

# Trading in human organs

Dunya Jalil Ismael Al-Rubaie

University of Diyala College of Basic Education

**Research problem:** - Human organtraffickers are a global problem that is spreading illegally and is increasing in many societies, although it is sometimes a refuge to save the lives of many people in rich countries, it leads to the alarming spread of crime and the end of the lives of a large proportion of people in other countries, especially poorcountries(Moroccan, 2012,p.5) The phenomenon of human trafficking has become an international phenomenon as it is not limited to one country but extends to many countries as a result of being a form of organized crime, but varies according to its forms and patterns from one country to another according to the concept of human trafficking in its legislation and its respect for human rights. The international community has recently witnessed an escalation of the phenomenon of trafficking, particularly with the growing hotbeds of armed conflicts, both national and international, the presence of many regions of the world suffering from internal unrest, political instability and deteriorating economic conditions in some countries, particularly For the third world, which provides organized crime gangs with living conditions that have facilitated the existence of renewed resources from victims in order to make huge sums of money from their exploitation. Human trafficking is the third largest trade in the world after drugs and arms trafficking, as women, children and young people are the most important victims, as traders are made from poor countries as a source of victims and poor countries are popular markets for their trade (Yunus2005,p.6).

The importance of research: - The human body has the sanctity and dignity that makes any agreement to sell it or the sale of any member or tissue of false tissues required for criminal follow-up, and this is confirmed by the heavenly laws and documented by all constitutions and legislation in all countries to theavoidance ofinternational conventions and conventions, and has placed the deterrent punishment so that the human body does not become similar to goods sold and bought and in the event of this danger that threatens the human species and inflicts severe evils and wastes human dignity, The risk increases with the increase in the emergence of specialized

gangs for organ trade, whether they are doctors, brokers or some private hospitals (Fawzia, 2012,p2), and the development that keeps pace with medical sciences played a big role by finding several practices that are dangerous enough to be the subject of serious legal studies, trafficking in human organs is one of the most important practices that are contrary to what man created, the need ofpatients for hope gives them hope on the one hand and the need of the poor for what they fill their hunger on the other hand,all circumstances made the land Fertile for the sick souls in the development of such crimes, which were not known before, thus the gangs of organized criminality and changed the course of medicine, so they moved these transfers and transplants of human organs from a noble humanitarian issue aimed at alleviating the pain and suffering of patients to a black trade characterized by means and inferiority practiced by people who are supposed to be safe sold their consciences for a few dirhams (Younis, formerbumper,p. 10).

Search goal: - Current research aims to identify

- 1- The underlying causes of human trafficking.
- 2- Methods and methods of trading human organs.
- 3- Members that are traded.
- 4- Implications of human trafficking.

Defining terms: -

The member means: - A language of annexation and fracture is every flesh abundant with its greatness (Abadi, no year of publication, p. 1312), and is known according to the dictionary of the mediator as part of the human body such as hand and man (Son of Makram, 1988, p. 264), and is also known as a distinct part of the sum of the body such as hand, man, ear, nose, tongue and finger, whether human or animal (Heti, 2004, p.58).

The meaning of trafficking is a language: drag and trade, all of which means practicing trade, i.e. selling and buying (Al-Bustani, 1980, p. 59).

As for trafficking in terms of: - It means activities specified in the trade law that transfer materials from production to consumption (inheritance, 2010, p. 23), and it is meant to stir money for profit, it is this means development in money, so we buy goods for a price and then sell them with an increase in price to collect The interest from the difference between the price of buying and selling is expensive, so

trafficking is intended to sell and buy with the intention of obtaining profit, it is a legal project if the shop in which it is traded or the stores in it are legitimate such as trafficking in goods and goods and are illegal if the shop of commerce is prohibited and prohibited legally such as drug trafficking and human organs.

Trafficking in human organs is the fact that the individual or an organized criminal group collects people without their consent by circumvention, coercion or even consent, where the members of these victims are removed and sold as goods in order to obtain financial profits (inheritance, former source, p.24).

