Organ Trafficking

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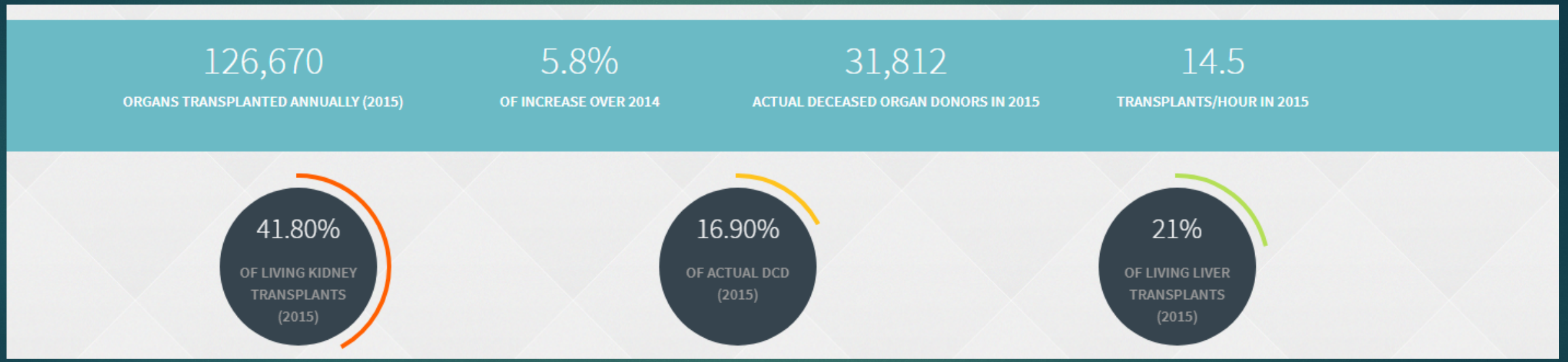
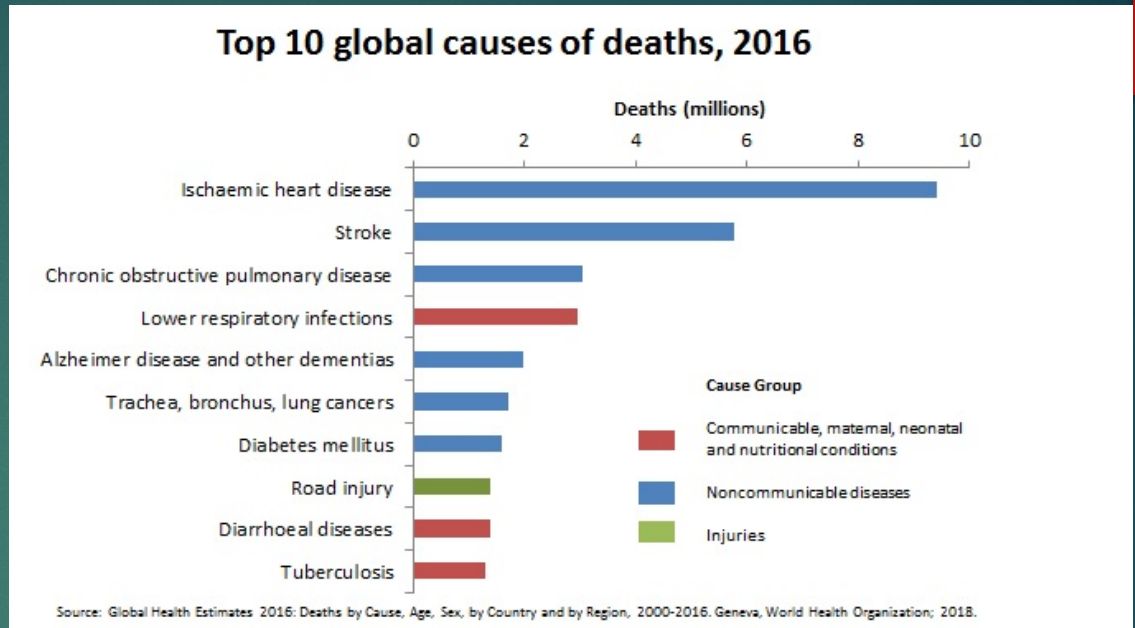
2015 Global Transplant Activity

