

Illicit Trade: Black Market Organ Trafficking

Black market organ trafficking across the globe is a subtle but deadly threat. It is rapidly infiltrating the cracks of war zones, poor neighbourhoods, immigrant households, and the homes of people seeking greener pastures. [This \\$1.7 billion illicit industry](#) is rapidly expanding, and has a vast net across the most remote regions globally. On the surface, organ trafficking looks to be a panacea for the struggles of poverty and impoverishment. However, most individuals who follow this route discover that there is no light at the end of the tunnel. They encounter false promises, disease, and even death. Frankly, the harms of organ trafficking always surpass the short-term benefits to victims. Postoperative depression, infections, health deterioration, improper surgical wound care, and the failure to meet contractual financial obligations all leave victims for dead, literally and figuratively.

Despite advances in medical, pharmacologic, and surgical techniques, the demand for organs continues to exceed the supply. This makes it a critical issue that we must address.

What is Black Market organ trafficking?

According to the [United Nations Office on Drugs and Crime](#) (UNODC), black market organ trafficking involves recruiting, transporting, or receiving living or deceased persons or their organs through force, coercion, fraud, deception, or abuse of power for the purpose of removing organs for exploitation through transplantation. This crime degrades human dignity and the value of life by exploiting the vulnerable and needy for the financial gain of traffickers. Traffickers lure victims with huge sums of money, visas, and promises of a better life, which usually don't manifest.

Few instances of organ trafficking have been recorded. However, wisely, countries have still found it necessary to make efforts to curb the issue. Many countries have developed ethical standards for the donation of human organs for transplantation since the emergence of transplant medicine. The most common type is altruistic donation, which involves giving organs without receiving any

compensation ([Hoffmann, 2011](#)). Organ traffickers are exploiting this grey area through a new practice called “transplant tourism.”

Transplant Tourism

[Transplant tourism](#) occurs when people travel to other countries to buy or sell organs for transplants. This process could involve the recipient and the donor travelling to different countries to commit the act. Most countries have laws against organ donation and trafficking, but there are no clear legal definitions for “transplant tourism.” This makes it easier for traffickers to lure victims to foreign countries. They falsify documents to prove relationships that cannot be easily verified in order to carry out their activities. For instance, [Australian law](#) does not define the term “transplant tourism.” Instead the government views it as voluntary travel by a prospective organ recipient to a foreign country to receive an organ transplant.

Transplant tourism poses [risks](#) for donors and recipients, regardless of how lucrative and attractive the programme sounds on both ends.

- Recipients are not provided [enough information](#) about the donors.
- Most of the time, it is [unqualified professionals](#) who perform these treatments. Consequentially, there is a risk to both the recipient’s and the donor’s life due to postoperative infections, failures, sickness, and death.
- The primary motivator behind the practice is financial benefit to the traffickers. As such, there is a glaring lack of precautions taken to guarantee the security and protection of human life.
- Both [recipient and victim](#) are at the mercy of the traffickers because in most cases, the traffickers act as “middlemen”. They collect payment from the recipient before the operation and pay a small amount to the donor after the operation. In the event of failure, the middleman or facilitator keeps the money leaving both donor and recipient for dead.

Low Supply, High Demand: the root cause of organ trafficking

A [shortage](#) of organ donors globally available for transplantation, has led to the growth of black market organ trafficking.

The Health Resources and Services Administration ([HRSA](#)) [Report](#) shows that there are currently more than 105,000 people on the organ waiting list in the United States alone. The long wait for life-saving organs has resulted in people seeking out illegal and unethical ways to obtain transplants. This shortage was [exacerbated](#) during the COVID-19 pandemic by a reduction in routine transplant operations. This made undocumented migrants and refugees even more vulnerable to illicit organ removal schemes.

The shortage of organs for transplantation is a global problem that requires attention and action at the highest levels. This issue has many complex and interconnected aspects, including medical ethics, religion, and social behaviour and beliefs ([Beyar, 2011](#)).

