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# BACKGROUND PAPER

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**Topic:** “ Global perspectives on organ donation and the regulation of organ markets ”

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**World Health Organization**

**Chair and Moderator names**

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# Committee Background

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The World Health Organization (WHO), founded in 1948, is the specialized agency of the United Nations responsible for international public health. Guided by its constitution, which affirms health as a fundamental human right, the WHO coordinates global efforts to achieve the highest attainable standard of health for all peoples (World Health Organization, 2020).

WHO sets medical and ethical standards, provides technical support to member states, and monitors health issues worldwide. In the area of transplantation and organ donation, WHO plays a crucial role in developing guidelines that emphasize equity, transparency, and the prevention of organ trafficking and transplant tourism (WHO, 2010).

# Introduction of the Topic

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Organ transplantation represents one of the greatest achievements of modern medicine, offering life-saving treatments for patients with organ failure. However, the global demand for organs far exceeds supply: as of 2023, thousands of patients worldwide die each year while on waiting lists (Global Observatory on Donation and Transplantation [GODT], 2023).

The scarcity of organs has given rise to illegal organ markets and transplant tourism, often linked to human trafficking and exploitation of vulnerable populations. These practices raise significant ethical, legal, and human rights concerns (Budiani-Saberi & Delmonico, 2008).

The issue involves balancing ethical donation systems with the pressures of commercialization, sparking international debates over how to regulate organ procurement and ensure fairness.



# Evolution of the Topic

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The first successful human kidney transplant took place in 1954, marking the start of modern organ transplantation (Murray, 1992). Since then, advancements in surgical techniques and immunosuppressive drugs have expanded the possibilities for heart, liver, lung, and even face and uterus transplants.

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As success increased, so did demand. By the late 20th century, waiting lists grew exponentially, while supply stagnated. Reports of illegal organ trade emerged in the 1980s and 1990s, particularly in countries with weak regulation (Shimazono, 2007).

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In response, WHO adopted the Guiding Principles on Human Cell, Tissue and Organ Transplantation in 1991 (revised in 2010), which emphasize voluntary, unpaid donation and prohibit organ trade. The 2008 Declaration of Istanbul on Organ Trafficking and Transplant Tourism further consolidated global consensus on combating unethical practices (Delmonico et al., 2008).

