

**JHSSMUN**

Backgrounder Guide



UNODC

# **ORGAN TRAFFICKING**

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# Director's Letter

Dear Delegates,

My name is Elijah Ron Mangoyob Santos, and I have the privilege of being the director of the United Nations Office on Drugs and Crime for the 2023 Johnston Heights Model United Nations. The goal of the UNODC is to end all forms of international crime, such as drug and human trafficking. In partnership with numerous nations, the UNODC provides the necessary support they need to achieve any of their endeavors to end the problem of international crime.

The topic of this committee for JHMUN 2023 will be organ trafficking, an ongoing and prevalent issue that many countries, if not all, encounter on a daily basis. The reason for organ trafficking being such a prevalent issue is due to the fact that there is a high demand for organs. Thus, many individuals find themselves resorting to illegally purchasing organs. The World Health Organization has discussed organ trafficking in the past, but we are highly curious to see how delegates will settle upon solutions to solve this problem.

I, along with my UNODC team, would like to thank all who have decided to sign-up for this committee. I wish all of you the best of luck.

Sincerely,  
Elijah Ron Mangoyob Santos  
Director of UNODC

For any inquiries, contact us at:  
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# Committee Overview

The United Nations Office on Drugs and Crime (UNODC) is an international organization that assists countries in preventing any form of crime to achieve the goal of bringing peace to the world.<sup>1</sup> Currently, the UNODC is operating within 80 different countries.<sup>2</sup> Additionally, the committee receives funding from its member states, multilateral organizations, private companies, and more. However, the primary funding is from the member states. Furthermore, throughout its existence, the UNODC has primarily focused on five normative activity areas: terrorism, transnational organized crime, corruption, criminal justice systems, and the world drug problem.

## **UNODC Actions Taken for International Peace**

### Combating Terrorism:

The UNODC employs several methods in collaboration with its member states to help them successfully combat terrorism within their borders ultimately preventing terrorism on a global scale. For example, the UNODC assists member states with the application of the 19 Universal International Legal Instruments and Additional Amendments Dealing With Terrorism. Additionally, the UNODC helps member states cooperate with each other to create measures preventing terrorism and to ensure that communication between nations is clear in the chance that terrorism occurs.

### Combating Transnational Crime:

The UNODC also develops strategies with its member states to tackle general crimes that can occur internationally. For example, trafficking of all forms, such as, human trafficking, is a major issue that occurs both domestically and across borders.

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<sup>1</sup> United Nations: Office on Drugs and Crime. "About UNODC." <https://www.unodc.org/unodc/en/about-unodc/index.html>

<sup>2</sup> United Nations: Office on Drugs and Crime. "UNODC around the World." <https://www.unodc.org/unodc/en/field-offices.html>

### Combating Corruption:

Corruption is a domestic problem that many UNODC member states encounter. Thus, the UNODC acts by providing the support its member states require to prevent corruption. For example, the UNODC supports member states in recovering from major losses due to corrupt officials stealing assets. Furthermore, the UNODC assists member states in identifying these corrupt officials.

### Strengthening Criminal Justice Systems:

In order for a nation to succeed in combating crime, a strong criminal justice system must be put in place. Thus, the UNODC supports its member states in strengthening their criminal justice systems. For example, if a member state requires a reformation of their criminal justice system, the UNODC uses field-oriented technical cooperation to assist in the process. Furthermore, the UNODC also supports its member states in implementing the United Nations Standards and Norms in Crime Prevention and Criminal Justice.

### Combating the World Drug Problem:

Throughout the world, both the usage and distribution of illegal drugs have become undoubtedly common in many countries. The UNODC is aware of this problem and collaborates with its member states in implementing and developing international drug control treaties. Additionally, the UNODC also develops strategies to support individuals struggling with drug addiction. For example, the UNODC will support its member states in progressing drug rehabilitation.

# Topic Overview

Organ trafficking is the illegal trade of human organs; organ trafficking may occur on the international or domestic level and is considered a type of organized crime. One of the main reasons for organ trafficking is the lack of organs available to the public. Thus, some people resort to illegally purchasing organs from the black market. However, the main issue of organ trafficking is not the sale of the organs, but rather the way organs are procured.