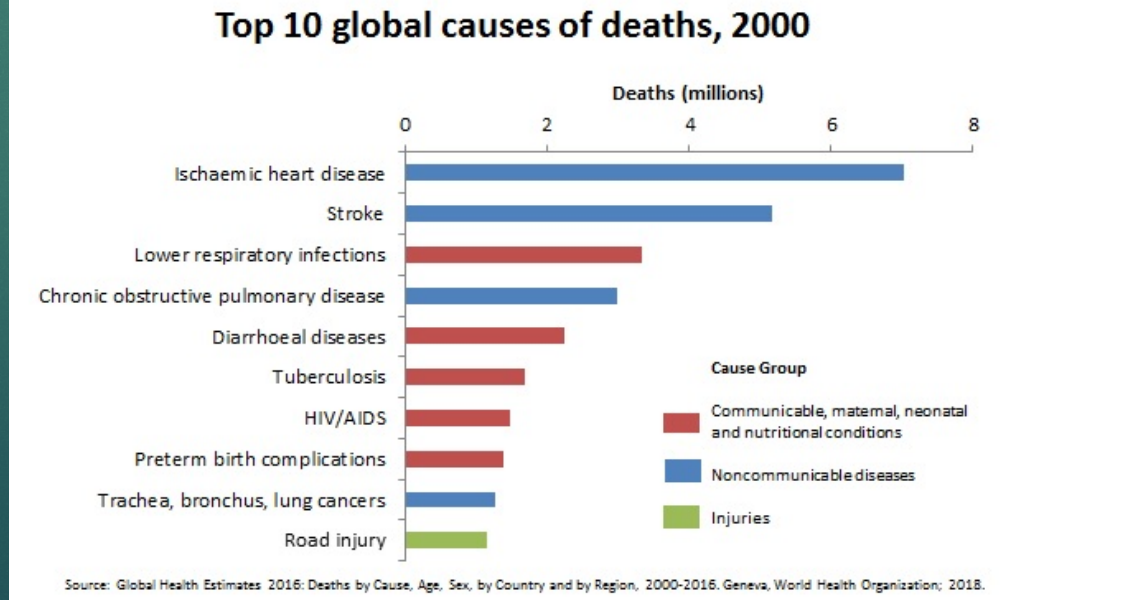


The Idea of National Self Sufficiency

- Dictates that a country understands the needs of patients with end organ failure
- Develop adequate health providers -physicians, surgeons, nursing and hospital resources
- Meet Tx need with live donor/deceased donors sources
- Develop infrastructure support
- Registries for recipients and donors(both live and deceased)

Top 10 Global Causes of Death 2000-2016





Global Burden of Primary Liver Cancer

The Burden of Primary Liver Cancer and Underlying Etiologies From 1990 to 2015 at the Global, Regional, and National Level

