



General Assembly

Distr.: General
18 June 2020

Original: English

Seventy-fifth session

Item 111 of the preliminary list*

Crime prevention and criminal justice

Strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 73/189 of 17 December 2018 entitled “Strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs”. It provides background information on the issue of trafficking in persons for the purpose of organ removal and outlines the difference between that issue and trafficking in human organs. It also summarizes the efforts of the relevant United Nations entities that support the implementation of General Assembly resolution 73/189.

* [A/75/50](#).



I. Introduction

1. In its resolution 73/189, entitled “Strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs”, the General Assembly urged Member States to strengthen their efforts to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs, including by adopting:

(a) Appropriate measures related to organ transplantation, in accordance with the fundamental principles of their domestic legal systems and national legislation and in line with the World Health Organization (WHO) Guiding Principles on Human Cell, Tissue and Organ Transplantation;

(b) Measures to uphold accountability that may include preventing and, in accordance with relevant national legislation, investigating, prosecuting and punishing trafficking in persons for the purpose of organ removal and trafficking in human organs.

2. The General Assembly also requested the United Nations Office on Drugs and Crime (UNODC), in collaboration with other entities of the United Nations system, to continue providing capacity-building and technical assistance to States, upon request, to assist them in strengthening national capacities to effectively prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs; and requested UNODC to engage in a dialogue with members of the Inter-Agency Coordination Group against Trafficking in Persons and other relevant intergovernmental international organizations, in close consultation with Member States, so as to enable the Office to improve data collection and analysis on instances of trafficking in persons for the purpose of organ removal and relevant prosecutions, and to promote research among diverse fields.

3. The General Assembly requested the Secretary-General to submit to it at its seventy-fifth session a report on the implementation of resolution 73/189. The present report covers the reporting period since the adoption of resolution 73/189, from 17 December 2018 to 15 May 2020. The Assembly expressly invited Member States and other donors to provide extrabudgetary resources for the purpose of implementing the resolution. As no dedicated funding had been provided for that purpose, the activities included in the report are those that are supported by the existing budgets of relevant United Nations entities.

4. Owing to the outbreak of the coronavirus disease (COVID-19) pandemic in the first quarter of 2020, additional activities that were meant to implement the measures envisaged in resolution 73/189 have been rescheduled or modified to address health-related concerns.

II. Status of ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and progress by Member States towards criminalizing all forms of trafficking in persons

5. In its resolution 73/189, the General Assembly urged Member States that had not yet done so to ratify or accede to the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, taking into consideration the central role of those instruments in the fight against trafficking in persons, including for the purpose of organ removal. During the reporting period, three Member States acceded to the Protocol,

namely, Palau (27 May 2019), Bangladesh (12 September 2019) and Brunei Darussalam (30 March 2020). The Protocol is approaching universal ratification, with 176 States parties to the instrument at present. Palau also acceded to the United Nations Convention against Transnational Organized Crime on 13 May 2019, bringing the number of States parties to that instrument to 190.

III. Background

A. Basic information on organ transplantation and related international standards

6. Organ transplantation is a well-established and often life-saving medical practice to treat patients affected by organ failure.¹ According to the most recent data available from the Global Observatory on Donation and Transplantation – a platform jointly developed by WHO and the National Transplant Organization of Spain – in 2017, more than 139,000 solid organ transplants were carried out globally.²

7. In May 2010, at its sixty-third session, the World Health Assembly, in its resolution 63.22, endorsed the WHO Guiding Principles on Human Cell, Tissue and Organ Transplantation (WHA63/2010/REC/1, annex 8). The Guiding Principles provide key international standards for the removal of organs from both deceased and living donors for the purpose of transplantation, including regarding consent to donation and organ allocation, as well as regulating donation and transplantation activities to prevent organ sale and purchase.

8. In addition to the WHO Guiding Principles and WHO resolutions on human organ and tissue transplantation (see, for example, resolutions 63.22 and 57.18), other regional and international instruments, recommendations and guidelines to govern organ transplantation from living and deceased donors include: the consensus statement of the Amsterdam Forum on the Care of the Live Kidney Donor³ and the Additional Protocol to the Convention on Human Rights and Biomedicine, on Transplantation of Organs and Tissues of Human Origin.⁴

9. Deceased donors and living donors are the two sources for human organ donation and transplantation. Owing to its ethical and legal implications, organ transplantation must be governed by the highest professional, ethical and legal standards and regulations, including with regard to consent to donate and the conditions for organ allocation.⁵

10. Procurement of organs from deceased donors, in accordance with international standards and regulations, such as those noted above, occurs through two different consent systems: explicit consent (opting in) and presumed consent (opting out).⁶ Under the first system, each individual, or relatives of the individual, has to give explicit consent for his or her, or the relative's, organs to be donated once that person has died, while under the second system, consent to the donation is presumed, unless explicit refusal is given.