## General Causes of the Organ Trade

### Human Trafficking:

Human trafficking is the illegal exploitation of human beings. Trafficked individuals are commonly sold for prostitution or forced labour. In the case of organ trafficking, individuals who are trafficked are exploited for their organs against their own will.<sup>3</sup>

### Financial Need:

In impoverished nations, individuals experiencing that poverty resort to selling their organs to support themselves financially. However, there are risks that come with selling organs. For example, the buyer may not fully pay their promised price.<sup>3</sup>

### False Surgical Operations:

In many hospitals, corrupt physicians lie to their patients about surgical operations. In the case of the organ trade, many patients enter the operating room and leave unaware that they are missing an organ. That missing organ is then sold in the black market.

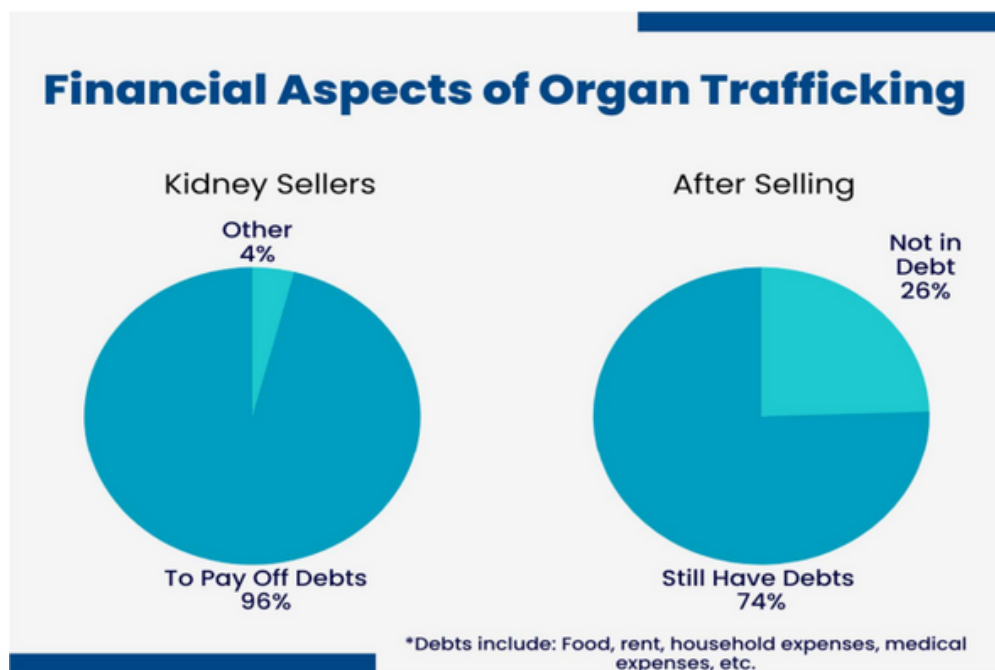
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<sup>3</sup> Bell, Stewart. "Human Organs for Sale in Canada." instruct.uwo.ca. UWO, n.d.

[https://instruct.uwo.ca/law/307a/Articles/human\\_organ\\_for\\_sale\\_in\\_canada.htm#:~:text=The%20purchase%20and%20sale%20of](https://instruct.uwo.ca/law/307a/Articles/human_organ_for_sale_in_canada.htm#:~:text=The%20purchase%20and%20sale%20of)