Victims of organ trafficking

Organ traffickers often coerce or deceive [vulnerable individuals](#) into selling their organs, or kidnap them and forcibly remove their organs. These victims may suffer physical harm as a result of the organ removal surgery. They may also face psychological trauma and long-term health complications. Black market organ trafficking also harms the recipients of stolen organs. An inadequately screened organ puts individuals at risk of complications.

[Migrants and refugees](#) are among the most vulnerable populations at risk of black market organ trafficking. Many migrants often face poor socio-economic and political conditions in their own countries ([Forsyth, 2017](#)). They become vulnerable while en-route or in host areas, as smugglers/ opportunists may abuse and exploit them ([Forsyth, 2017](#)). Most of the victims trafficked for the purpose of organ removal are [men](#).

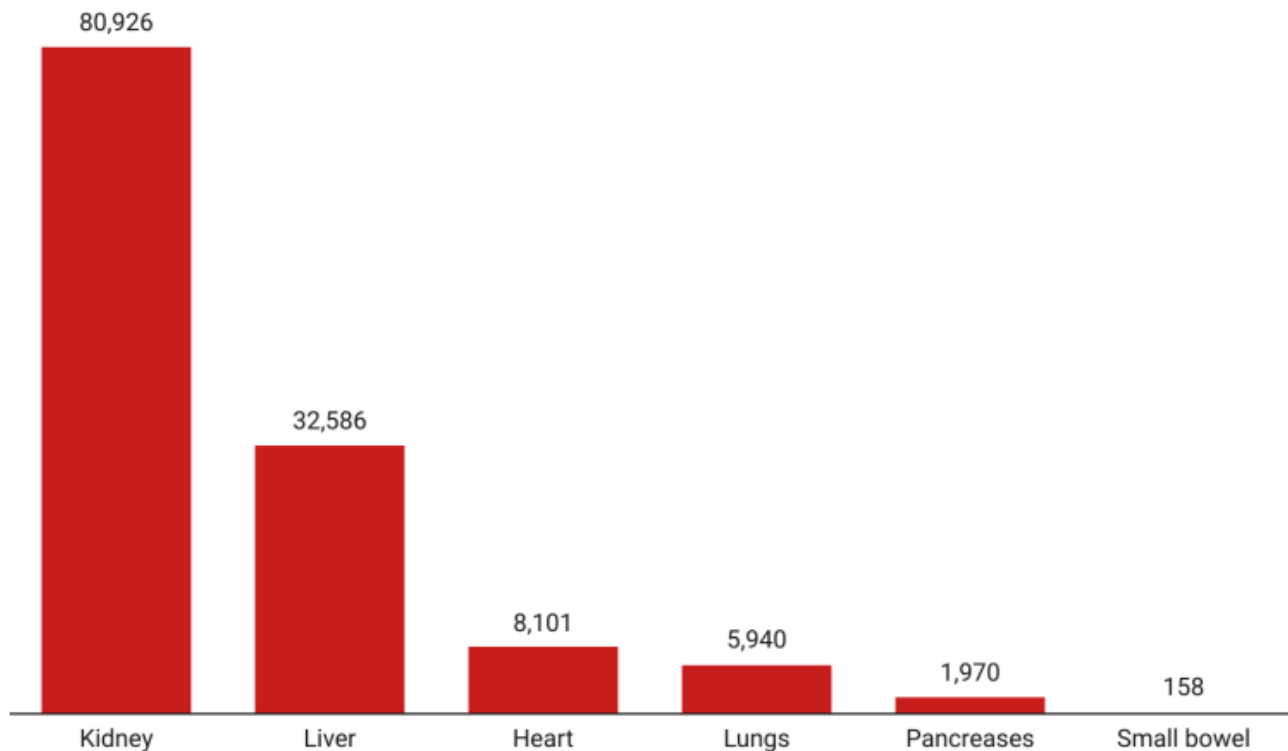
The United Nations prevented Pakistani refugees in Lebanon who had escaped the Syrian civil war from re-registering as refugees in another country in 2015 ([Forsyth, 2017](#)). This made it difficult for them to survive. As a result, many of them had to sell their organs in order to make ends meet ([Forsyth, 2017](#)).

