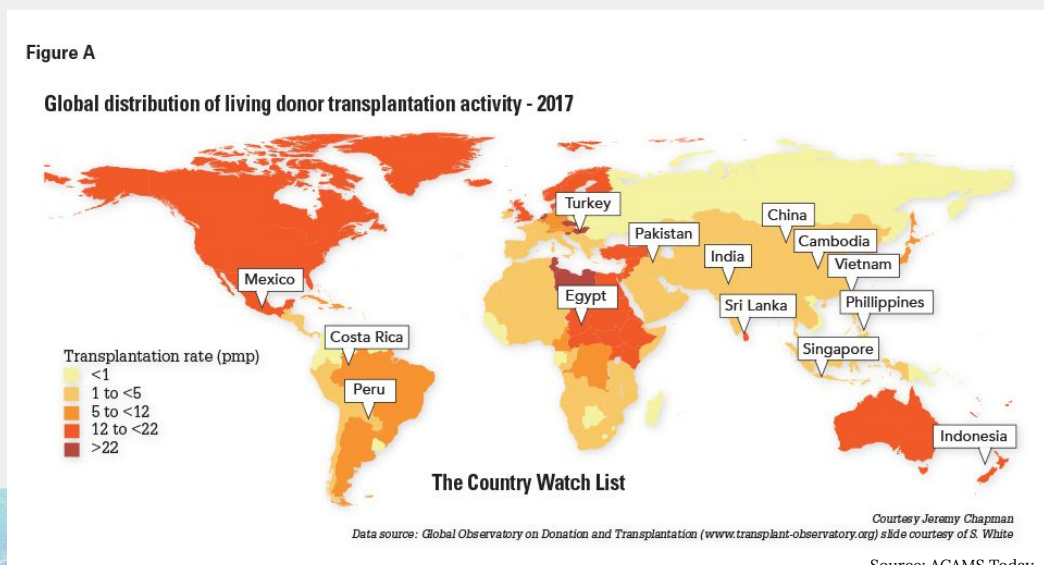


# History of Organ Transplants and Organ Trafficking

As seen below, the demand for organs is high globally. However, due to the lack of supply, people, usually those who suffer from poverty due to the amount of money that can be made when an organ is sold, tend to refer to the black market. Despite the great demand, certain countries have made changes within their laws to try and make a change.

Currently, Israel is known for having a large contribution in the black market of organ trafficking mainly due to the laws set in regards to obtaining an organ for transplant<sup>4</sup>. Because of this, organ donors tend to focus on contributing to the black market rather than legally donating their organs. Due to this large epidemic, various laws have been passed since then and a major shift has taken place in the domestic market of organ trade Israel. Trafficking for purposes of organ removal has seen low levels and global lower dependence on black markets. However, this change was not large enough. On the other hand, some countries like Iran, have made the buying and selling of organs legal, specifically for their citizens.

Moreover, even though there exists a relation between organ trafficking and human trafficking, some countries failed to include organ trafficking as a form of human trafficking including the United States and Canada. Despite this lack of recognition, some states in the United States created laws in specific to organ trafficking, like Massachusetts.





# History of Organ Transplants and Organ Trafficking

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However, despite the laws that are put in place, there still exists a lack of adequate attention in regards to organ trafficking, mainly due to the fact that countries don't audit the transplant system, which sometimes allows illegal organs to be accepted.

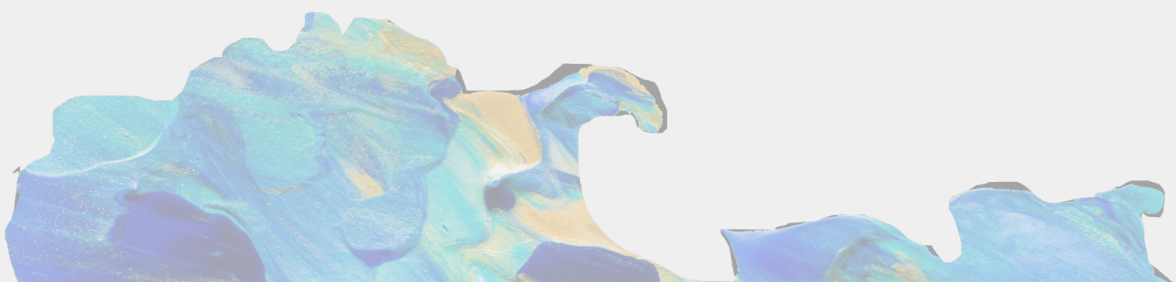
Although organ trafficking occurs with some stealth, there exists many red flags which help in detecting organ trafficking. In regards to the organs themselves, some red flags include:

- Foreign name of donors
- Lack of documentation
- A person with a recent nephrectomy traveling by plane
- An uncertified person with a fresh organ flying

Apart from the organ, there exists some red flags and suspicious behavior related to the financial side of organ trafficking including:

- Wire transfers that relate to medical situations
- Large amounts of payments through various forms including wiring, cash withdrawal, etc.
- Ill customers moving large number of funds when traveling

Overall, organ trafficking is a problem that is prevalent and involves a complex network of factors. Although various laws have already been put in place in some countries, certain actions can be made to help combat organ trafficking further and improve the overall transplant system.



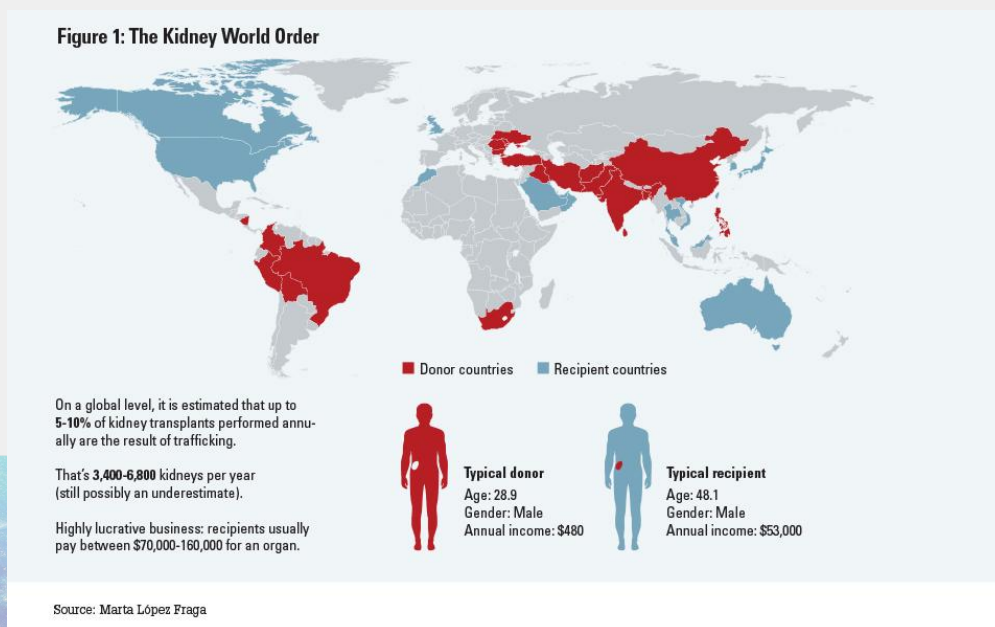
# Introduction to Topic One: Legal Sale of Transplanted Organs

This topic is one with global effects. Victims and participants of this trade live in certain areas and are in fact more prone to trafficking compared to other areas. This makes it more simple for targeting solutions and aid for organizations. When looking at what it means to illegally sale organs, the UNODC Assessment Toolkit for the Purpose of Organ Removal<sup>5</sup> highlights what actions must have been taken to define organ transplant as illegal.