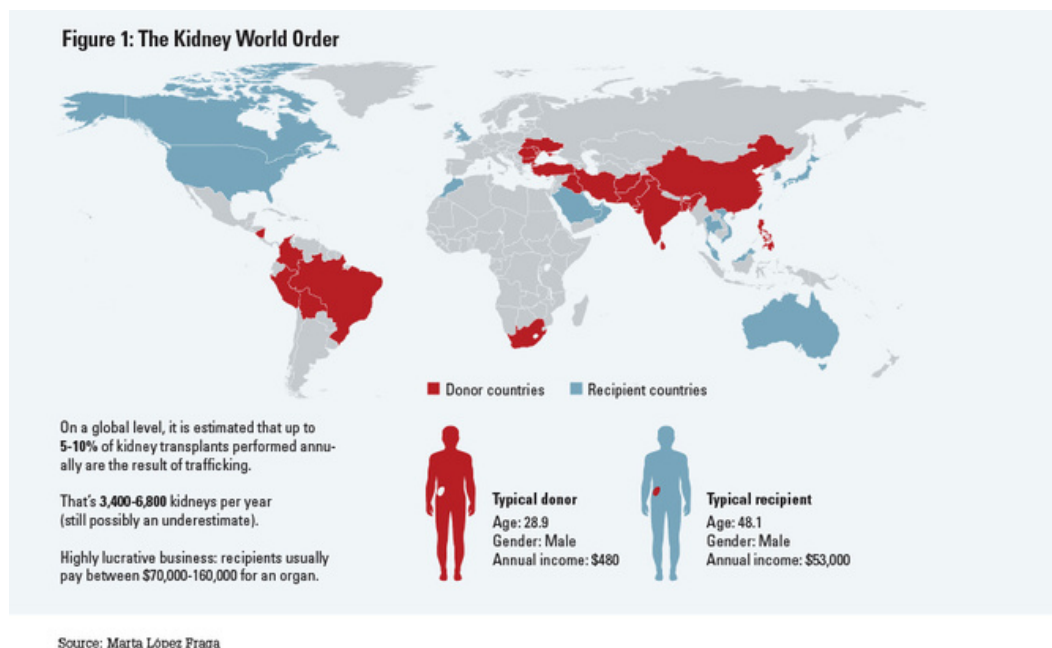
## The Controversy of the Organ Trade

The relevance of organ trafficking stems from it being a controversial issue, as there are both positive and negative attributes associated with organ trafficking. For example, organ trafficking may be considered beneficial since it supplies the world with more organs. Furthermore, since organ trafficking supplies the world with more organs it will potentially reduce the growing rates of death due to a lack of organs for surgery. Another benefit of the organ trade is that it grows a nation's economy. On the contrary, a negative attribute of organ trafficking is that it materializes human beings. Moreover, the impoverished are exploited by the organ trade for the promised financial gain by selling an organ. Finally, organ trafficking motivates human trafficking since organs are highly profitable within the black market.<sup>3</sup> Above all, the organ trade will remain controversial due to the many different perspectives and opinions that surround it.





# Historical Analysis



There is no exact known date for when organ trafficking began. However, it is assumed that organ trafficking began during the 1980s in India and later it would become an international problem. The Philippines, Pakistan, Egypt, and China would become the primary locations for the illegal organ trade. Supposedly, the organs were harvested from the corpses of executed prisoners. Over time, organ trafficking would find its way into Western society. For example, the case of Levy Izhak Rosenbaum, 60 years of age, was the first individual in the United States to be found participating in the illegal organ trade - he was caught in 2009 and was allegedly selling in the black market for a decade.



A general reason for the rise of organ trafficking is the need for organs, especially the kidney. In 2016, it was reported that internationally, 1.9 billion adults were overweight, with 650 million of those adults considered obese.<sup>4</sup> This is triple the data collected in 1975, highlighting the significant issue of obesity across the world.<sup>4</sup> The relevance of obesity is that it increases the chance that an individual will experience chronic kidney disease during their life. According to a report by UCI in 2021, it states that their hospital had more than 700 individuals who needed a kidney transplant due to fatal kidney diseases from being overweight.<sup>5</sup>

In addition to the demand for organs, individuals who fall victim to selling their organs do so to accommodate for their lack of money. Often, impoverished individuals are manipulated by the promise of money in exchange for their organs. However, these offers are generally less than what the organ is worth. Moreover, the individuals may never receive the money whatsoever. Ultimately, even in the case that the individual receives the proper amount, the money they obtain will not be sustainable for the long term unless they continue to donate organs.

In conclusion, organ trafficking has existed for decades. Initially, the illegal organ trade was primarily conducted in India, China, the Philippines, Pakistan, and Egypt. However, the organ trade would find itself becoming a part of other nations as well. Ultimately, this rise in the trade of organs would be due to varying reasons. For one, the demand for organs for surgical purposes has become prevalent within many nations. Furthermore, impoverished individuals may find financial gain from having their organs removed and sold, thus increasing the occurrence of organ trafficking.