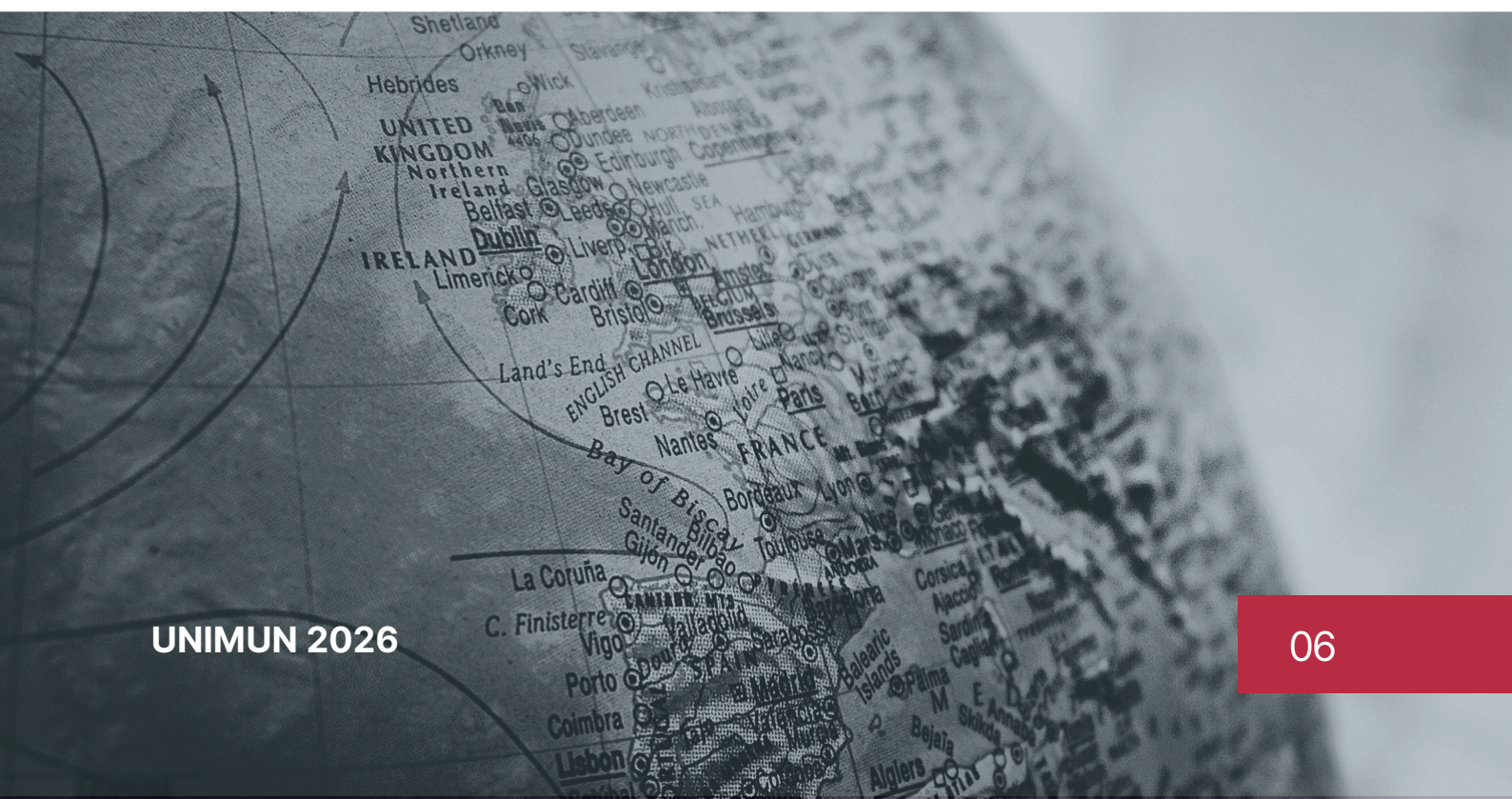
# External Actions

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The World Health Organization (WHO) has established the Guiding Principles on Human Cell, Tissue and Organ Transplantation to promote voluntary, non-paid donation, prevent the commercialization of organs, and help member states develop ethical national frameworks while encouraging international cooperation to trace and regulate organ transplants.

The Council of Europe created the Convention against Trafficking in Human Organs (2015), which criminalizes illegal organ removal and promotes collaboration between nations to investigate and prevent organ trafficking. The Committee of Experts on Trafficking in Human Organs, Tissues and Cells monitors implementation and supports countries in aligning their laws with international standards.

Additionally, the Declaration of Istanbul Custodian Group (DICG), supported by global medical organizations, works to stop organ trafficking and transplant tourism. It encourages nations to achieve ethical self-sufficiency in organ donation and to build transparent, trustworthy systems that protect both donors and recipients.





# Committee Focus

WHO addresses the need for a universal ethical framework that ensures organ donation is voluntary, transparent, and free from exploitation. Delegates will explore how international norms, such as those established by the World Health Organization and the Declaration of Istanbul, can be effectively incorporated into national laws to create fair and consistent systems. The discussion will also cover the persistent issue of the illicit organ trade, focusing on legal, medical, and investigative measures to dismantle trafficking networks and prevent unethical practices such as transplant tourism.

Furthermore, delegates will examine the possibility of regulated compensation models where donors get small incentives, but only with strict ethical rules. The debate will also emphasize the importance of cross-border cooperation, especially in data sharing, victim protection, and joint law enforcement efforts.

## KEY FOCUS STATEMENTS TO DISCUSS:

1. Ethical Frameworks
2. Combating Organ Trafficking
3. Regulation vs. Prohibition
4. Equity and Access
5. International Cooperation

# Conclusion

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Organ donation represents one of the most remarkable achievements of modern medicine, offering countless individuals a second chance at life. Yet, despite scientific progress, the world continues to face deep inequalities in access to transplants and persistent ethical challenges in the procurement and allocation of organs. The gap between organ supply and demand has driven the rise of illicit organ markets, creating conditions where vulnerable populations often from lower-income regions are exposed to exploitation. These realities highlight the urgent need for stronger governance, transparent health systems, and public trust in donation processes.

Beyond simply prohibiting unethical practices, the international community must also invest in education, innovation, and social awareness to encourage voluntary donation. Building culturally sensitive awareness campaigns, supporting donor families, and improving healthcare infrastructure in developing countries can all contribute to safer and more equitable systems. Moreover, technological solutions such as global registries, digital tracking systems, and secure data exchange between countries could enhance oversight and prevent abuse.

Ultimately, the issue of organ donation transcends medicine it reflects global questions about equity, human dignity, and ethical responsibility. Finding common ground between medical necessity and moral principle will require collaboration among states, civil society, and international organizations. By reinforcing shared ethical standards and expanding cooperation, the global community can work toward a future where organ donation is both accessible and humane, ensuring that life-saving opportunities are offered with fairness, transparency, and respect for every individual.