11. Competent national medical authorities should determine, through impartial and accountable bodies, the allocation of organs from deceased donors, giving due

¹ For more information, see World Health Organization (WHO), “WHO Task Force on Donation and Transplantation of Human Organs and Tissues”, available at www.who.int/transplantation/donation/taskforce-transplantation/en/.

² For more information, see the Global Observatory on Donation and Transplantation, available at www.transplant-observatory.org/.

³ Ethics Committee of the Transplantation Society, “The consensus statement of the Amsterdam Forum on the Care of the Live Kidney Donor”, *Transplantation*, vol. 78, No. 4 (27 August 2004).

⁴ Council of Europe, *European Treaty Series*, No. 186.

⁵ United Nations Office on Drugs and Crime (UNODC), *Assessment Toolkit: Trafficking in Persons for the Purpose of Organ Removal* (Vienna, 2015), p. 7.

⁶ See WHO, document WHA63/2010/REC/1, annex 8, Guiding Principle 1 and commentary on Guiding Principle 1.

consideration to the combination of the principles of justice⁷ (no discrimination among recipients on the basis of gender, race, religion or economic condition), and utility⁸ (priority should be given to recipients who will live longer after the transplant). Furthermore, in line with the overarching principles in many national legal frameworks, donors should not be allowed to determine the recipient in advance, thus making it clear that the decision to donate organs is unconditional.⁹

12. Scientific and medical advances and the refinement of surgical techniques and technologies in the organ transplantation field have made it possible to carry out a previously unimaginable number of organ transplants. The number of potential recipients of transplanted organs has thus increased enormously over the years, including as a result of the increased life expectancy in many parts of the world. However, the increased demand has not been universally met by a corresponding increase in the availability of organs.¹⁰

13. To address the increasing number of patients in need of organ transplants and ongoing organ scarcity, where possible, living donors are becoming an important alternative in the organ transplantation field. While numbers remain limited owing to the higher risks associated with the practice and the unsuitability of certain organs to be transplanted, technological advances in the medical sphere have made it more common and safer. That is the case, for instance, for kidney transplants, 36.5 per cent of which came from living donors in 2017.¹¹

B. Definition of trafficking in persons for the purpose of organ removal

14. The Trafficking in Persons Protocol is the first international legal instrument that defines trafficking in persons and that requires States parties to criminalize trafficking in persons, including for the purpose of organ removal (see art. 5).

15. According to article 3 (a) of the Protocol:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

16. Trafficking in persons for the purpose of organ removal is also addressed and prohibited in other international and regional instruments, such as the Council of Europe Convention on Action against Trafficking in Human Beings and the Association of Southeast Asian Nations Convention against Trafficking in Persons, Especially Women and Children. The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (art. 3 (1) (a) (i) b.) also addresses the issue of the sale of children in order to transfer the child’s organs for profit.

17. The overall scarcity of organ availability and the increasingly high demand from patients, often in desperate situations, creates an ideal and potentially profitable illegal

⁷ Ibid., Guiding Principle 9 and commentary on Guiding Principle 9.

⁸ UNODC, *Assessment Toolkit*, pp. 7 and 8.

⁹ Ibid.

¹⁰ Ibid., pp. 7 and 10. See also WHO, “WHO Task Force on Donation and Transplantation of Human Organs and Tissues”.

¹¹ See Global Observatory on Donation and Transplantation, “Kidney transplants”, available at www.transplant-observatory.org/countkidney/.

market for criminals to trade organs. Underground “organ markets” pose several challenges to national organ donation systems and, more broadly, to health security.

18. Against that background, human traffickers have seized the opportunity to fulfil the demand for organs by coercing, deceiving and exploiting vulnerable people, often those who are suffering from poverty and a lack of economic opportunities, into selling their organs. That phenomenon may not only involve possible irreversible health impacts for those victimized, it may also lead to their stigmatization and further impoverishment.