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<sup>4</sup> World Health Organisation. "Obesity and Overweight." WHO, June 9, 2021. <https://www.who.int/news-room/fact-sheets/detail/obesity-and-overweight>

<sup>5</sup> UCI Health. "The UCI Health Kidney Transplant Program Dramatically Increases Patient Access." [www.ucihealth.org](http://www.ucihealth.org), April 6, 2021. <https://www.ucihealth.org/blog/2021/04/need-for-kidney-transplants-grows-dramatically>.

# Timeline

1980: The first alleged cases of the organ trade are reported to have occurred within India.

1987: At the fortieth World Health Assembly, nations discuss the concerns for the commercial trade of human organs. This event initiated the preparation of the first WHO Guiding Principles on Transplantation. Furthermore, this is the first event in which organ trade gained international attention.

1988: Iran establishes a living non-related donation in which organ donors can exchange their organs for money.<sup>6</sup>

1991: World Health Assembly 44 Resolution 25 - Endorsed Guiding Principles on Transplantation.<sup>7</sup>

2004: WHA resolution - "...urges Member States to take measures to protect the poorest and vulnerable groups from transplant tourism and the sale of tissues and organs."<sup>8</sup>

2007: WHO reports that globally, 10% of transplanted organs are trafficked.<sup>9</sup>

2009: First reported case of organ trafficking in the United States.

2010: WHA63.22 - Endorsed updated WHO Guiding Principles.

2020: China is reported and confirmed to have harvested organs from its prisoners.<sup>10</sup>

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<sup>6</sup> Major, Rupert WL. "Paying Kidney Donors: Time to Follow Iran?" McGill Journal of Medicine : MJM 11, no. 1 (January 1, 2008): 67–69

<sup>7</sup> "Resolution WHA44.25 Endorsing the 1991 Guiding Principles - GODT." Global Observatory on Donation and Transplantation. GODT, February 18, 2016. <http://www.transplant-observatory.org/download/resolution-wha44-25-endorsing-the-1991-guiding-principles/>.

<sup>8</sup> World Health Organization. "Forty-Second World Health Assembly, Geneva, 8-19 May 1989: Resolutions and Decisions, Annexes." World Health Organization, 1989. <https://apps.who.int/iris/handle/10665/171211>.

<sup>9</sup> United Nations : Office on Drugs and Crime. "EGM Vienna Organ Trafficking." UNODC, n.d. <https://www.unodc.org/unodc/en/humantrafficking/2010/egm-vienna-organ-trafficking.html>

# Current Situation

## **Transplant Tourism:**

Transplant tourism refers to the transnational movement of organs, donors, recipients, or transplant professionals for the purposes of commercializing transplants and trafficking of organs. The main reason for people participating in transplant tourism is because of being waitlisted. Waitlisting is primarily due to a shortage of a specific organ, the urgency of the patient, and the inability to find an organ that can biologically match the patient.

## **The Need for the Kidney:**

One of the major organs in demand is the kidney, which can be directly linked to the rising populations of obese and overweight individuals. These biological factors can influence an increased risk of diabetes and kidney disease, thus increasing the demand for the kidney.

## **Harvesting Organs of Prisoners:**

In some countries, prisoners are forcefully stripped of their organs. For example, in China, to meet the needs of patients, prisoners are used as a pool of organ donors.

## **Legalization of the Organ Trade:**

Of the many controversies surrounding the organ trade, the legalization of it is the most debated. In general, the trade of organs is illegal in almost every country. However, the laws for the organ trade have often been enforced unsuccessfully as individuals still succeed in selling and buying organs in the black market. The only nation that has legalized and has a regulated organ trading system is Iran. Above all, the reason for the controversy is due to how the demand for organs is undoubtedly immoderate - the general argument is that the organ trade can accommodate these extreme demands

# UN Involvements

## **WHA40.13 Development of Guiding Principles for Organ Transplants, May 1987 :**

The fortieth World Health Assembly Resolution 13 was the first time the United Nations addressed the issue of the organ trade. The organ trade gained this attention due to the newfound capitalization of organs within some countries. The resolution called for all member states of the World Health Organization to evaluate the relevance of the organ trade within their own borders and to also develop and plan ways to regulate organ transplantations to prevent this capitalization.

