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Eastern Europe: 'An Attack On Human Dignity' -- Council Of Europe Decries Organ Trafficking

June 25, 2003 00:00 GMT

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The Council of Europe is calling for a common European strategy in fighting against trafficking in human organs. Its report on the issue, presented today in the council's Parliamentary Assembly, says kidney trafficking has become a hugely profitable business for organized crime. People in impoverished Eastern European countries such as Moldova and Ukraine are the most usual victims of the illicit trade, which the council calls an attack against human dignity. The report says combating poverty in Eastern Europe is the best way to curb organ trafficking, and urges improved cooperation between rich Western countries and their Eastern neighbors.

Prague, 25 June 2003 (RFE/RL) -- How much food and clothing can \$3,000 buy? Is it worth a lifetime of suffering? Some Eastern Europeans may have asked themselves such questions before deciding that, yes, it was worth sacrificing one of their kidneys in order to provide food and shelter for their families.

The growth of the human organs black market in Europe has attracted the attention of the Parliamentary Assembly of the Council of Europe, which today is hearing a report on the issue.

The report says that international criminal organizations are capitalizing on the growing demand for kidneys for transplants, and are pressuring poor Eastern Europeans into selling their organs.

Rapporteur Ruth-Gaby Vermot-Mangold, who authored the report, says kidney traffickers have focused in particular on Europe's poorest country, Moldova, where the average monthly salary is less than \$50.

Vermot-Mangold tells RFE/RL that during a fact-finding mission to Moldova last year, she met with numerous people who had sold their kidneys via trafficking networks linking Moldova, Turkey, Ukraine, and Israel.

"The donors are young men between 18 and 28 years of age. I did see 14 of these young men, I had a deeper interview with four of these young men. They are living in very, very poor conditions in rural parts of the country and poverty had driven some to sell their kidney for a sum of \$2,500 to \$3,000. And the recipient pays \$100,000 and \$250,000 per transplant. The rest of the money goes to the international organized crime. It is international organized crime who takes the rest of the money, and the doctors who make the transplants," Vermot-Mangold says.

The report says a chronic organ shortage means between 15 percent and 30 percent of European patients die while waiting for a kidney transplant. The average wait for a legal transplant is now three years. It is expected to increase to 10 years by 2010.

Vermot-Mangold says patients in need of a kidney sometimes find donors through front people for the criminal networks. Organ donors themselves occasionally end up acting as intermediaries.

The report says most donors travel to Turkey, where transplants are conducted, usually at night, in rented hospital facilities.

Donors are sent home after only five days. The report says their state of health generally deteriorates due to a lack of "any kind of medical follow-up, [as well as] hard physical work and an unhealthy lifestyle."

While the report does not directly identify where the buyers come from, it quotes an article published in "The Lancet" medical magazine, which says that some Israeli transplant recipients have purchased kidneys from people living in Estonia, Bulgaria, Turkey, Georgia, Russia, and Romania.

Vermot-Mangold tells RFE/RL that Ukrainians and even Iraqis have also resorted to selling their organs. "We had the information, we had it, and we asked several times that it was also in Iraq. But it is also in Ukraine, it is also in other countries, there are cases in different countries and Iraq is a perfect country [for people] to sell organs. [Even though] now it is perhaps another situation after the war, it is now not interesting anymore for the organized crime."

Vermot-Mangold says the situation raises a number of questions: should the poor provide for the rich? Should poverty compromise human dignity and health?

She says that organ selling is unethical, and should be replaced as much as possible by organ donation.

"It is not ethical, we have not enough organs for [patients'] needs, it is illegal, it is against human rights -- it is illegal to sell your organs. The organ donation has to be without profit and your organ donor, if it is a live donor, it has to be in the family. Now, [European countries] will [probably] enlarge the circle of donors. But whether you should give money for your organ is not in question. And I think we have to step up cooperation in promoting organ donation," Vermot-Mangold says.

But, is organ selling illegal? The question remains murky, even though the Council of Europe has made part of its legal "acquis," or body of laws, the principle that the human body and its parts shall not be used for financial gain.

The principle was enacted by the council's Convention on Human Rights and Biomedicine, and was reiterated in an additional protocol opened for signature in 2002.

Under the council regulations, a convention becomes legally binding for those states which ratify it. Moldova ratified the Convention on Human Rights and Biomedicine in 2002. It came into force on its territory in March. Turkey has yet to ratify it.

However, the report says that even though organ trafficking is legally banned in member states, most countries' legislations still have loopholes. Criminal responsibility is rarely specified clearly in national legislation.

Moldovan investigative journalist Alina Avram tells RFE/RL that indifference on the part of the public and officials only compound the laws' insufficiencies.

"I hung a sign around my neck reading 'kidney for sale' and stood half a day outside several legal institutions in Chisinau -- the security service, Interior Ministry, the prosecutor's office -- to see how people and officials react. And they didn't react in any way," Avram says. "That's because, according to our current legislation, kidney donors [or sellers] are not punishable and officials are not supposed to take any action against them. I stood under the [Interior Ministry's] stairway and nobody paid attention to me, except for those policemen who were telling me to walk across the road, where the marketplace is, and sell my kidney there."

So far, only two organ trafficking cases have made it to the courts in Moldova. One case has been dragging on for two years. The second one was closed, with two traffickers being condemned to a five-year suspended sentence.

Avram says such lenient sentences are likely to make organ trafficking victims even more reluctant to come forward.

She adds that organ trafficking and trafficking in women and children are two sides of the same problem, and are largely facilitated by government corruption: "Where there is trafficking in human beings there's also trafficking in organs. We reached this conclusion after we found out that both forms of trafficking are being organized by the same Mafia clans and are covered by the same spheres of interest in the official state structures. And both [forms of trafficking] are investigated by the same officials."

The report is urging Council of Europe bodies to develop a unified European strategy to combat organ trafficking, give organizational assistance to member states, and improve regional cooperation under bodies such as the Stability Pact Task Force on Trafficking in Human Beings.

But rapporteur Vermot-Mangold says the most important recommendation is in regard to the fight against poverty and corruption in Central and Eastern Europe.

"The most important thing is to fight against poverty, so that people are not forced to sell [their] organs. So it is the first thing that development agencies, investment agencies [have to do], to have projects in these countries, for these people. And if you have too much corruption in these countries -- Moldova is a corrupt [country], it has a corrupt government -- so as long as you have corruption in these countries, it is very difficult to have investors. But to fight poverty is the first thing to do."

Vermot-Mangold also said that media and international NGOs should play a more important part in raising awareness throughout the continent about the seriousness of organ trafficking.