19. Organized criminal groups are usually behind the crime of trafficking in persons. However, perpetrators of trafficking in persons for the specific purpose of organ removal also require the involvement of health sector professionals, including doctors, nurses, ambulance drivers and other medical specialists, acting in complex illegal networks. In such cases, those individuals become parties to the crime of trafficking in persons. It is troubling that those who may become involved in such trafficking schemes can include the management of hospitals, transplant centres, laboratories and other medical facilities, as well as their staff, insurance companies, travel agencies, airlines and their staff, and guards, drivers, service providers and translators.¹²

20. In addition, trafficking in persons for the purpose of organ removal is further facilitated by instances of corruption among key institutional actors, including law enforcement personnel, customs and border officers, and administrative staff responsible for the issuance of travel documents, thus allowing victims to travel across borders in a legal manner. Moreover, administrative offices accrediting medical centres and health-care providers may also be corrupted into issuing false licences to cover up illicit organ transplantation activities.¹³

21. To date, available evidence suggests that there are important gender dimensions to trafficking in persons for organ removal, with men more often victimized than women.¹⁴ That includes situations in which male income providers are incapacitated because of poor health and women and children are left to shoulder the socioeconomic impacts, thus making the men more vulnerable to becoming a victim of such crimes. In addition, there may be links between trafficking in persons for organ removal and other forms of exploitation, including child trafficking, sexual exploitation and forced labour.

C. Difference between trafficking in organs and trafficking in persons for the purpose of organ removal

22. Trafficking in organs encompasses a broad range of behaviours related to the illicit procurement of a human organ,¹⁵ which can include obtaining an organ without the free, informed and specific consent of the donor or the offer of financial remuneration in exchange for the organ. With a view to preventing and combating trafficking in human organs, the Council of Europe Convention against Trafficking in Human Organs of 2014 provides for the criminalization of certain acts. It also sets out provisions to address the human rights violations deriving from organ trafficking and provides protection measures for victims and witnesses, including the right of victims to receive compensation from the perpetrators.

23. Trafficking in organs and trafficking in persons for the purpose of organ removal are often used interchangeably and are confused in the public debate, although they constitute different practices and are governed by different legal frameworks. The

¹² UNODC, *Assessment Toolkit*, pp. 27 and 30.

¹³ Michael Bos, *Trafficking in Human Organs* (Brussels, European Parliament, Directorate-General for External Policies, Policy Department, 2015), p. 21.

¹⁴ *Global Report on Trafficking in Persons 2018* (United Nations publication, Sales No. E.19.IV.2), p. 29.

¹⁵ Council of Europe Convention against Trafficking in Human Organs, *European Treaty Series*, No. 216, art. 2.

misunderstanding of the difference between the two concepts can hinder criminal justice efforts to punish perpetrators and protect victims.

24. In practice, there can be a certain degree of overlap between trafficking in organs and trafficking in persons for the purpose of organ removal. For instance, most human organs do not survive for a long time after being removed, hence trafficking in persons often becomes the only viable option for criminals to profit from trafficking in organs. Moreover, the organs that have been illicitly removed from human trafficking victims often need to be trafficked to reach their recipients.

25. The vast majority of countries prohibit the buying and selling of human organs. Practical challenges exist, however, surrounding the enforcement of such laws in cases of so-called transplant tourism,¹⁶ whereby citizens, typically from wealthier nations, travel abroad to poorer nations in order to obtain organs. In the Declaration of Istanbul on Organ Trafficking and Transplant Tourism, adopted in 2008 and updated in 2018, it is emphasized that organ trafficking and transplant tourism should be prohibited, as they violate the principles of equity, justice and respect for human dignity. It is further asserted that, as transplant commercialism targets impoverished and otherwise vulnerable donors, it is inextricably linked to inequity and injustice and should be prohibited. The difference between organ trafficking and trafficking in persons for organ removal are explicitly acknowledged in the Declaration. Organ and tissue trafficking are also explicitly prohibited under article 22 of the Additional Protocol to the Convention on Human Rights and Biomedicine, on Transplantation of Organs and Tissues of Human Origin, which entered into force in 2006.

26. Questions around consent may arise in both trafficking in persons cases and those involving trafficking in human organs. Those accused of either crime may invoke consent as a defence strategy, shifting the focus away from their behaviour to that of the victim.