## **WHA42.5 Preventing the Purchase and Sale of Human Organs, May 1989:**

By the forty-second World Health Assembly, the existence of the organ trade and the concern surrounding it became more prevalent within the fifth resolution of the assembly. The resolution was essentially an expansion on WHA40.13, however, member states were starting to become aware that there is a lack of established policy to prevent the trafficking of organs. Thus, the resolution called for the member states to report and enforce stronger measures to effectively prevent organ trafficking.

## **WHA44.25 Human Organ Transplantation, 13 May 1991:**

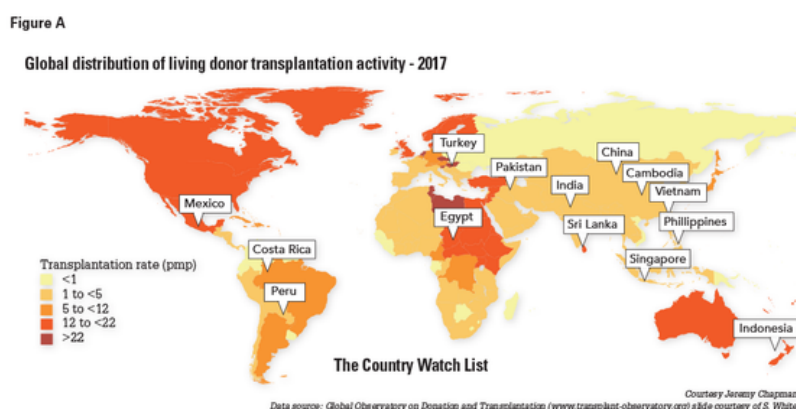
The twenty-fifth resolution of the forty-fourth World Health Assembly did not specifically bring attention to organ trafficking. However, the resolution brought attention to the WHO Guiding Principles on Human Organ Transplantation. The importance of these guiding principles is that they provided the standards that member states should follow when regulating all forms of organ transplantation. For example, harvesting organs from the deceased thus relates to the organ trade as these organs are sold in the black market.

## WHA57.18 Human Organ and Tissue Transplantation, May 2004:

In addition to addressing organ trafficking, the eighteenth resolution of the fifty-seventh World Health Assembly addresses multiple key issues of organ transplantations. For example, the resolution addressed the internationally growing demand for transplants. Furthermore, on the topic of organ trafficking, the resolution specifically addresses the biological concerns and risks that may occur if individuals receive trafficked organs.

## WHA63.22 Human organ and Tissue Transplantation, May 2010:

The twenty-second resolution of the sixty-third World Health Assembly is a culmination of its predecessors. However, it possesses more specificity in what it addresses and aims to achieve. For instance, the resolution recognizes the issue of impoverished populations and organ trafficking. This is because impoverished individuals often get manipulated for their organs through the promise of money. Furthermore, the resolution raises awareness of organ trafficking occurring across borders, therefore officially making organ trafficking a transnational crime.



<sup>10</sup> Iqbal, Ali, and Aliya Khan. "Analysis: Killing Prisoners for Transplants: Forced Organ Harvesting in China." Brighter World. McMaster University, n.d. <https://brighterworld.mcmaster.ca/articles/analysis-killing-prisoners-for-transplants-forced-organ-harvesting-in-china/#:~:text=China%20uses%20incarcerated%20prisoners%20of>.

# Possible Solutions

## **Regulation of the Organ Trade:**

One of the most widely-discussed solutions to the organ trafficking crisis is the regulation of the organ trade. Proponents of regulation believe that it is necessary to ensure that the organ trade is transparent and ethical. They argue that regulation will reduce the demand for illegal organ trafficking and improve access to organ transplantation for those in need.

## **Global Organ Donation and Transplantation System:**

Another potential solution to the organ trafficking crisis is the establishment of a global organ donation and transplantation system. This system would aim to reduce the demand for illegal organ trafficking by improving access to organ transplantation. It would also improve the transparency and ethics of the organ transplantation process.