- Removed without the free, informed and specific consent of the living donor, or, in the case of the deceased donor, without the removal being authorized under its domestic law,
- Where in exchange for the removal of organs, the living donor, or a third party, has been offered or has received a financial gain or comparable advantage,
- Where in exchange for the removal of organs from a deceased donor, a third party has been offered or has received a financial gain or comparable advantage.

Taken from : UNODC Assessment Toolkit for The Purpose of Organ Removal

Most cases occur in the operating rooms of actual practising medical professions, where on paper, the illegal trade is not accounted for. Many patients pay upwards of \$10,000 including costs for the organ, procedure, and this secrecy<sup>6</sup>. In the case of 100% legal organ transplants, patients will typically wait 148 days, but with the black market, donors are more apt to receive what they need at the moment they need it.



# Description of the Problem

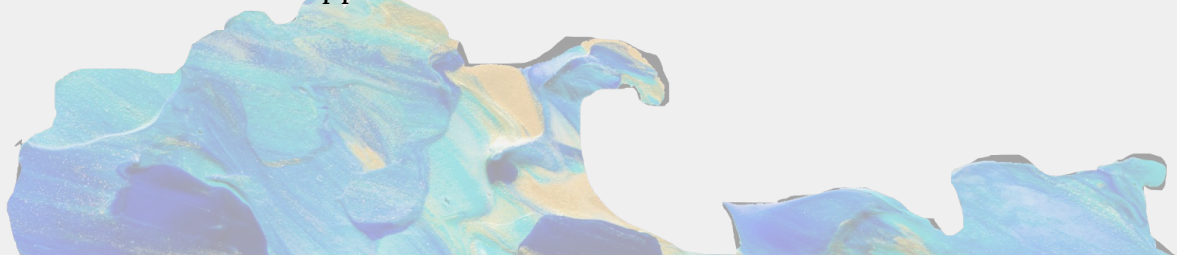
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One large problem behind this broad issue is the lack of development of legislative and bureaucratic entities within LDCs (least developed countries) and politically unstable countries to handle the legal trade of organs. Unlike the United States, which follows a twelve step process, many states simply do not have the resources to properly follow through with such processes. States like Egypt and Turkey have, and currently face, political instability around election times. For states like these, the ability to uphold and monitor bureaucratic systems around the trade of organs through the government is simply not feasible. In addition, corruption that has been previously seen in southeast asian countries (Nepal, India, China) allow for a monopoly on government provision of organs to the upper and prominent classes. This makes for a heightened need or organ trafficking and black market trade of organs. For reference here are the twelve steps to an organ donation in the United States of America<sup>7</sup>

1. Identification of potential donor by hospital
2. Evaluation of donor eligibility
3. Authorization for organ recovery
4. Medical maintenance of patient
5. Matching organs to potential recipients
6. Offering organs regionally, and then nationally
7. Placing organs and coordinating recovery
8. Surgical recovery of organs
9. Preparation of recipients
10. Distribution of organs
11. Funeral and burial plans
12. Follow up with recipient

Retrieved on : [OneLegacy.org](http://OneLegacy.org)

Regardless of this however, the system that The United States uses for organ transplant is sometimes extremely inefficient, costly, and time consuming. The US system rivals that of systems for organ transplant in Spain and Canada, the countries with the highest donation rates. This goes to show that simply being a developed and/or economically stable country does not always prove to have the most efficient systems. It is through serious renovation to older systems, and in context, the simple development of systems, that prove to yield necessary outcomes. It is also evident that more effective solutions are more likely to come from uniform systems working in concert rather than in opposition.




# Description of the Problem

To understand how to solve an issue, it is important to also understand why people, outside of illegal trafficking, pay to sell their organs on the black market. There are two types of victims of organ trafficking, those who give consent and those who do not to a third party to perform the removal. Those who give consent break international and domestic policy on human rights as well as equal access to all. Those who do not give consent for organ removal are evidently victims to human trafficking – raising extreme moral and ethical questions concerns. The practice of the illegal trade of organs violates the majority of UDHR rules and regulations. In many cases, the financial and economic benefits greatly outweigh the risk and danger associated

### Black market kidneys


Self-described “matchmaker” Levy Izhak Rosenbaum is accused by federal authorities of acting as a broker in the trafficking of human kidneys for transplantation. Here is what authorities allege:

In an FBI sting operation, a government informant and undercover agent approach Rosenbaum to buy a kidney.



A fee of \$160,000 is discussed—half upfront to cover cost to Israeli doctors, the donor and expenses to care for the donor following surgery.

Recipient's blood sample is sent to Israel for screening. Donor flown to U.S. hospital for organ matching.



Prosecutors say four checks totaling \$10,000 were deposited into a bank account of a charity.

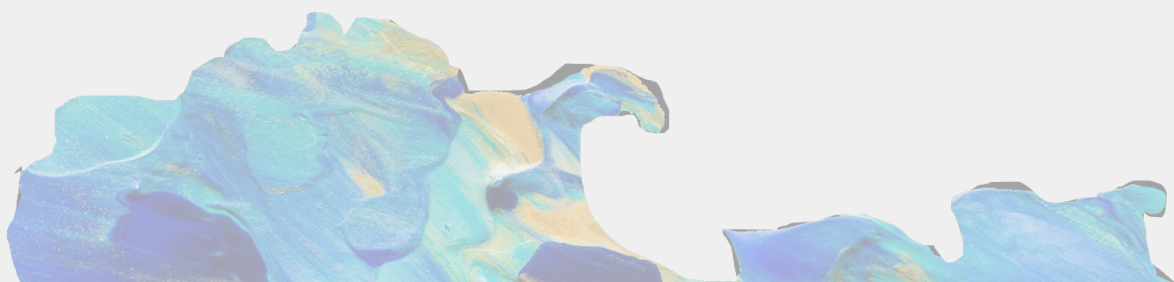
#### Human Organ Trafficking Prices

Average paid by Kidney Buyer	\$150,000
Average paid to Seller of Kidney	\$5,000

with organ transplant. The average salary of an illegal donor is \$480 and the average recipient usually is \$53,000 annually<sup>8</sup>. This disparity, considering that the average kidney seller is able to raise \$5,000, makes the economic benefits obvious.

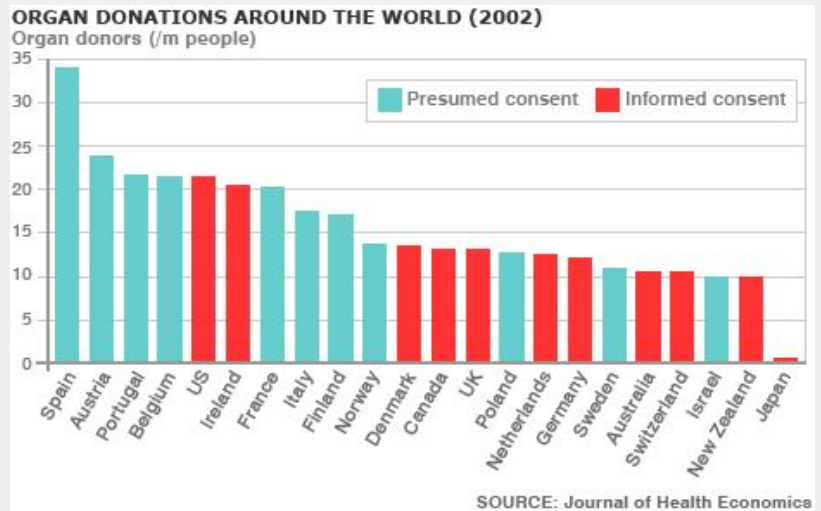
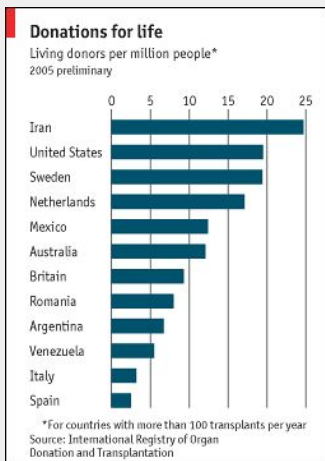
It is necessary to also consider the fact that many who have the need for an organ transplant live in countries which cannot sufficiently provide them with one. Legal, non-profit organ donation is a western concept which many Middle Eastern as well as eastern regions have not developed nor support. The concept of organ donation in Islam is usually not accepted unless the donor has died. Not

From : UNODC.com information page  
only does this make organ donation donors a smaller group as a whole, it makes donations less and less accessible in those regions.