# Countries Position

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**United States of America** — Rejects organ trafficking and supports international cooperation, criminal prosecution of traffickers and victim protection; emphasises law enforcement, public-health safeguards, and donor-registry transparency.

**China** — Publicly stresses reform and regulation of transplantation systems, but has faced major international criticism and independent tribunal findings alleging forced or non-consensual organ removals; China's transparency remains a central international concern.

**Spain** — Strong advocate of ethical, voluntary donation and national self-sufficiency (Spain's model/coordination is promoted as best practice to reduce black-market pressure). Delegates often point to Spain's high donation rates as evidence that investment in systems and trust reduces illicit markets.

**India** — Condemns organ trafficking while balancing a need to expand ethical donation; has criminal laws (Transplantation of Human Organs Act) and faces ongoing enforcement challenges in some regions. Delegations stress both legal reform and awareness campaigns.

**Germany** — Supports strict legal safeguards (Transplantation Act) and ethical controls; prioritises donor consent rules, medical oversight and prosecution of illegal transplant networks.

**Costa Rica** — Endorses WHO principles and regional cooperation; focuses on protecting vulnerable populations, improving donation infrastructure, and harmonising laws to prevent cross-border trafficking.

**Guatemala** — Condemns organ trafficking and calls for stronger victim protection and cross-border enforcement; highlights vulnerability of poor and indigenous communities to exploitation. (Position aligns with calls for international cooperation and victim support in UN/WHO documents).

**Canada** — Criminalizes trafficking in human organs and transplant tourism (recent legislative steps such as Bill S-223); supports prosecution of offenders, inadmissibility measures, and cooperation with international frameworks.



# Countries Position

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**Australia** — Condemns organ trafficking, has criminal provisions and policy reviews to strengthen extraterritorial jurisdiction and border measures; emphasises public education and harmonised laws across states.

**Republic of the Congo (Congo-Brazzaville / DRC context)** — Governments in the region highlight trafficking risks amid weak enforcement and call for capacity-building, victim referral systems and cooperation with INTERPOL/UNODC to tackle organ removal trafficking. (See regional trafficking reports / TIP country assessments.)

**Sweden** — Supports presumed-consent systems and strong oversight to maximise ethical donation while opposing commercial organ markets and transplant tourism; stresses donor-family engagement and transparency.

**Mexico** — Official stance condemns organ trafficking and moves to reform donation laws (debates about presumed consent); also highlights challenges with criminal networks and the need for enforcement and public-health safeguards.

**Iran** — Presents a distinctive, state-regulated compensated kidney donation model that it argues eliminated its dialysis waiting list; many international actors raise ethical concerns and call for safeguards to prevent exploitation. Delegates often invoke Iran as a controversial case in debates about regulated compensation.

**Turkey** — Officially opposes organ trafficking and has legal frameworks, but reports and studies have documented cases of transplant tourism and networks; Turkish policy statements emphasise strengthening victim identification and law enforcement.

**Pakistan** — Has criminalized commercial organ sale after decades of kidney-trade problems; government and civil society stress enforcement, donor protection and international collaboration to prevent cross-border exploitation.

**Philippines** — Prohibits organ sale; has taken measures to curb transplant tourism and restrict unrelated living-donor transplants to prevent commercialisation, while working on enforcement and health-system capacity.



# Countries Position

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**Egypt** — Officially condemns organ trafficking; academic fieldwork has exposed underground networks and shows that criminalization without adequate social protections can push trades further underground — Egypt stresses victim protection and law enforcement reform.

**Nigeria** — Condemns organ trafficking and calls for better enforcement and transnational cooperation after high-profile cases showed exploitation and trafficking links; emphasises protecting migrants and low-income communities from brokers.

**France** — Upholds strict legal and bioethical frameworks (Agence de la biomédecine) and supports European and global instruments to criminalize illicit organ trade and promote ethical donation systems.

**United Kingdom** — Opposes organ trafficking, uses opt-out systems (deemed consent across most UK nations) to increase ethical donations, and supports prosecution of traffickers and transnational victim protection. The UK has also prosecuted organ-trafficking cases illustrating legal responses to cross-border abuses.

**Japan** — Supports strong legal safeguards and public-trust measures for transplantation; Japan's organ-transplant law and revisions emphasise consent, ethical oversight and restrictions on commercialisation and transplant tourism.

# Participation List

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USA



China



Spain



India



Germany



Costa Rica



Guatemala



Canada



Australia



Republic of  
the Congo



Sweden



Mexico

# Participation List

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Iran



Turkey



Pakistan



Philippines



Egypt



Nigeria



France



United Kingdom



Japan

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