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Session Title : Ethical challenge in Organ Transplantation in Asia

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## Organ Trafficking

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**Organ Trafficking.** Ghazali Ahmad. Consultant Nephrologist. National Heart Institute, Kuala Lumpur The success of life saving and life transforming organ transplant in humans since 1954 in Boston, eventually proved itself as a viable and the best form of treatment for patients with end stage kidney failure, and other organ failures. Unfortunately, the initial success and subsequent expansion of the transplant program worldwide, resulted in the universal mismatch between the need and supply of various organs. The initial ethical dilemma of breaching the principle of 'primum non-nocere' for a surgery on a living-donor or a deceased person solely for the purpose of organ removal for transplantation, was subsequently multiplied with many more ethical issues and dilemmas especially in issues related to donor autonomy, donor safety, protection, commercialism and organ trafficking. While ethically performed organ transplant is justifiable, organ trafficking and trafficking in persons (TIP) for the purpose of organ removal involve abuse and exploitation of the poor, vulnerable members of the society, force, coercion and criminal acts. Additionally, the acts of buying and selling of organs, either openly or in black markets treat human organs as commodities for trading and financial transactions. The involvement of medical professionals in addition to brokers and traffickers, in facilitating and actual conduct of organ removal and transplant surgery in those cases, not only breach universal professional ethics and principles but will undermine the public trust in the medical profession and the transplant program itself. Recognizing the seriousness of the problem and the adverse consequences, ISN and TTS had taken an initiative to issue a comprehensive guidance and recommendation for medical practitioners, transplant professionals and organizations to combat organ trafficking and travels across national borders for illegal transplants. The United Nation through the World Health Assembly had issued the WHO guiding principles on organ transplantation to get member nations to promote national transplant program for the need of their nationals and prevent human trafficking for organ removal. The United Nations Office On Drug and Crime (UNODC) had recently prepared a toolkit for reference and guidance by each country's enforcement agency to identify and investigate possible cases of TIP for illegal organ removal or organ trafficking. The Council of Europe had produced a more comprehensive document and instrument which include legislative aspects and punitive elements to prevent and penalize the acts of organ trafficking in the territories or

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jurisdiction of the European nations. The wide socioeconomic gaps in each country and in between nations in Asia, with proportionately larger number of those in the very low income group compared to Europe and North America, together with the low level of literacy and formal education achievement in many areas , added to the very low rate of organ donation and transplantation in most countries in the continent, present a fertile ground for organ trafficking and TIP for organ removal. It becomes incumbent on the government and medical professionals of each country in the region to be familiar with this issue, identify any weakness for improvements to reduce the occurrence of organ trafficking or TIP for organ removal. They should also translate the recommendations and guidance in the Declaration of Istanbul document and the WHO Guiding Principles on Human Cell Tissue and Organ Transplantation into appropriate and affirmative action in order to bring about positive changes which can increase ethically and legally performed organ retrieval and organ transplant in each respective country.