The underlying causes of human trafficking: -

Many causes in recent years have prompted an increase in the global spread of trafficking in human organs, most notably:

1. The development of organ transplants: After the medical development of mankind provided the possibility of organ transplantation and contributed to giving hope to patients who suffered from the disruption of the work of one of their organs, the world opened up to a new type of exotic trade of its kind, namely trafficking in human organs, and with the development of studies and increased opportunities to achieve this agriculture effectively in hospitals, the demand for these organs began to gradually increase and with it the phenomenon of human organ trade began to develop rapidly in the world.
2. The need of some patients for organ transplantation: a damage to one of the body organs in some patients will in many cases lead to a paradox of life, and although their lives can be saved by transplanting a new organ in place of the damaged organ, securing human organs to perform these implants is not easy, the patient may have to wait several months before finding an opportunity to get a member to be treated for his illness, and in order to speed up and ensure that that member is secured, the patient resorts to searching for him illegally, which increased the chances of the development and spread of the phenomenon of organ trade (Moroccan 2012, p.18).
3. Increased demand for organ transplantation in rich countries: members of rich societies can provide any amount of money for a member who saves their lives or the life of someone close to them, which prompts human organ traders

and brokers to take large sums from them in exchange for securing that member in legitimate ways.

4. Poverty and organsales: -When many people need to have an organ or tissue transplant, they look for poor people who need to give up one of their organs or tissues, which is called the living human organ trade, the most famous of which is the sale of one of the kidneys, and although money is paid to the poor in return, it receives only a small amount of what is equal to the real value of that organ.
5. Wars and insecurity: The recent proliferation of conflicts and wars in several countries has helped pave the way for the phenomenon of organ trade and the escalation of its incidence, as a country suffering from war and armed conflict, where the ability to control this type of activity is largely absent, in addition to the possibility of exploiting war-victim bodies and illegally rooting out their members.
6. High prices of humanorgans: The huge amounts paid for access to human organs lead to the temptation of many to sell their conscience in exchange for their recruitment in this crime, where today human traffickers are effectively and undeniably present, making the phenomenon of human organ trade a reality of concern for many peoples and governments(Ansari, 02013 p. 17).
7. Few organ donors: Organ transplants have undoubtedly contributed to important medical and humanitarian achievements, but few donors may stand in the way of the development of this area, andwith fewer voluntary donors, the search for donors who want to sell their organs, or human organ dealers in immoral and illegal ways by patients in need of organ transplantation, is increasing.
8. The increase in the population has caused a population explosion in the world.
9. There are insufficient regulations or laws governing organ transplantation in some countries or decriminalization in some other countries and the absence of formal social control to combat them.
- 10.The large number of children or so-called illegal children in addition to street children, which made them accidental for kidnapping and theft, thus stealing their organs(Al-Worthan, former source, p.43).

Methods and methods of trafficking in human organs and organized crimes: -

1- Conducting false operations: -Poor patients in some developing countries can be exploited by human traffickers and persuaded that they will be cured of their diseases free of charge or for small amounts of money, and then, during the operation, receive the organs or tissues they want without the patient's knowledge, so that the patient can only discover what has been stolen from him shortly afterwards.

2- Criminal ways of trading members: -are the ugliest and most dangerous, including luring people, abducting them and removing members from them, and sometimes it may come to kill the abductees.

3. Deceiving poor people: - by luring them with large and fictitious amounts in exchange for the sale of their organs, and then deceiving them by not giving them money or providing them with very small amounts.

4. Exploitation of newly dead bodies: - illegally, such as exhuming bodies from their graves on the day they are buried in complete secrecy, or exploiting unidentified bodies in war-torn countries.

5- Recruiting doctors in war zones: -Where the presence of doctors is permanently secured in some war-riddled, their task is to remove organs from the bodies of the newly dead victims (Ansari, former source, p.33).