Results From the Global Burden of Disease Study 2015

Global Burden of Disease Liver Cancer Collaboration

Article Information

JAMA Oncol. 2017;3(12):1683-1691. doi:10.1001/jamaoncol.2017.3055

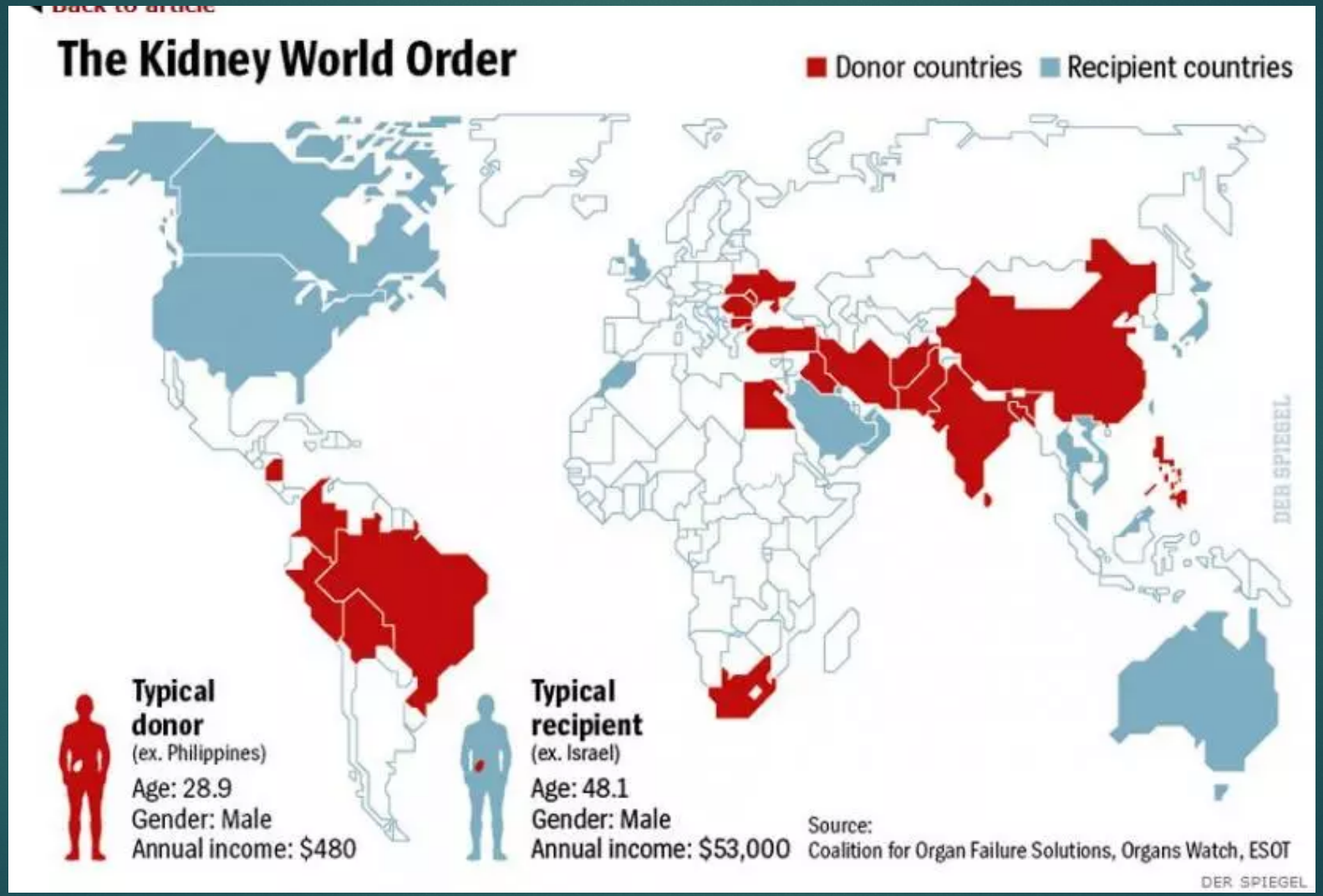
854,000 incident liver cancer cases and 810,00 global liver cancer deaths in 2015

- HBV-265,000 deaths(33%)
- ALD -245,000 deaths(30%)
- HCV -167,000 deaths(21%)
- Other -133,000 deaths(16%)

Most liver cancer deaths can be prevented-vaccination, antiviral Rx, safe blood, safe injections and decreased alcohol use






The Kidney World Order
Donor countries
Recipient countries
Typical donor
(ex. Philippines)
Age: 28.9
Gender: Male
Annual income: $480
Typical recipient
(ex. Israel)
Age: 48.1
Gender: Male
Annual income: $53,000
Source:
Coalition for Organ Failure Solutions, Organs Watch, ESOT
DER SPIEGEL
DER SPIEGEL