# Description of the Problem

Iran is only country in the world to not prohibit the sale and distribution of kidneys<sup>9</sup>. This is due to a lack of strong central government structure to support a bureaucratic and legal trade of organs resulting from a failure of the government and economy of Iran to further develop after the boom of the 1960's and 1970's. Without this, serious and efficient development toward legal donation system could not developed, yet the need of organs continued. Although initially met with negative response, by 1999, Iran had completely eliminated their kidney waiting list by simply introducing monetary incentives for donation. This begs the question of moral versus implicit benefits, and is something that should be taken into consideration on the question of organ transplantation services. In the Iranian system, Kidneys in this environment typically cost anywhere from \$2000 to upwards of \$4000<sup>10</sup>. Considering the black market environment however, this is extremely cheap and efficient when taking into account the average salary in Iran is around \$500 per month.



The Iranian government system is also the only current day example of the legal sale of transplanted organs in the world. Other states such as the USA, Spain, Austria, and the USA still rely on systems of post-mortem donation, transportation, and transplantation or donations from those tied to the recipient, whether emotionally or by blood. Although various systems are more efficient than others, evident by the graph placed on the right hand side, most do not even compete with the overwhelming success that Iran has had in terms of fulfilling organ waiting lists.

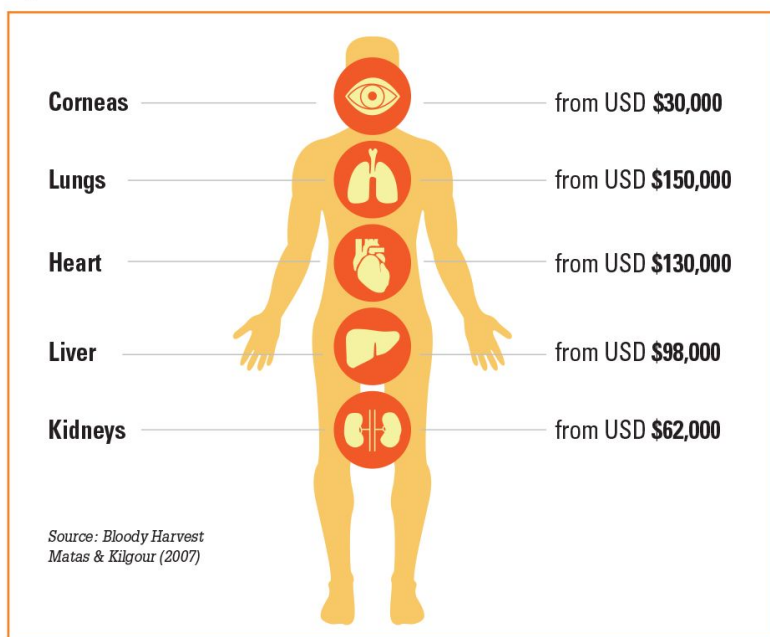
# The Legal Sale of Organs

The legal sale of organs is a concept that many states have yet to accept or even remotely begin to implement. However, it is something that would iron-out many modern day problems for those in need of organs. Not only would it provide the donor with a payout of thousands, it allows those most in need to receive what they want as soon as they want it<sup>11</sup>. Although high prices of organs could discriminate against income classes, it is something that even occurs today. Those with little money sell their organs on the black market to those who can afford upwards of \$150,00 for an organ. Price discrimination is something that affects those in true need today, through the black market, yet does so at exorbitant costs. These costs include the health and safety of the donor, a factor that many consumers of illegally sold organs are unaware of. Creating a system where pay-for-donation would be legal, increases the chances of safe operations and transportations of organs. It also would create incentive for more donations and according to David Weill, would essentially eliminate waiting lists for organs globally.<sup>12</sup>

In analyzing the effects that the legal trade of organs could have, it is also important to talk about the necessity of a system overhaul. Common day systems of org

an donation around the world are not synced, outdated, and unreliable for many who are truly in need. New systems that would rely on the implementation of legal organ trade need to be coherent in policy, legally binding in domestic law, as well as efficient - a system never seen before in the realm of organ trade and donation.

Figure B



# Past Actions Taken


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## 1. **Assessment Toolkit on Trafficking in Persons for the Purpose of Organ Removal 2015** <sup>13</sup>

In the past, entities outside as well as within the United Nations have taken step in order to prevent the illegal trade of organs worldwide. This includes actions that have worked to identify how organs should be taken from donors, transported, transplanted as well as the rights for all of those involved. The Convention on Trafficking in Persons for the Purpose of Organ Renewal specifies the absolute need of consent from the donor to take their organ. The conclusion to this convention, the Assessment Toolkit, under the same name provides for generous background, necessary solutions as well as necessary limitations and recommendations for organ transplant. This is crucial in defining what measures must be taken for organ transplantation to be morally correct. It also follows the presumption that donors must share “emotional” connection to the recipient if they are alive for organ transplant. Crucially, this document also deems organ transplants to be done “without any monetary payment”.

## 2. **The Declaration of Istanbul on Organ Trafficking and Transplant Tourism- 2018 Edition** <sup>14</sup>

In the past as well, The Declaration of Istanbul on Organ Trafficking and Organ Trafficking has worked to define what organ trafficking is and how to classify it. It also defines principles on which the organ trade should be held by. Ideas such as financial neutrality, standard practices, and the oversee of the organ transplant trade are all mentioned, highlighted, and discussed in this document. This was passed in 2008 by medical professionals, UN specialists and members who had previously been trafficked through the illegal organ trade system. Although simple in content, this declaration reiterates the points highlighted in the Assessment toolkit on Trafficking in Persons for the Purpose of Organ Removal yet does so in a more concise manner. This is important however, because it highlights measures that not only the international community should take in organ transplantation, but also the medical community as well. The document holds the seal of The International Society of Neurology as well as Société de Transplantation, acknowledging this point.