Members most vulnerable to trading by human organ dealers: -

This depends on the quality of organs that can be grown instead of similar organs damaged in patients' bodies, and the most prominent organs secured by illicit trade methods include:

1. Kidneys: One of the most trafficked organs due to the development of transplants in addition to the ability to take them from living people in order to save the lives of patients with kidney failure, where their bodies are unable to empty their waste content so they resort to continuous dialysis for life until they can find a donor or have a kidney compatible with their bodies, which is the best option for survival.

2. Heart: Also an important part of the human organ trade, especially since it can only be obtained from the body of the deceased, in addition to being a sensitive organ, when the various attempts to treat a patient with a heart defect fail, there is no way to save his life except by performing a new heart transplant.

- 3- Liver: There are large numbers of patients around the world waiting to get the liver OK they can implant in their bodies, due to the importance of this organ in the body and the seriousness of its diseases, which makes the rates of trafficking in this organ high and dangerous.
4. Lung: Although lung transplants carry many risks, they are the last resort for many patients who have exhausted all treatment methods for the problem they have in both lungs, and are therefore also organs that many patients are interested in looking for through human organ dealers.
- 5- Pancreas: Pancreas transplantation is required to treat patients with type 1 diabetes, which could not be treated in other ways.
- 5- Cornea: It benefits people who are blind as a result of corneal damage and is taken from newly deceased persons and is therefore an important human organ targeted by organ trafficking methods (JudgeJ,2012, p.28).

Economic implications of the crime of trafficking in human organs: -

It is recognized that the human element is one of the main pillars of the economy in all countries and the developed countries are keen to develop this element by all means and methods from proper upbringing to rehabilitation and training, but over time some criminal phenomena have emerged that have had negative effects on the individual and society, including the phenomenon of trafficking in human organs.

1. The creation of a new role for organized crime blocs and groups has had an impact on the accuracy of the economy at the regional and global level.
2. Professionals have infiltrated human trafficking gangs and cartels and organized crime into the most influential reality in the state's economic power to achieve their goals.
3. Developing countries are keen to take advantage of foreign capital mobile to them regardless of their sources (bleaching members' trade funds and others) in order to implement their ambitious development plans despite the negative effects on the economy later.
4. The perception of organized crime as an international phenomenon has been transformed as a result of the expanding scientific market for the trade of human organs.

5. Human organ trade organizations are keen to extend their activities through national officials to enable them to operate across national borders, especially in poor countries.
6. Reducing the rates of economic growth in society, destabilizing economic development and questioning the capabilities and legitimacy of the political system by affecting the stability of economic situations.
7. Encouraging young people to migrate by inspiration or imaginary contracts, resulting in the loss of their lives.
8. The spread of secret diseases among the children of society, especially among young people, reflects on their productive abilities.
9. Increasing the burden borne by the state in providing medical and social care to persons who are victims of human organs (Moroccan source, p.66).

The effects of organ trafficking on society: -

1. Violation of legal principles and violation of laws and status prohibiting trafficking (the US Congress has banned the sale of organs since 1984, but health agencies tend to license the sale of organs and allow donors to receive money in exchange for the sale of organs or cells to patients in need to cope with the recognition of 80,000 patients on the organ transplant list, of whom 15,000 die before the organ to be transferred to them arrives).
2. High rates of kidnapping, fraud and fraud cases undermine social and security stability, with the third UN survey on crime trends and justice-regulating processes showing a rise in kidnappings.
3. The spread of the black market to buy and sell organs.
4. The emergence of ethical challenges threatens to collapse the health systems in society, especially when the patient discovers that his organs are stolen, especially during minor surgeries.
5. The basic principles about the concept of human dignity and the right of human beings to act on their members have been wasted.
6. The mixing of genealogy, especially when it comes to the transfer of the genitals of men or women, exploits the negative results in agriculture processes to spread the failure of transplants, both for the giver and the recipient, which reflects on the continuity and development of the scientific (Judge, former source, p. 33).

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