Organ trafficking

2008 Definition: hybrid based on Palermo

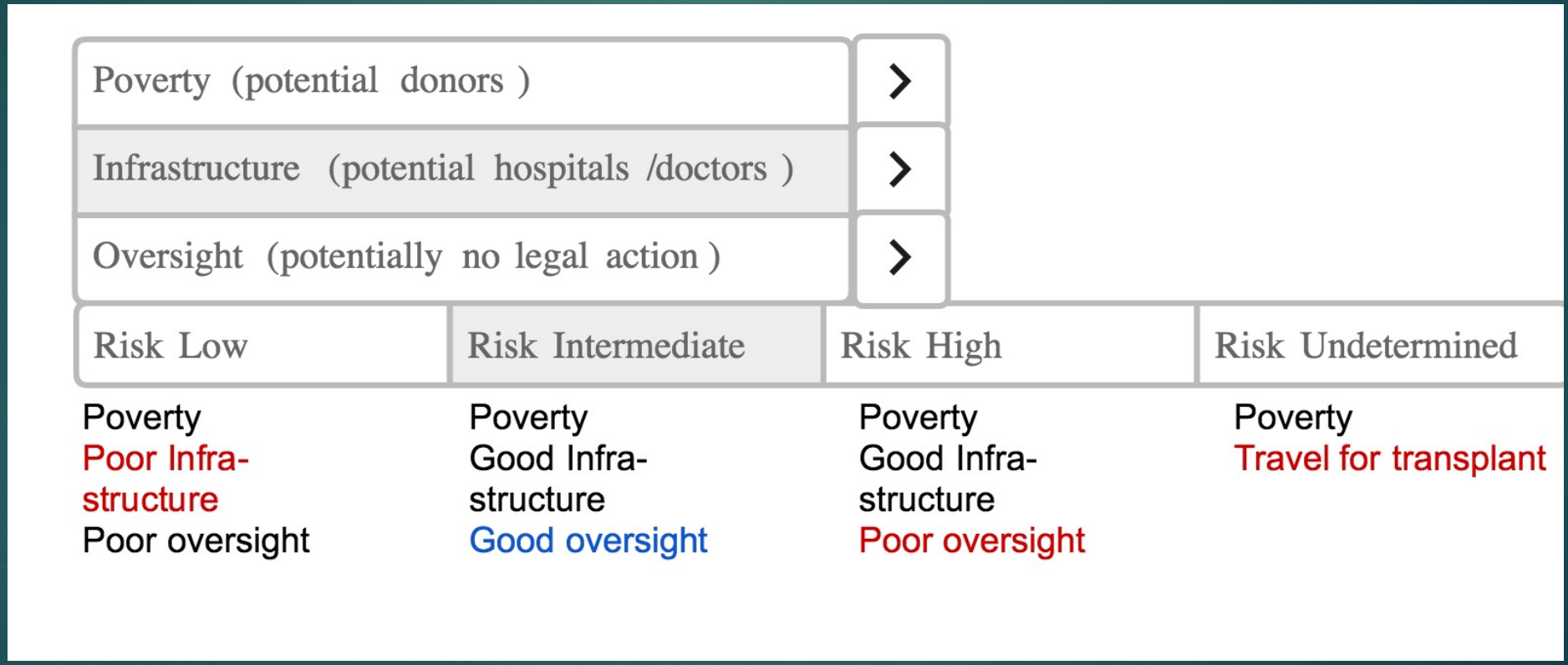
2018 Definition: directly based on CoE

- removing organs without valid consent or authorisation or in exchange for financial gain or comparable advantage;
- transporting, manipulating, transplanting & using such organs;
- offering any undue advantage to, or requesting the same by, a healthcare professional, public official, or employee of a private sector entity to facilitate or perform such removal or use;
- soliciting/recruiting donors or recipients for financial gain;
- attempting, aiding or abetting any of these acts.