## **Increasing Organ Donation:**

A third solution to the organ trafficking crisis is to increase organ donation. This can be achieved through public education and awareness campaigns, as well as the creation of incentives for organ donation. This solution would aim to reduce the demand for illegal organ trafficking by increasing the supply of organs for transplantation.

# Bloc Positions

## **European Union:**

The European Union is aware of the prevalence of organ trafficking as a crime within the EU. However, the EU does not have any exact data regarding the number of organ trafficking victims in the EU - from 2013 to 2014 they could only estimate that 12% of trafficked humans were exploited specifically for their organs. Above all, the EU condemns the trafficking of organs. The EU established a law that aids in the prevention of organ trafficking and the protection of victims. Furthermore, the EU funded a project between 2012 and 2015 to raise awareness for organ trafficking.

## **Africa:**

The continent of Africa has a high number of organ trafficking cases, however, in similarity to the EU, there is no exact statistic that can reliably describe the number of victims each year. However, Africa has extremely high rates of human trafficking in which many cases, the trafficked individual is trafficked for the harvesting and selling of their organs. Above all, the African Union is not in support of organ trafficking and aims to combat the problem with the assistance of INTERPOL's Project ENACT.

## **North America:**

In North America, organ trafficking is condemned and is illegal. Although it is impossible to reveal the exact number of individuals who have experienced organ trafficking within North America, cases of human trafficking are prevalent within the continent - many of these cases are for the sole purpose of organ trafficking. Nevertheless, North American nations have established laws domestically and have contributed to the international regulations of organ trafficking.



**South America:**

Human trafficking is highly prevalent in South America as there are millions of cases each year. Within these millions of cases, South America has one of the highest rates of organ trafficking. Above all, organ trafficking is a crime and therefore considered illegal throughout South America, however, it is difficult to combat the problem.

**The Asias:**

Organ trafficking is more common within certain regions of the Asias than others. All Asian countries have prohibited the sale of organs, however, organ trafficking is an unending problem within Asia. The only nation within Asia that has established a legal organ trade is Iran\*.

\*Although Iran is the only nation with legalized organ trade, not all countries with prohibited organ trade will agree with certain policies to solve the problem. This can be understood from the fact that different countries have different ongoing political issues. For example, some countries may be heavily influenced by terrorism or war thus limiting the resolutions that a nation can agree upon to prevent organ trade. Furthermore, although Iran has a legalized organ trading system, this does not mean that all other nations must disagree with Iran's stance. Since Iran has a properly established system with heavily monitored guidelines, this indicates that the organ trade that Iran has established is not purely for the purpose of money as the Iranian government takes care to understand the ethical problems behind establishing such a market.

## Guiding Questions:

- To what extent is the harvesting of corpses' organs immoral?
- Should people subject to capital punishment have their organs harvested?
- How can we reduce the need for organ transplants?
- How can we increase the amount of legal organ transplants?
- How can we stop transplant tourism?
- How does the organ trade benefit people in need of organs and how do these benefits outweigh the negatives?
- How can the international community better protect those who are vulnerable to becoming victims of organ trafficking, such as people living in poverty or those with limited access to healthcare?

## Extra Resources:

- <https://www.rcmp-grc.gc.ca/en/gazette/illegal-organ-trade>
- <https://www.scu.edu/ethics/focus-areas/bioethics/resources/kidneys-for-sale-areconsideration/https://pubmed.ncbi.nlm.nih.gov/20364454/>
- [https://www.unodc.org/unodc/en/human-trafficking-fund/human-traffickingfund\\_projects\\_removal-of-organs.html](https://www.unodc.org/unodc/en/human-trafficking-fund/human-traffickingfund_projects_removal-of-organs.html)
- [https://www.unodc.org/documents/humantrafficking/2015/UNODC\\_Assessment\\_Toolkkit\\_TIP\\_for\\_the\\_Purpose\\_of\\_Organ\\_Removal.pdf](https://www.unodc.org/documents/humantrafficking/2015/UNODC_Assessment_Toolkkit_TIP_for_the_Purpose_of_Organ_Removal.pdf)

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