27. As an illustration, the Council of Europe Convention against Trafficking in Human Organs does not define “free, informed and specific consent”. However, the explanatory report to the Convention provides that the concept of consent included in the Convention should be considered “identical as the one expressed in the Convention on Human Rights and Biomedicine, and its Additional Protocol concerning Transplantation of Organs and Tissues of Human Origin.” Among other things, the notion of free, informed and specific consent includes consent that is based on appropriate information relevant to the purpose, nature and consequences of the medical intervention contemplated, as well as the ability to withdraw consent at any time. It also requires that the consent be given by someone who is capable of giving it. Protections are further specified for those who are unable to give consent.

28. Pursuant to article 3 (b) of the Trafficking in Persons Protocol, the consent of a victim of trafficking in persons shall be irrelevant where the following means have been used: the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person. In the case of children, article 3 (c) of the Protocol provides that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if it does not involve any of the above-mentioned means. In 2019, the Inter-Agency Coordination Group against Trafficking in Persons published an issue brief on the non-punishment of trafficking victims, which states that “consent is legally irrelevant in trafficking in persons cases”.¹⁷

29. Consent is key, however, in differentiating cases of organ trafficking from legitimate organ donations in the case of living donors under the WHO Guiding Principles on Human Cell, Tissue and Organ Transplantation. Guiding Principle 3 provides that “live donations are acceptable when the donor’s informed and voluntary

¹⁶ See Parliamentary Assembly of the Council of Europe, resolution 2327 of 31 January 2020.

¹⁷ Inter-Agency Coordination Group against Trafficking in Persons, “Non-punishment of victims of trafficking”, Issue Brief, No. 8 (2020).

consent is obtained” and that “live donors should be informed of the probable risks, benefits and consequences of donation in a complete and understandable fashion; they should be legally competent and capable of weighing the information; and they should be acting willingly, free of any undue influence or coercion”.

30. In the case of organ trafficking, establishing that an organ has been removed with the free, informed and specific consent of the person from whom it was removed and that it was not done for remuneration (of the donor or a third party) will mean that such cases do not amount to the “illicit removal of human organs”. Cases in which consent has not been given or in which the consent was not free, informed or specific, correspondingly, amount to prohibited conduct that must be addressed by States parties to the Trafficking in Persons Protocol. Similarly, cases in which consent has been purportedly offered but that also involve remuneration are also prohibited.

IV. Activities undertaken within the United Nations system

A. United Nations Office on Drugs and Crime

31. As indicated above, the General Assembly, in its resolution 73/189, requested UNODC to continue providing capacity-building and technical assistance to States, upon request, to assist them in strengthening national capacities to effectively prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs.

32. During the reporting period, UNODC continued to provide technical assistance to Member States under its Global Programme against Trafficking in Persons for the implementation of the Trafficking in Persons Protocol. In 2019, UNODC trained 1,903 criminal justice practitioners, government officials and civil society representatives. The Programme facilitated targeted technical cooperation activities at the national level in 16 countries, including the provision of legislative assistance to 6 countries to align their anti-trafficking laws with the Trafficking in Persons Protocol and international standards, including those on trafficking in persons for the purpose of organ removal. For example, UNODC provided legislative assistance to support the drafting of the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation (No. 1178/2020) of Ethiopia, which was adopted on 1 April 2020. Furthermore, 54 countries were represented in technical cooperation activities organized or facilitated by UNODC on trafficking in persons at the national and regional levels.

33. UNODC also continued its data collection efforts through the further expansion of the Human Trafficking Case Law Database, which, as at 15 May 2020, contained 1,517 cases from 112 countries, including 15 cases of trafficking for the purpose of organ removal from 4 countries.

34. An analysis of the cases confirms general patterns and trends, indicating that victims of trafficking in persons for the purpose of organ removal are predominantly individuals from the least developed countries, with disadvantaged socioeconomic backgrounds, while recipients of the organs are mostly nationals of wealthier countries who are linked to the victim through brokers or facilitators. Illegal operations usually occur in third countries with relatively well-functioning health systems, often in private hospitals, clinics or other legitimate medical facilities. The incidence of the crime is higher where crime prevention and criminal justice systems have a lower capacity to respond to organized crime. Although the situation described above highlights the transnational character of the crime, it can, however, occur at the local level, with the same economic discrepancies between recipients and victims.