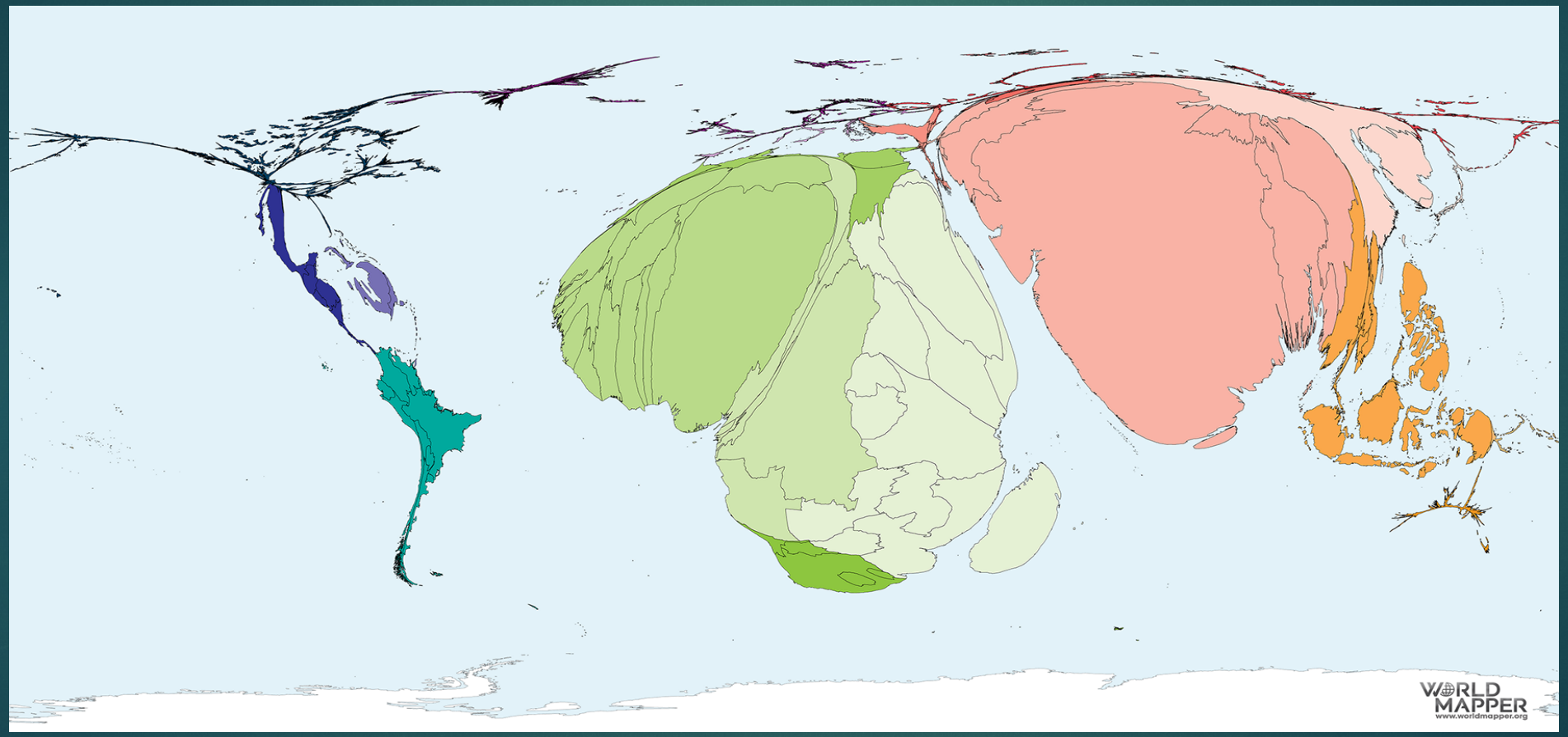
Gaps Filled by New 2018 Convention

- Allows for prosecution of brokers even if the means used do not amount to human trafficking
- Criminalizes corrupt officials and persons who remove, transfer or use an organ if they know the donor has not given valid consent or was offered payment
- Physicians are liable if they remove organs from deceased persons if no valid authorization was obtained or there was payment to family