## Past Actions Taken

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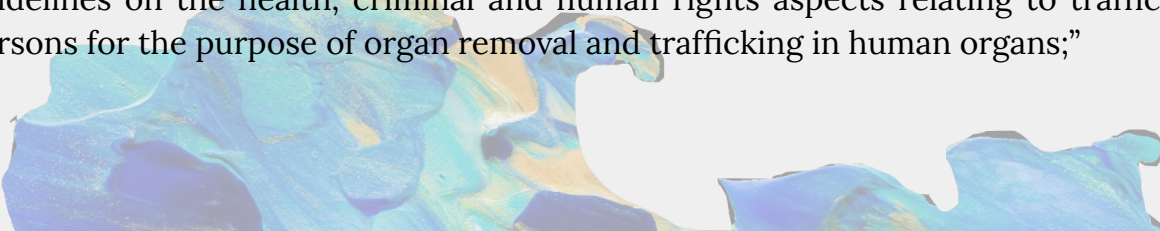
### **3. Preventing and combating trafficking in human organs and trafficking in persons for the purpose of organ removal<sup>15</sup>**

This UN resolution emphasizes the need to curb the illegal organ trade as well as come up with solutions to the issue moving into the future. It is important when taking into account what movements the UN has already taken to combat the issue at hand. Although not drastic, one movement mentioned is increasing monetary allowances for changes in order to “assist them (member states) in strengthening national capacities to effectively prevent and combat trafficking in persons”. In addition, this resolution provides sourcing for the need to further investigate more efficient legislative means of organ donation, transport, and transplantation. This was updated in 2017 in order to take more factors into account and is linked below.

### **4. Strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs<sup>16</sup>**

This update includes more direct and workable clauses with directives to bring WHO for management and control of organ transplant procedures. The most crucial clause, clause 10, highlights a new need for WHO to create guidelines in order to define new rights, systems, and health requirements of organ transplant. This signifies the larger need for a world-wide standardized organ trade practice and rulebook. This idea is one that is extremely important and touched upon throughout the resolution.

“10. Requests the World Health Organization, in collaboration with the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights, among other relevant bodies, to develop international guidelines on the health, criminal and human rights aspects relating to trafficking in persons for the purpose of organ removal and trafficking in human organs;”





# Current Events and Trends

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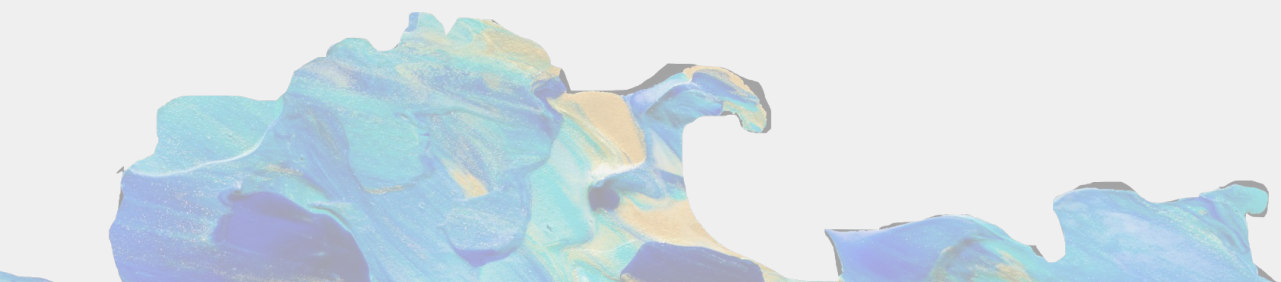
## 1. Inefficient Systems

Multiple media outlets are reporting on the inefficiencies of the modern day system of organ transplantation that many democracies follow. This inefficiency has come into light as various trade deals between the US and China increase in tension. When looking at systems in place in China, it is evident that the need to prove itself as having efficient and able organ trade systems has led them to lie to the international community.<sup>19</sup> These findings show how barely efficient systems in place are used as measures of economic stability, instead of actual efficiency. This idea mentioned is something that is beginning to become a topic of large-scale consideration in many UN decisions moving forward in organ legislation.

Many systems of both opt-in and opt-out organ donation paths are unorganized, not time efficient, and even work against those who need organs the most. Almost nothing has been done to try and solve this issue however. The need for global reform not only on the legal sale of organs, but the system of donor based post-mortem transplantation is ever necessary and an extremely relevant issue.

## 2. Increasing Access to Organs without Consent

Another trend among this issue is how private companies sometimes go behind the backs of the families of the deceased in order to receive organs. Although this mainly focuses on smaller organs and tissue such as tendons, it raises the idea that post-mortem organ donation regulations are not as strong as originally thought. Many large scale pharmaceutical firms work side-by-side with coroner's to lobby the government to make organ access much easier on their behalf. However this, the idea

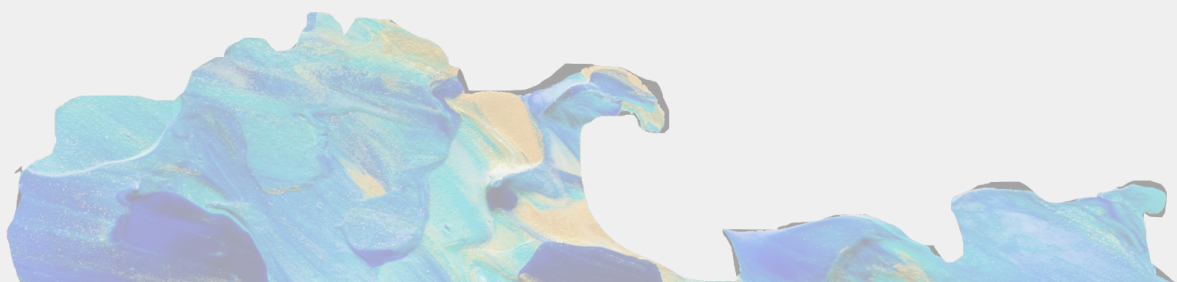
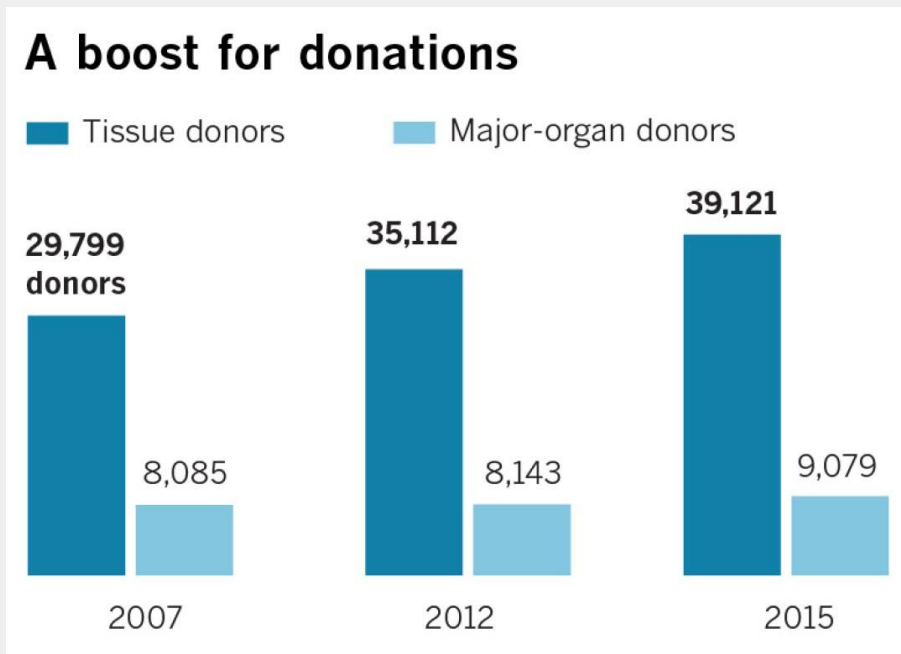


# Current Events and Trends

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Of changing already set-in-stone laws raised ethical and moral questions on a whole new level. In addition, this begins to raise the question of how direct and impactful UN legislation and resolution writing should actually be regarding the idea of a legal organ trade. Should the UN work with private firms to facilitate a fair and ethical legal trade? To what aspect should the UN regulate non-governmental entities and use them as a benefit or drawback? For reference is a graph showing how less restrictive measures on companies has actually increased the number of organ donations from 2007 till 2015.