35. During the reporting period, UNODC continued to provide capacity-building through the first phase (2015–2019) and second phase (2018–2022) of the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants initiative. The second phase focuses on Asia and the Middle East. Working in a partner

country in Asia, the Global Action initiative undertook research on trafficking in persons for organ removal, including the development of a research protocol and victim interview questionnaire. That work led to the development of an innovative “virtual reality” training tool, which helps to build law enforcement capacity to identify and investigate cases of trafficking in persons for organ removal, including by enhancing evidence collection skills.

36. In addition to the virtual reality tool, the Global Action initiative has developed a basic training manual for crime scene investigation in cases of trafficking in persons for organ removal, which is expected to be finalized by 2021. The resulting virtual reality evidence collection tool and accompanying manual will be presented to the Global Action partner countries and leading experts from different backgrounds, including from the health, medical and transplant community, non-governmental organizations, law enforcement, prosecuting agencies and the judiciary.

37. Working across partner countries, the Global Action initiative also held multi-stakeholder consultations, reviewed laws and policies, and supported the development and implementation of guidelines and standard operating procedures on facilitating the repatriation of victims of cross-border trafficking, including for the purpose of organ removal, and strengthening referral mechanisms for the protection of and assistance to victims.

38. UNODC continued its data collection and research efforts during the reporting period on relevant data and trends in trafficking in persons, including for the purpose of organ removal. In January 2019, UNODC published its biennial *Global Report on Trafficking in Persons 2018*, which includes information and trend analysis on trafficking in persons for the purpose of organ removal from 2016 to 2018.

39. As confirmed in the 2018 *Global Report*, trafficking for organ removal remains very difficult to detect, with only about 100 victims detected and reported to UNODC for the purposes of data collection during the reporting period. The victims detected were all adults (owing to the higher suitability of their fully developed organs for the purpose of being removed) and two thirds of them were men. Most of the victims were reported by countries in North Africa and the Middle East, but cases were also recorded in Western, Central and Eastern Europe, as well as in Central and South America.

40. New data are currently being collected by UNODC that will be included in the next edition of the *Global Report*, which is expected to be published in 2021.

B. Office of the United Nations High Commissioner for Human Rights

41. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has been developing guidance material on trafficking in persons for organ removal to be used in the various human rights mechanisms, including the treaty bodies and the universal periodic review mechanism, as practical tools when reviewing the periodic reports of States parties. The material builds on work already undertaken within the human rights mechanisms and is focused on ensuring that adequate legal frameworks are in place on trafficking in persons for the purpose of organ removal, thereby also ensuring effective law enforcement responses, protection of and assistance to victims, preventing trafficking in persons for the removal of organs and providing for remedies.

42. OHCHR and WHO are further developing a joint policy brief on the health ramifications and the human rights aspects of trafficking in persons for the purpose of organ removal, including on available international and regional frameworks, analysis of causes and implications, and strategies and policy options. The policy brief is aimed at providing guidance to Member States and other stakeholders on human rights and health aspects to be considered in addressing trafficking in persons for the purpose of organ removal, to better contribute to strengthening national health systems and providing access to transplantation.

43. OHCHR, WHO and the Organization for Security and Cooperation in Europe (OSCE) are planning to organize an expert group meeting, to be convened in July 2020,¹⁸ to discuss trafficking in persons for the purpose of organ removal among medical professionals and transplant specialists from all regions and to discuss legal, policy and institutional frameworks that are essential to combating trafficking in persons for the purpose of organ removal. The expert group meeting will also provide a platform for dialogue on the response of the OSCE region to trafficking in persons for the purpose of organ removal and the sharing of experiences on existing policies and practices in addressing the challenge, as well as fostering an exchange of views on possible ways to enhance responses in the region, including by raising awareness and building the capacity of the stakeholders involved.

44. OHCHR has been extensively involved in organizing and contributing to awareness-raising initiatives focused on trafficking in persons for the purpose of organ removal. To that end, during the reporting period, several events were organized on the margins of the Human Rights Council sessions and the annual Alliance against Trafficking in Persons Conference organized by OSCE, and briefings were provided to the WHO Task Force on Donation and Transplantation of Human Organs and Tissues.