Most commonly Trafficked organs

Research states that trafficked organs account for 10 percent of all transplants,

including lungs, hearts, and livers ([Duguay, et al. 2020](#)). The most prominent organs traded illicitly are kidneys.

Organs that are transplanted globally



A total of 129,881 organs have been transplanted globally

Chart: BUssinessDay • Source: Global Database on Donation and Transplantation • Created with Datawrapper

Organs that are transplanted globally (2020)

Source: [BUssinessDay](#)

most extensive Organ trafficking scandals worldwide

According to a [UNODC 2020 report](#), the trafficking of persons for the purpose of organ removal between 2016-2018 was observed and recorded in North Africa, South-East Asia, Central America, and Europe.

The clandestine nature of the crime, combined with a lack of awareness of human organ trafficking among law enforcement authorities and the lack of information sharing channels between the medical and police sectors, have made trafficking of persons for the purpose of organ removal one of the least reported but [growing forms of trafficking](#) across the globe.

Highlighted below are some of the most extensive organ trafficking scandals.

Forced organ harvesting in detention centres, China

China has been executing prisoners of conscience and using their organs for transplantation for decades ([Iqbal & Khan, 2022](#)). Chinese transplant officials claim significant transplant reform had taken place since 2015. However, recent evidence suggests that the barbaric practice of forced organ harvesting has continued. [UN reports](#) of alleged forced '[organ harvesting](#)' in China confirm that minorities in detention are victims of organ harvesting. The minorities represent Falun Gong practitioners, Uyghurs, Tibetans, Muslims and Christians. It is reported that the prisoners are executed, and their [organs are removed against their will](#). The organs are then used in a prolific and profitable transplant industry ([Iqbal & Khan, 2022](#)). China appears to be the only country in the world with industrial-scale organ trafficking networks that harvests organs from executed prisoners of conscience ([Iqbal & Khan, 2022](#)).

The Gurgaon black market organ trafficking network, India

In January 2008, local police in India arrested several people for recruiting poor pavement dwellers from different Indian states to sell their kidneys.

The "[Gurgaon organ trafficking](#)" ring sold kidneys to [recipients](#) in the US, UK, Canada, Saudi Arabia, and Greece. Multiple victims exposed the ring after they were supposedly enticed to a property with the promise of employment, only to be duped or forced at gunpoint to sell their kidneys. Some hospitals were also reportedly involved in the illegal transplant activities. The trafficking network was in operation for [several years](#) and carried out around [500-600 transplants](#) up until between 2008-2013. The person running the racket was an [ayurvedic practitioner](#) who tried to evade arrest many times. Authorities have identified similar rackets in India in recent years.

The Netcare black market organ trafficking network, South Africa

Between 2000 and 2003, international organ traffickers brought about 200 Israeli patients ([Hassan, et. al, 2011](#)) with kidney disease to [South Africa](#). They also paid low-income Brazilians and Romanians relatively modest sums to give up a kidney. Around 109 alleged illegal transplants were reported. The traffickers presented the donors as the patients' relatives in the long-running operation. Investigations commenced in 2003. The police found out that illegal transplants were taking

place at St. Augustine's Hospital, part of the Netcare Kwa-Zulu (Pty) Limited chain in Durban. The network consisted of a central broker (from Israel), local recruiters in Brazil and local assistants in South Africa. The money flow was essentially coming from recipients to the main broker. Subsequently, the broker handed money down to the hospital/ surgeons and co-workers. Recipients were expected to pay up-front, whereas suppliers were paid only after the operation had taken place.