[Los Angeles Times](#)



# Questions to Consider and Recommended Resources to Use

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## Questions for Consideration

1. What other successful models of legal organ sale can be used as exemplars?
2. How can those who require organ transplants in LEDC's and politically unstable countries be guaranteed access to organ?
3. What are issues with modern day organ transplant systems like those in the US, Spain, and Canada? How can these be avoided?
4. What means are required to transport organs long distances within large countries and whose responsibility should it be to provide those means?
5. What are the disadvantages as well as advantages as having a system such as that currently in Iran? Should these be considered?

## Recommended Resources to Use

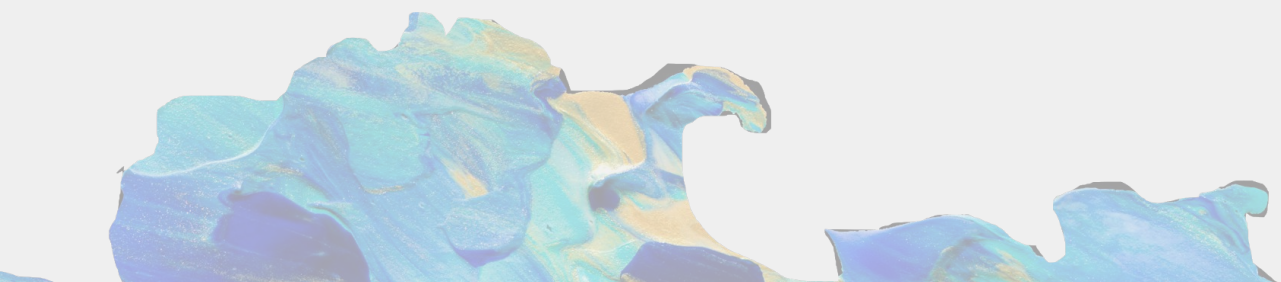
[UNOCD Assessment Toolkit for the Purpose of Organ Renewal](#)

[The Declaration of Istanbul on Organ Trafficking and Transplant Tourism](#)

[Universal Declaration of Human Rights](#)

[Coalition for Organ-Failure Solutions Website](#)

[WHO Documentation on Organ Trafficking](#)

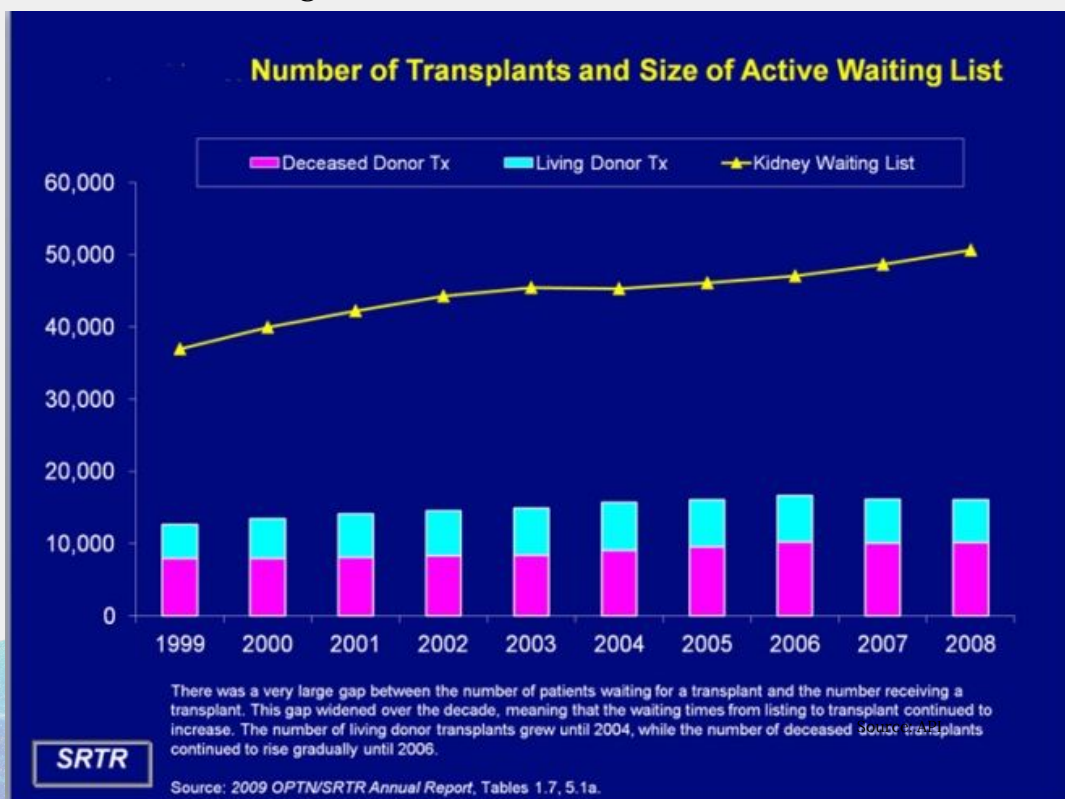


# Introduction to Topic Two: The Social and Political Effects of Organ Trafficking

Apart from being used as a source of income, organ trafficking has various social and political effects due to the current state of organ transplants. In 2013, only 10% of the organ transplants conducted met the global demands.<sup>1</sup> Due to this, organ trafficking is sometimes seen as a way to save the lives of others while giving financial help to those who are donating their organs.

Largely, organ trafficking occurs due to the difference in economic status, especially for those who suffer from poverty. For instance, one does not need two kidneys to survive, yet one needs money to buy essentials. Because of this, a person who is impoverished is more inclined to sell their kidney and to earn enough money to survive. Moreover, due to the lack of awareness, a person is more inclined to illegally transplant their organs due to the lack of knowledge of the potential risks.

As seen below, the amount of people in the kidney waiting list is far higher than the amount of kidneys available. According to UNODC, people end up waiting for 3-5 years to receive a transplant and, even then, the mortality rate has gone up to 30%. So, the question remains, what changes can be made to fix this as well as the social and political effects of trafficking?



# Description of the Problem

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Due to simplicity, we will view organ trafficking through the social and political views.

## 1. Social Effects

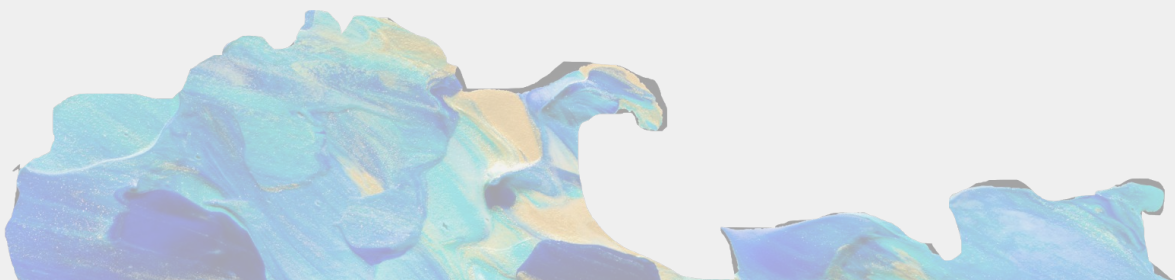
Organ trafficking has an impact socially as well as politically. Nowadays, one of the main reasons of organ trafficking is prevalent is the lack of education regarding the practice. Due to how stealthy organ trafficking can be, most of the attention is diverted to more obvious forms of human trafficking, such as sex and labor trafficking, which people tend to receive more information on. However, it is often forgotten that organ trafficking is a form of human trafficking and one of the main reasons it has become a major problem is due to the fact that it has been adequately recognized.