Stratifying Risk for Commercial Transplant programmes



Poverty

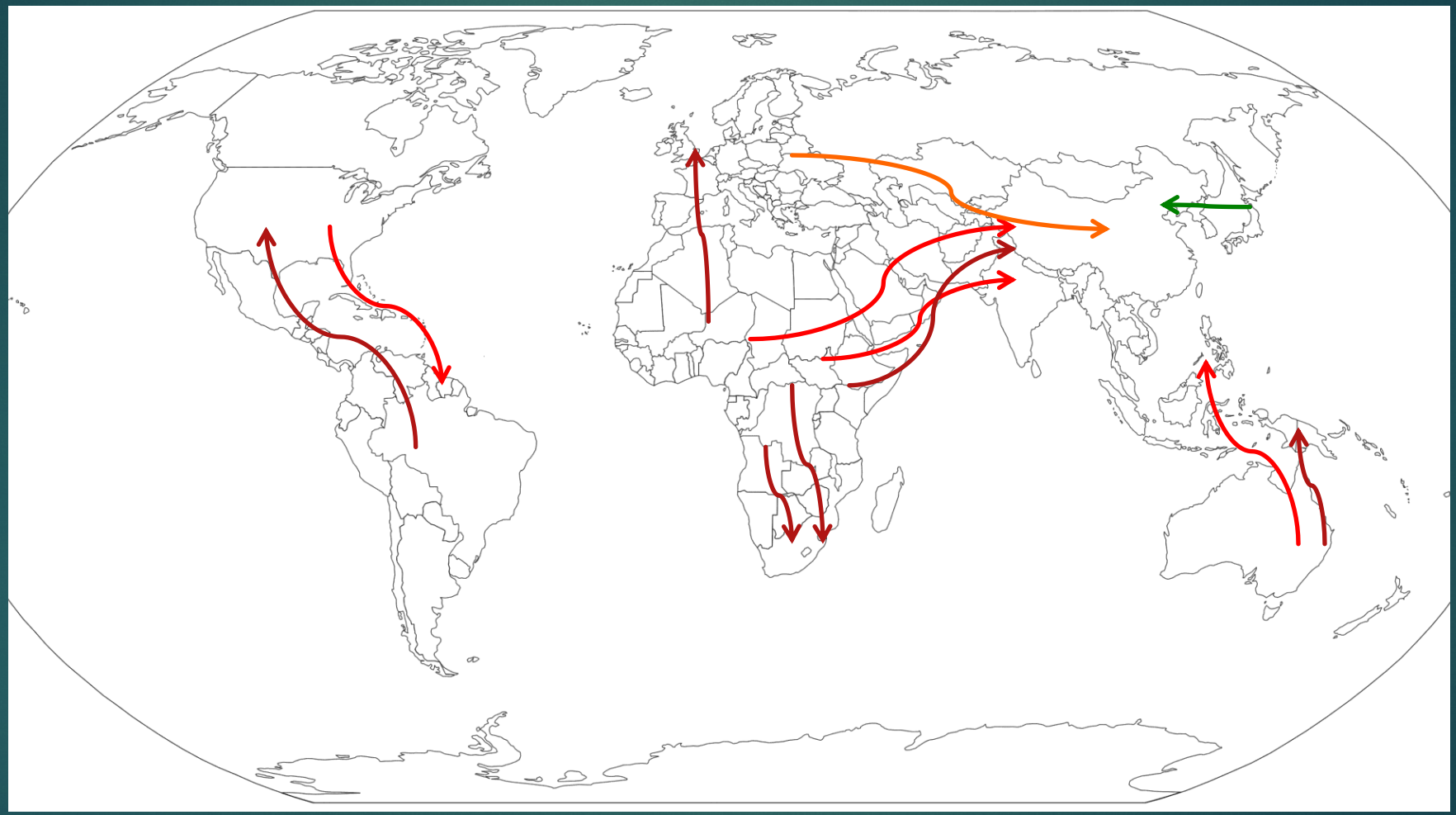


Potential commercial donors often from areas in the world where there is huge poverty

Where did the offence take place?