Netcare and St Augustine's Hospital admitted that they knowingly allowed their employees and facilities to be used for the trafficking of persons for their organs. It constituted one of the [first such cases to make its way before a court of law](#).



Organ trafficking across the globe: Kidney sellers show scars caused by operations to remove their kidneys in Lahore, Pakistan

Photo: [AP](#)

Legal challenges: prosecuting organ traffickers

Absence of applicable legislation

Despite strengthened legislative responses in the recent years, the number of

organ trade convictions remains very low ([Ambagtsheer & Balen, 2019](#)). Additionally, most countries [prohibit](#) the buying and selling of organs, and prosecute and penalise perpetrators. Traffickers often take advantage of vague organ trafficking laws and loopholes in the system. In some countries, national organ transplant legislation and the Penal Code [do not consider trafficking in persons](#) for organ removal as a form of organized crime. For instance, the prosecution faced obstacles due to a lack of appropriate legislation in the [Netcare case in South Africa](#). Instead, they had to charge the defendants with fraud, unlawful acquisition and use of human tissues, and unlawful payments. This resulted in relatively light sentences.

Additionally, there are few laws that restrict a person from leaving their country to obtain an organ from someone abroad. In truth, there are many companies that cater to transplant tourism. These companies often claim to only match up recipients with consenting donors. Overall, States should amend and adapt their national legislation to close such loopholes.

The public policy discourse on organ trafficking is steadily gaining traction as more light is shed on the issues of organ trafficking. In 2008, the “[Declaration of Istanbul](#)” was adopted in Istanbul, Turkey, at the [International Summit on Transplant Tourism and Organ Trafficking](#). It was convened by the Transplantation Society and the International Society of Nephrology. The Declaration sets out a number of principles and guidelines for ethical and legal practices in the field of organ transplantation. Overall it has the goal of combating both organ trafficking and transplant tourism. [More than 135](#) national and international medical societies and governmental bodies involved in organ transplantation have endorsed the document.

Lack of data

It can be [challenging](#) to gather accurate and comprehensive data on the prevalence and nature of organ trafficking. Thus, it is difficult to effectively identify victims, protect them, and prosecute traffickers. [Policymakers](#) need up-to-date data to understand the problems and bottlenecks in the justice system and identify policy options that could strengthen laws and access to justice.

Flexibility of trafficking networks

The unlawful trafficking of organs for transplantation is a global concern. These

[networks](#) are extremely adaptive and flexible, allowing them to operate in a wide range of countries and circumstances.

One study found that black market organ trafficking networks in Brazil were able to adapt to changes in laws and enforcement efforts. Thus, shifting their focus from international to domestic organ procurement and using new technologies to facilitate their operations. Another study in Europe identified the [use of social media](#) and messaging apps to facilitate the recruitment of organ sellers. Traffickers also use social media to disseminate false medical information to potential buyers.

In addition to their adaptability, black market organ trafficking networks often have complex and sophisticated structures, with multiple layers of intermediaries and facilitators ([United Nations Office on Drugs and Crime, 2020](#)). These networks often rely on the collusion of healthcare professionals and other authorities, as well as the use of [fake documents](#) and other forms of deception to carry out their illegal activities.

Overall, the flexibility and adaptability of black market organ trafficking networks make them difficult to detect and disrupt. This highlights the need for coordinated and effective efforts to combat this illicit trade.

International police and judicial cooperation

Law enforcement organizations face significant hurdles because human organ trafficking includes criminal [networks that operate on a global scale](#). Once authorities uncover the network, the probe spreads over several countries and even continents. This is similar to issues seen in other forms of human trafficking. In most cases, the nations where the transplants took place take the lead in the investigation and prosecution. Countries experiencing unstable political situations and that have limited resources for investigations and prosecutions may not have the capacity to tackle these issues. To address this hurdle, the prosecution may request [legal assistance from other countries](#) when it has established a link between the trafficking network and that country.