Despite the lack of awareness, there still exists various non-profit oversight groups like the United Network of Organ Sharing and flagship projects like Human Trafficking Search, which oversee the donation system, try to prevent the use of illegal organs, and raise awareness regarding the issue. Apart from groups, people have created petitions in regards to organ trafficking in order to make a change and gather the attention necessary to make a change.



Source: Russia Insider

Despite the raising of awareness that is currently going on, it can be seen that there exists a lack of proper education in regards to organ trafficking. When one speaks about human trafficking, they envision sex or labor trafficking. However, many forget that organ trafficking is a form of human trafficking which adds on to the idea of needing to formally educate people in regards to the topic. Currently, in Mexico, there exists a great amount of awareness in places like Mexico and the United States



# Description of the Problem

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where various billboards, as seen below, have been put up against organ trafficking as well as other forms of trafficking. As stated by Dr. Chutikul, “Education and knowledge of trafficking in persons among all members of society are key to beating human traffickers.”<sup>2</sup> It is a common misconception that women are the ones who get affected by human trafficking. However, it is important to also remind the public that males can fall into human trafficking as well. Generally speaking, as seen on the website of the UNODC, the public has a great impact on preventing organ trafficking and one must work with the public and the education people receive in order to reduce the problem as a whole.



Source: Google Images

## 2. Political Effects

Although there has been an increase in awareness in regards to organ trafficking, there exists no evidence that the awareness brought upon organ trafficking is effective. It is said that, often times, when awareness is brought upon an issue, a person feels satisfied having done the minimal. Moreover, various campaigns claim to be efficient, yet have no public record of where the money donated is going. Because of this, many people tend to focus on the political effects of organ trafficking as it is a more direct approach, one of the main reasons being that those who often contribute to organ trafficking face a lack of income. Moreover, it is also mentioned that countries do not properly monitor the transplant problem making it a political rather than social problem.



# Description of the Problem

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Although social awareness brings up the topic of organ trafficking, governments can be seen as a direct solution to the problem as they can set regulations as well as prevent their citizens from getting exploited. Moreover, people who tend to traffic are those who suffer from poverty and find the black market as an easy way to make money mainly due to the large demand as previously mentioned.

However, political influences have made an impact in regards to organ trafficking. Israel and Pakistan are known as two of the large participants of organ trafficking who brought in politics to try and prevent the black market for organ trafficking from growing more than it already has. However, to understand the political effects, one must understand the political process of policies. As seen in Israel and Pakistan, when one prohibits organ trafficking, the wording of the law and where it is put in place tends to affect greatly the outcomes of the policy. For example, when Israel prohibited the transplant tourism, it was later seen that most of the tourism occurred outside the borders of Israel making the policy more effective as compared to Pakistan.

Currently, many laws have been set in place as well as consequences to prevent or, at least reduce, organ trafficking. As seen below, the consequences of organ trafficking tend to be severe. However, the question becomes, is the effects of the government more prominent than the effects of social awareness?

**Figure 1**  
**Measure Increases Maximum Criminal Penalties For Human Trafficking**

	Current Law	Proposition 35
<b>Prison Sentence<sup>a</sup></b>		
Labor trafficking	5 years	12 years
Sex trafficking of an adult, forced	5 years	20 years
Sex trafficking of a minor without force	None <sup>b</sup>	12 years
Sex trafficking of a minor, forced	8 years	Life term
<b>Sentence Enhancement<sup>a</sup></b>		
Great bodily injury	6 years	10 years
Prior human trafficking offense	None	5 years per prior conviction
<b>Fines</b>		
	Up to \$100,000 for sex trafficking a minor	Up to \$1.5 million for all human trafficking offenses

<sup>a</sup> Actual penalty includes a range of years.  
<sup>b</sup> Activities considered under the measure as sex trafficking of minors without force are illegal under current law but not defined as human trafficking. The penalties for these crimes vary.

Source: LAO

# Past Actions Taken

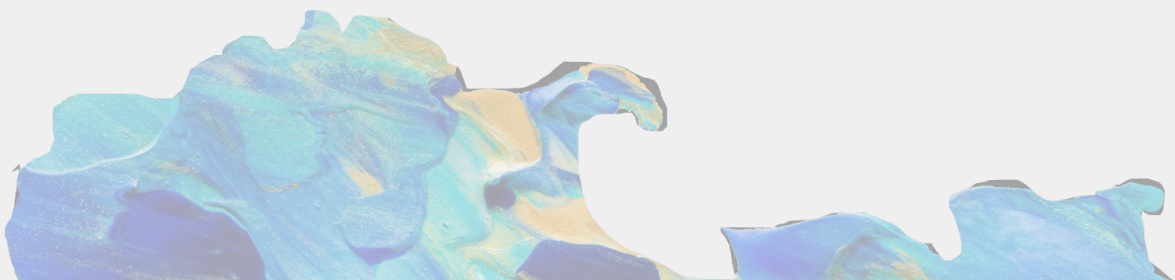
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## 1. **Trafficking in persons for the purpose of organ removal 2011<sup>3</sup>**

In the past, the United Nations Conferences Parties (also known as “Working Groups”) have met to find possible solutions in regards to organ trafficking. In discussion, it was brought up that the people who are vulnerable to falling for organ trafficking are those who suffer from poverty. It is also mentioned that there exists a lack of awareness regarding the issue. When dealing with solutions, Working Groups recommended that states should use the protocol that is currently in place for better use. Moreover, other solutions that were spoken about included providing technical assistance in regards to investigating organ trafficking and developing a training module. Additionally, the Working Group also recommended the United Nations to gather information regarding the trends of organ trafficking to better pinpoint the problem and find a solution. Apart from these recommendations, other possible solutions that were discussed were altering immigration forms and even changing the punishment when one is caught trafficking due to the possible necessity of the person.

## 2. **Summit on Organ Trafficking and Transplant Tourism<sup>4</sup>**

Additionally, in 2017, a summit was hosted in order to reach the public and address the problems regarding organ trafficking. In this summit, various testimonies were heard from people who come from countries where transplants are often seen and papers were passed around to be signed in order to gain awareness and the attention of those who can make a bigger impact regarding the situation including the government. Moreover, the summit tried to engage health authorities due to their potential in having a close relation to any organ trafficking that is occurring. Although the summit claimed to be a supporter of past legislations, they also mentioned that certain changes still need to be made including creating a legal framework for healthcare professionals in relation to possible cases of organ trafficking and for nations to provide “resources to achieve self-sufficiency in organ donation.”