- Some elements of the crime in one country/ Other elements of the crime in another country
- Crime committed - but where it is completed?
- Could such offenses be effectively brought to trial?
  - Practical problems investigating such crimes outside the border
  - Require cooperation of law enforcement agencies

Where do patients travel?



Current places with issues with organ trafficking

- India
- Turkey
- Philippines
- Pakistan
- Egypt
- Peru
- Mexico
- Bangladesh
- Mongolia
- Vietnam

- When you get control over criminal activity in one place it pops out in another

All these crimes involve surgeons, nurses and physicians!!



Syrians Leaving Behind Their Country To Find A New Place To Call Home.

Scenes like this are common, groups of sometimes hundreds of thousands of people migrating out of Syria in search for a new home.

Syrian refugees flee to Turkey

- Agree to sell a kidney in order to make money for their families
- +/- USD10,000/kidney

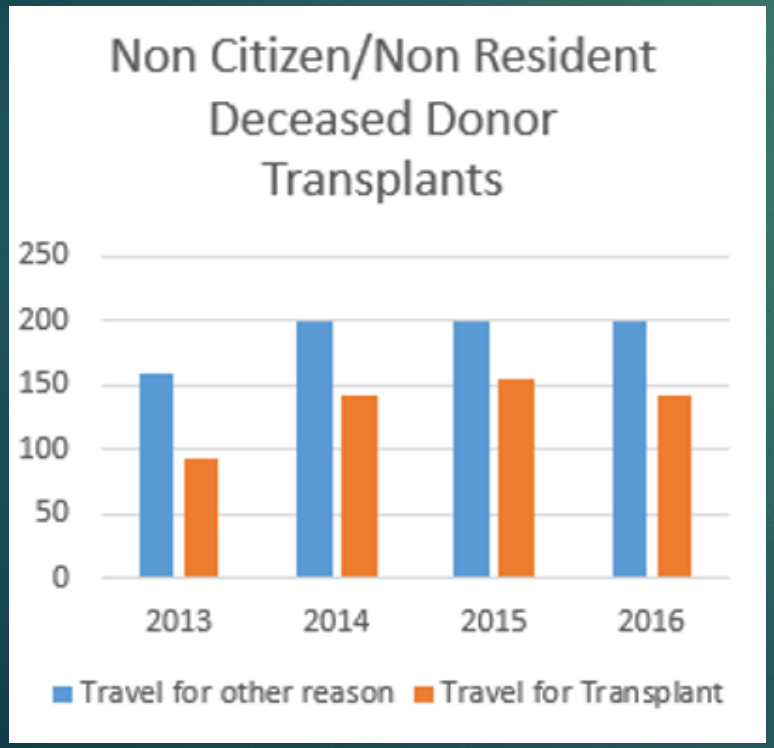


Diagrams showing how much organs can sell for are common on social media. Credit: ITV News

There are almost 3 million Syrian refugees in Turkey – most of them are denied Asylum

Foreign Nat'l Transplants in US

- 2013-2016 1,176 deceased donor tx in NC/NR



- 2013-2016 99,285 deceased donor tx in US-

1.2% NC/NR(TFT and TFO)

5 kidney centers and 7 liver centers performed >5%:ranging from 6-53% for kidney and 5.5-16% for liver

NC/NR Deceased Donor Transplants 2016 Country of Origin

Kidney	30	Saudi Arabia 5, Kuwait 4, All others 11, Not reported 10
Liver	61	Saudi Arabia 21, Kuwait 11, Israel 6, UAE 5, All others 13, Not reported 5
Pancreas	4	Saudi Arabia 2, All others 2
Heart	23	Kuwait 6, Japan 5, Saudi Arabia 2, UAE 2, All others 8
Lung	13	Saudi Arabia 5, Kuwait 2, Indian 2, All others 4
Intestine	10	Saudi Arabia 3, Kuwait 2, Brazil 2, All others 3
Travel for Other Reason		
Kidney	127	Mexico 42, Guatemala 6, El Salvador 4, Honduras 4, Other Central/South America 4, Saudi Arabia 1, Egypt 1, All others 10, Not reported 55
Liver	27	Mexico 10, Saudi Arabia 2, All others 12, Not reported 3
Pancreas	0	
Heart	3	Haiti 1, Russia 1, Venezuela 1
Lung	2	Saudi Arabia 1, Syrian Arab Republic 1
Intestine	0	