Corruption

The [corruption](#) of local authorities and healthcare professionals involved in black market organ trafficking undermines the integrity of these important institutions. Exploitation often has serious consequences for the individuals involved in the

process.

- Local police: Local police through the [use of their power and authority](#) can facilitate illegal trade. In some cases, police turn a blind eye to the activities of traffickers, accept bribes to overlook the trafficking, or even actively participate in the trade themselves.
- Other local authorities: In some cases, [politicians have acted as brokers](#) in the illegal organ trade. Customs officials also play a role in black market organ trafficking by allowing illegal organ shipments to pass through their borders unchecked. Some are directly [involved in the smuggling of organs](#), either for personal profit or as part of a larger criminal network.
- Healthcare professionals: Doctors and nurses are sometimes [involved in corrupt organ trafficking practices](#). This includes actively participating in the removal and transplantation of illegally obtained organs or turning a blind eye to the illegal activities of colleagues.

Suggestions to combat human (organ) trafficking

So, how we can shift into a thrivable future?

The fight against human trafficking requires better national criminal justice systems to effectively enforce anti-trafficking laws. These efforts must be part of a broader, multitrack approach that addresses the socioeconomic and political dynamics of trafficking.



Organ trafficking across the globe: Worsening humanitarian crisis in Afghanistan forces people to sell their kidneys

Photo: [\[Wakil Kohsar/AFP\]](#)

Highlighted below are some key recommendations.

Combating corruption

Governments and law enforcement agencies need to take strong action to combat the corruption that enables organ trafficking. This includes increased law enforcement efforts, stricter regulations, and monitoring of the organ transplantation process, and increased awareness and education about the issue.

Strong information-sharing systems

Building and maintaining effective [information-sharing systems and databases](#) would improve the identification and protection of trafficking victims, as well as the investigation and punishment of traffickers. These tools can help law enforcement and other authorities collect and exchange information on human trafficking cases. This would allow them to more effectively detect and analyse trends and patterns, identify victims and perpetrators, and build compelling cases against traffickers. Police inquiry should also concentrate on money flows associated with an organ trafficking organisation.

It is also important to [establish national transplant registries](#) and ensure the recording of all donations and transplantation procedures to ensure transparency, traceability, and appropriate patient care as well as to obtain data. This would prevent traffickers from abusing transplantation systems. The registries should be regularly audited.

Strengthen legislation

National legislation should [criminalise the entire range of organ trafficking offences](#), including trafficking in persons for the purpose of organ removal and the illicit removal and commercialization of organs from both living and deceased people. This would provide an effective response to the illicit removal and use of human organs. Law enforcement agencies and the judiciary should be aware that they have the obligation not to punish victims of trafficking in persons for the purpose of organ removal ([Pascalev, et. al., 2016](#)). They should ensure that [victims are not prosecuted](#) for engaging in organ trafficking crimes. Such crimes include accepting financial rewards or advertising a propensity to sell as a direct result of being trafficked. However, we must hold the recipients of these organs morally responsible for aiding and abetting trafficking in organs.

Victim Protection

There must be greater effort to [address the needs of victims](#). In addition to personal safety and security, victims need access to legal protection, health care, and temporary shelter, as well as assistance with repatriation and integration. International and national human trafficking laws provide the rights of trafficked people, including those trafficked for organ removal, to protection, assistance, and access to justice and related services.

Prosecutors can use the testimony of people who have contributed organs for trafficking as witnesses. However, victims must be adequately protected. These individuals can provide crucial evidence for prosecuting traffickers. Meanwhile, organ suppliers in human trafficking cases are almost never considered “culprits,” but rather “victims” ([Gunnarson, Lundin, 2015](#)). In most cases, countries disagree on whether to punish or consider a person who sells an organ (with or without consent) a “victim” of organ trafficking ([Gunnarson, Lundin, 2015](#)).