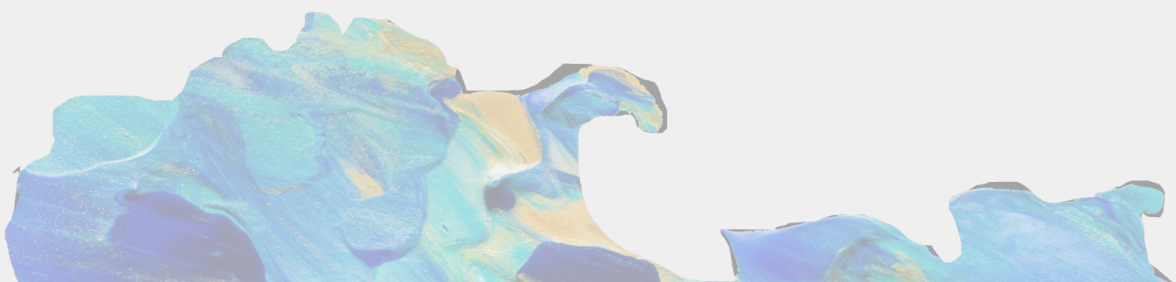


# Past Actions Taken

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## 3. The Politics of Combating the Organ Trade<sup>5</sup>

As previously mentioned, Israel and Pakistan, despite being different economically, contribute largely to the black market of organ trafficking and face a similar political contribution. In the past, local physicians were known as the people who raised awareness about organ trafficking to the government and brought up the negative effects organ trafficking has not only on the donor, but the recipient as well. Specifically in Israel, large medical figures met with the Ministry of Health in order to make a change and write bills to reduce the amount of organ trafficking. On the other hand, Pakistan's Sindh Institute of Urology and Transplantation (SIUT) hosted press conference and seminars in order to reach the public and gain enough awareness to approach the governments and make a change in regards to organ trafficking and illicit trade. Apart from seminars and conferences, Pakistan turned to the media in order to place pressure locally in making a change. Although enough pressure was placed socially, one of the main ways Pakistan and Israel were able to get the attention of the government was due to the international norms against the organ trade. Because of this, the government felt pressured to focus on the issue of organ trafficking. Through media efforts and constant awareness, Israel and Pakistan both put in place a law that prohibited organ trafficking as well as transplant tourism. Although both countries put in place similar laws, the consequences were vastly different for both. In regards to Israel, transplant tourism faced a direct impact as they dropped from 155 to 35 in transplant tourists. Moreover, funding was cut when a donor's motivation could not be identified (a sign of organ trafficking). On the other hand, Pakistan did not have the same turnout. Initially, the amount of transplant tourism faced a decrease, but ended up going back to its original state due to the lack of enforcement seen by government and law enforcement. Moreover, Israel's organ trafficking was involved with public funding which is easier to cut off as compared to Pakistan's where organ trafficking occur within private sectors making it more difficult to restrict.



# Current Events and Trends

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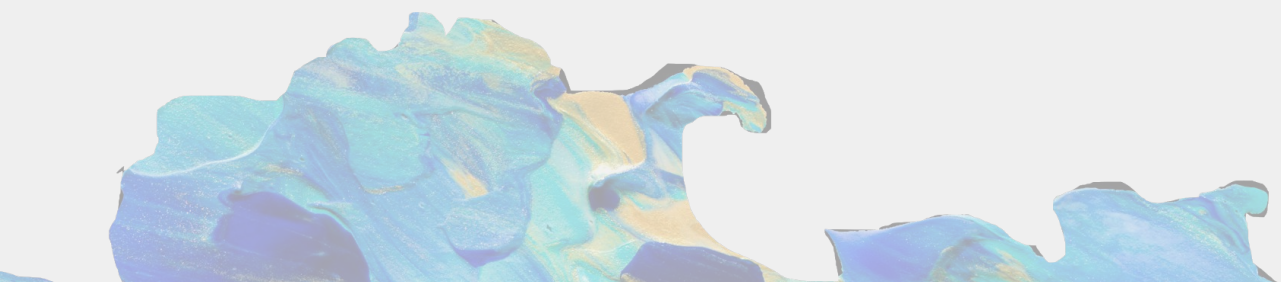
## 1. Awareness

Nowadays, many places around the world are actively bringing awareness to the topic of organ trafficking through various media forms including billboards, social media, etc. As seen previously, awareness is constantly being brought in regards to organ trafficking due to the impacts it has on society.

Due to society being heavily media oriented, various new sources online have reported the impacts of organ trafficking as well as the stories about people who were directly affected by the trafficking. In these stories, news outlets talk about organ trafficking and the impacts it can have on the donor and receiver while bringing in present day cases in order to emphasize the magnitude of the problem. Moreover, media outlets make sure to reinforce the idea that organ trafficking can affect anyone as there exists many common misconceptions including the idea that females are the ones that are most endangered to trafficking.

## 2. United Nations Recent Report

In the beginning of 2019, it was released by the United Nations Office of Drugs and Crime (UNODC) that human trafficking had reached a “horrible” dimension as compared to past years. In order to come to this conclusion, the UNODC observed various trends from the data of 2018. One of the growing trends was the increasing number of females that have been put in trafficking. Although this does not go hand-in-hand with organ trafficking, it is often seen that sexual exploitation can lead to organ trafficking. Moreover, another trend seen was the increase of the use of trafficking as a “tool of war.” Additionally, it is seen from the data reported that North Africa and the Middle East report the largest number of organ trafficking victims. Another trend seen in the data was that all victims reported to the UNODC from 2014-2017 were all adults, where two thirds were male and one third were female.

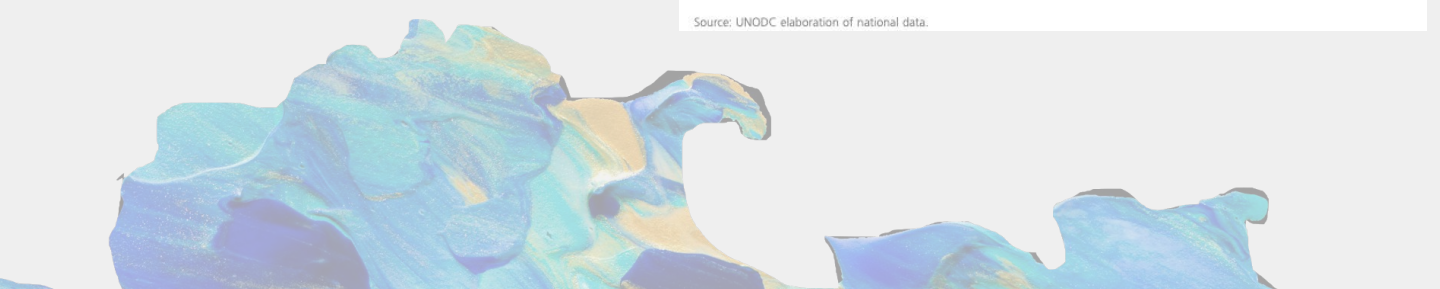
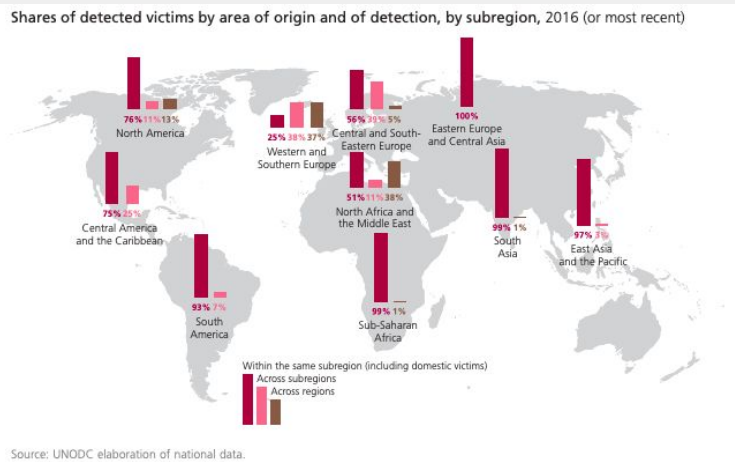
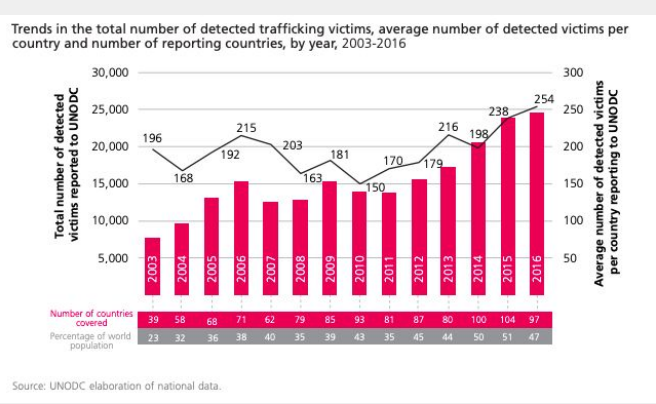


# Current Events and Trends

As seen from the graphs below which gather data from 142 countries, there has been a trend of an increasing amount of human trafficking throughout the years despite the constant awareness that is seen in media. However, it is important to note that the increase seen can be due to direct increase in trafficking or an increase in reporting to law enforcement.