Governmental Responsibility for Tx

- Establish brain death legislation
- Establish organ procurement units
- Certify transplant centers
- Establish tissue banks
- Establish brain death identification units
- Prohibit unethical transplant practice (paid donation, trafficking, approach to foreigners)
- Establish registries
  - Listed patients
  - Transplant patients
  - Donors
- Develop transparent equitable methods of organ distribution

Combined approach to unethical transplant practices

- Membership to nat'l/internat'l organizations
- Restrictions on publications
- Central repository of transgressions
- Intervention by local key opinion leaders
- Interaction with national prosecutors
- Participation of religious leaders
- Medical school education-ethics/professionalism
- Treating physician responsibility
- National accountability

1. That all nations and all cultures recognize human trafficking for the purpose of organ removal and organ trafficking, which include the use of organs from executed prisoners and payments to donors or the next of kin of deceased donors, as crimes that should be condemned worldwide and legally prosecuted at the national and international level.

2. That religious leaders encourage ethical organ donation and condemn human trafficking for the purpose of organ removal and organ trafficking.

3. That nations provide the resources to achieve self-sufficiency in organ donation at a national level—with regional cooperation as appropriate—by reducing the need for transplants through preventive measures and improving access to national transplant programs in an ethical and regulated manner.

4. That governments establish a legal framework that provides an explicit basis for the prevention and prosecution of transplant-related crimes, and protects the victims, regardless of the location where the crimes may have been committed, for example by becoming a Party to the Council of Europe Convention against Organ Trafficking.

5. That healthcare professionals perform an ethical and medical review of donors and recipients that takes account of their short- and long-term outcomes.

6. That governments establish registries of all organ procurement and transplants performed within their jurisdiction as well as all transplants involving their citizens and residents performed in another jurisdiction, and share appropriate data with international databanks.

7. That governments develop a legal framework for healthcare and other professionals to communicate information about suspected cases of transplant-related crimes, while respecting their professional obligations to patients.

8. That responsible authorities, with the support of the justice system, investigate transplants that are suspected of involving a crime committed within their jurisdiction or committed by their citizens or residents in another jurisdiction.

9. That responsible authorities, insurance providers, and charities not cover the costs of transplant procedures that involve human trafficking for the purpose of organ removal or organ trafficking.

10. That healthcare professional organizations involved in transplantation promote among their members awareness of, and compliance with, legal instruments and international guidelines against organ trafficking and human trafficking for the purpose of organ removal.

11. That the World Health Organization, the Council of Europe, United Nations agencies, including the United Nations Office on Drugs and Crime, and other international bodies cooperate in enabling a comprehensive collection of information on transplant-related crimes, to yield a clearer understanding of their nature and

The Future

- **Consistent policies** for professionals when dealing with organ selling.
- Doctors are obliged to protect vulnerable donors **as well as** the patients they care for.
- We urgently need a **broader dialogue** between healthcare lawyers, criminal lawyers, policy makers
- We need transparent regional/national data regarding donors, recipients, tx outcome
- **Voluntary professional reporting:**

  development of a global registry of transnational transplant activities in conjunction with a standardized international referral system for legitimate travel for transplantation

Reconciliation, in **Christian** theology, is an element of salvation that refers to the results of atonement. **Reconciliation** is the end of the estrangement, caused by original sin, between **God** and humanity. ... **God** is the author, Christ is the agent and we are the ambassadors of **reconciliation** (2 Corinthians 5)."