Increase availability of live organ donation through legal means

As indicated, the core reason for organ rackets to be in operation is the high demand and scarcity of organs for transplantation. The establishment of a legal framework and the development of expert guidelines are necessary for the thorough screening of potential live donors ([Duguay, et al., 2020](#)). This would help rule out coercion, fraud, deception, or abuse of a position of vulnerability. Countries such as the UK, the Netherlands and Sweden, have significantly [increased their kidney transplant rate](#) by increasing the frequency of living donor transplants. [Iran](#) is the only country in the world that allows living paid kidney donation.

Maximizing deceased donation rates and improvements in normal live donation programmes in the countries of origin of recipients of organs obtained from victims of the illegal organ trade, can help lessen the demand for illicit organ transplants ([Pascalev, et. al., 2016](#)). Notwithstanding, national reform to increase organ transplant rates through legal means is promising news for patients on the transplant waitlist and the people in their lives who want to donate a lifesaving organ.

Raising public awareness on donation

[Increasing public awareness](#) of the positive aspects of organ donation and illicit black market organ trafficking across the globe should be a continuous effort. One way to increase knowledge about donation and transplantation among the public is to introduce tailor-made education programmes. Another way is to promote healthy living to counter the incidence of diabetes and kidney failure ([Pascalev, et. al., 2016](#)).

Stronger sanctions against health professionals involved in human trafficking

Trafficking in human organs and commercial transplants could not take place without the cooperation and involvement of health professionals. Therefore, [stronger penalties for health professionals](#) who undertake unlawful organ transplants will serve as a deterrent. Health personnel should be advised to avoid becoming accomplices and should not assist patients seeking illicit transplants. Sanctions can include removal from the medical registration and imprisonment.

Medical and other professionals involved in organ transplantation and transplant

centres can also make significant contributions to the prevention of human organ trafficking and the protection of victims and future victims ([Pascalev, et. al., 2016](#)).

Improving socio-economic conditions

A country's social and economic development is a [key factor in corruption risk](#). Countries are in a unique position to prevent organ trafficking by addressing socioeconomic conditions that render people prone to trafficking and implementing steps to reduce the demand for organs ([Pascalev, et. al., 2016](#)). We can alleviate factors that make persons vulnerable to trafficking, such as poverty, underdevelopment, and lack of economic opportunities, by developing strategies.

More research on organ trafficking and migrants

Despite some success in detecting and dismantling organ trafficking networks, a number of human [organ removal attempts still go undetected](#). This is common especially among migrants. Therefore, more research into the connection between migrants and organ trafficking is advised.

Organ Trafficking in relation to the SDGS

The [Sustainable Development Goals](#) (SDGs) recognize the importance of addressing organ trafficking across the globe and other forms of modern slavery. Countries should push to achieve the SDGs to combat organ trafficking across the globe and end all forms of human trafficking. There are several SDGs targets that address human trafficking issues. For instance:

- [SDG 8](#) (target 8.7) aims to “take immediate and effective measures to eradicate forced labor, end modern slavery and human trafficking.” Additionally, several other the SDGs also address issues related to human trafficking through other goals and targets.
- [SDG 16](#) focuses on promoting peaceful and inclusive societies, which can help prevent the exploitation and violence often associated with organ trafficking.
- [SDG 17](#) aims to strengthen the means of implementation and revitalize the global partnership for sustainable development. The targets under SDG 17 outline policy and international coherence, multi-stakeholder partnerships as well as data monitoring and accountability, which can

support efforts to combat organ trafficking at the global level.

Furthermore, a [human rights-based approach](#) to organ trafficking and other forms of trafficking can lead to the development of more effective indicators, because this approach places a greater emphasis on addressing the [human rights](#) violations that occur. This approach looks at vulnerabilities and discrimination as well as methods of protection.

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