Apart from the increasing numbers, from the data gathered in 2018, it can be concluded that trafficking is something that occurs everywhere and, although the world is getting better at preventing trafficking, most of the victims that are affected by trafficking get trafficked within their own country. It is said that 1 to 10 victims are trafficked to a place elsewhere than their home country. According to Me, when a victim gets transported to a different location, it often is a signal of a larger organization conducting the trafficking.

Although political and social actions have been taken against organ trafficking, there is still much more countries can do to reduce the amount of human trafficking that occurs, specifically organ trafficking. The question then goes on to be which social or political changes are strong enough to make a long lasting impact on organ trafficking?



# Current Events and Trends

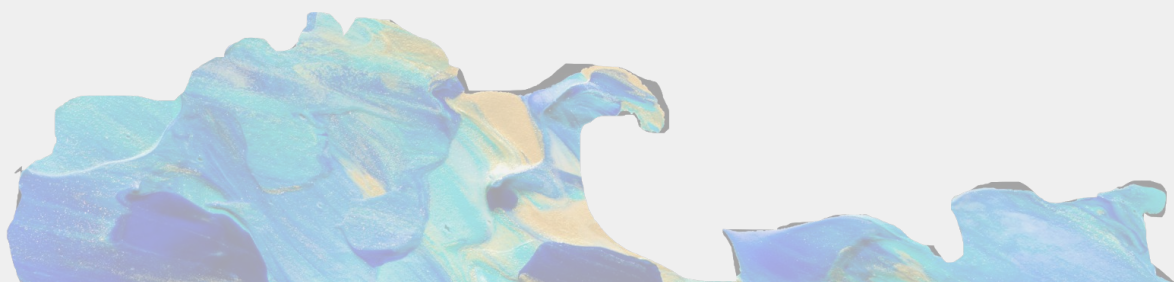
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## 3. Government-Run Trafficking

The question of reducing illegal organ trafficking and combating its effects become increasingly difficult when corrupt governments themselves are the ones contributing to this issue. The most prominent example of this is China's harvesting of organs from its political prisoners. Most notably the Falun Gong practitioners and Uyghurs. Falun Gong is a religious practice that the Chinese government began to view as a threat in the 1990s due to its teachings and independence from the state. In 1999, a massive crackdown on its practitioners led to many being taken as prisoners by the government, suffering from a variety of human rights abuses. In 2006, it was reported that some of these prisoners are executed "on demand" to provide organs for transplantation. According to the report, it was likely this practice began around 2000.<sup>6</sup> While China has repeatedly denied these allegations, much of the evidence suggests otherwise.

China Tribunal, an independent, Australian tribunal, presented its findings in September 2019 to the UN Human Rights Council that suggest that the forced harvesting of organs from the Falun Gong continues to this day.<sup>7</sup> The findings point to the practice now being expanded to the detained Uyghur Muslims. In October 2018, satellite imagery revealed hundreds of thousands of Uyghurs being detained in rapidly-growing camps in China. This new information from the China Tribunal suggests that they are suffering from many more human rights abuses beyond detention.

Hamid Sabi, a lawyer for China Tribunal, said to the UNHRC that UN member states have a "legal obligation" to investigate and combat the forced organ harvesting and trafficking by China. This issue, given that it is a case where the government of the state itself is committing these abuses, cannot be addressed without support and cooperation from the international community.



# Questions to Consider and Recommended Resources to Use

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## Questions for Consideration

1. How can this committee work to ensuring that the topic of organ trafficking is controlled in a social and political perspective?
2. Is there a method where the social and political aspects of organ trafficking are controlled?
3. How can this committee approach the political problem of organ trafficking and reduce the amount of illegal sales that occur?
4. What procedures should this committee put in place regarding the social aspects of organ trafficking?
5. What political and social efforts work together to combat organ trafficking?

## Recommended Resources to Use

[UNOCD Assessment Toolkit for the Purpose of Organ Renewal](#)

[The Declaration of Istanbul on Organ Trafficking and Transplant Tourism](#)

[Coalition for Organ-Failure Solutions Website](#)

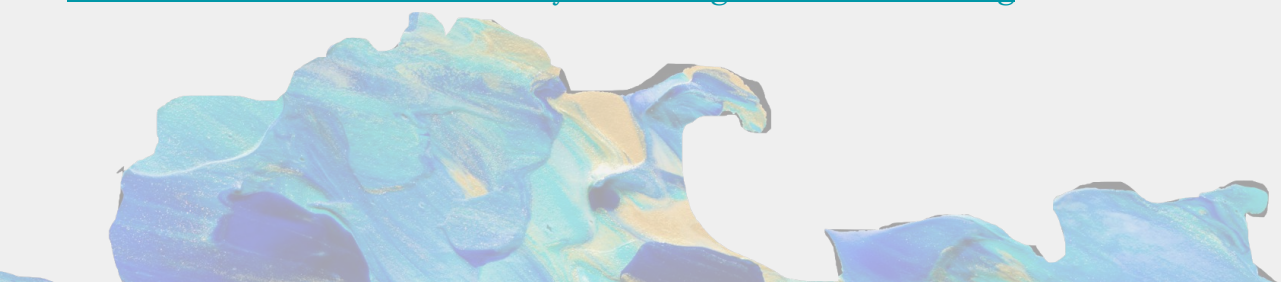
[WHO Documentation on Organ Trafficking](#)

[Summit on Organ Trafficking and Transplant Tourism](#)

[The Politics of Combating the Organ Trade](#)

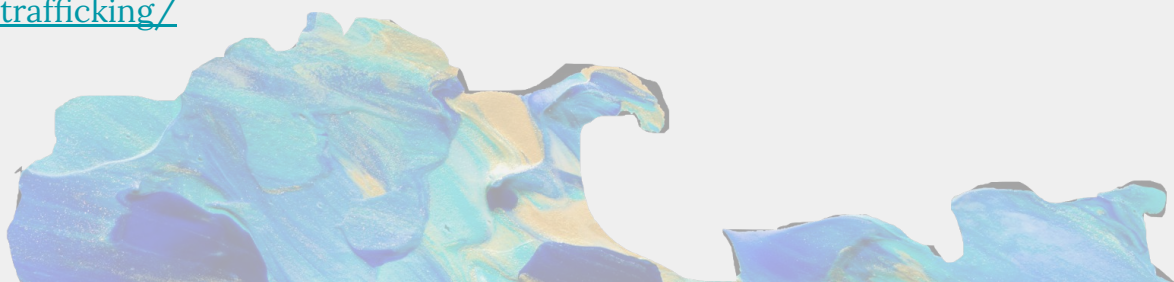
[UNOCD: Organ Trafficking](#)

[Awareness and Education are Key to Beating Human Trafficking](#)



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