C. World Health Organization

45. The Global Observatory on Donation and Transplantation is a database developed under a joint programme between WHO and its collaborating centre, the National Transplant Organization of Spain. Its main objective is to provide reliable data to report on the issue of transplantation tourism from countries whose citizens travel elsewhere to undergo transplants, as well as from countries that receive foreign citizens for that purpose. A dedicated questionnaire has been developed to collect updated information through an identified network of health authorities and officially designated officials who contribute to the global database. The forthcoming reporting exercise is scheduled to begin in 2020.

46. WHO is strengthening its collaboration on addressing trafficking in persons for the purpose of organ removal with the Inter-Agency Coordination Group against Trafficking in Persons. In addition, plans to cooperate with UNODC and OHCHR are under way for the development of dedicated tools (guidelines, procedures and templates) for detecting and reporting cases of trafficking for the purpose of organ removal, specifically focusing on the contribution of health-care professionals.

47. During the reporting period, WHO further supported the strengthened capacity of national health authorities to monitor and collect data on cases of trafficking in persons for the purpose of organ removal, by use of a standardized tool for the registration of donors and recipients, to be able to provide reliable data to the counterparts concerned to allow for targeted preventive responses and timely intervention.

48. Priorities for future work include the identification and training of national focal points on trafficking in persons for the purpose of organ removal, with the aim of developing dedicated national strategies to combat the crime, with due regard to the specificities of the local contexts.

D. Activities of the Inter-Agency Coordination Group against Trafficking in Persons

49. As mentioned above, the General Assembly, in its resolution 73/189, requested UNODC to engage in a dialogue with members of the Inter-Agency Coordination Group against Trafficking in Persons and other relevant intergovernmental international organizations, in particular WHO, in close consultation with Member States, so as to enable UNODC to improve data collection and analysis on instances

¹⁸ Depending on coronavirus disease (COVID-19)-related circumstances.

of trafficking in persons for the purpose of organ removal and relevant prosecutions, and to promote research among diverse fields, such as the medical and health management fields, as well as on the part of the anti-trafficking community.

50. The Group was mandated by the General Assembly in its resolution [61/180](#) to enhance cooperation and coordination within the United Nations system and beyond and to facilitate a holistic and comprehensive approach by the international community to the problem of trafficking in persons. As at April 2020, the network comprised 25 agencies and bodies of the United Nations system, as well as other relevant intergovernmental organizations. UNODC is the permanent coordinator of the Group, which substantially expanded in both membership and engagement over the past year.

51. The activities of the Group are guided by a biennial workplan. During the reporting period, the members of the Group approved the workplan for the period 2019–2020, which includes the development and publication of a joint policy paper on trafficking in persons for the purpose of organ removal, which is scheduled to be finalized and published in the second half of 2020.

52. The policy paper will be part of a series of issue briefs, which the Group began to produce in 2013, providing detailed examination as well as collective policy recommendations and guidance for Member States and relevant stakeholders on specific issues that have been identified as critical to fight against trafficking in persons.

53. In line with the above, in 2019, the Group developed and published an issue brief entitled “Human trafficking and technology: trends, challenges and opportunities” to address the misuse of technology by traffickers to facilitate trafficking in persons, including for the purpose of organ removal. For example, technology can be misused to facilitate potential communication within transnational organized crime groups to target potential victims across countries, as well as to match them with interested recipients, gain access to personal data or arrange logistics and transportation. The issue brief, however, highlights the positive potential of the use of technology in combating the crime, for example, by supporting practitioners in the identification of victims, aiding investigations, enhancing prosecutions, raising awareness, providing services to victims and shedding new light on the make-up and operation of trafficking networks.

V. Recommendations

54. Trafficking in human beings for the purpose of organ removal is an abhorrent practice that constitutes a crime and violates and impairs the enjoyment of human rights and fundamental freedoms. In order to provide timely guidance and assistance to Member States and to generate global awareness of the trends and practices related to the issue, Member States are encouraged to continue to support the biennial publication of the *Global Report on Trafficking in Persons* by UNODC, including by providing information relating to trafficking in persons for the purpose of organ removal.

55. It is recommended that Member States consider taking the following actions:

(a) For Member States that have not yet done so, ratify or accede to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

(b) Implement the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children by effectively criminalizing trafficking in persons, including for the purpose of organ removal, providing victim protection, health and other assistance and strengthening international cooperation;

(c) Strengthen prevention efforts, including by: (i) addressing the root causes of organ trafficking and trafficking for the purpose of organ removal, which create

vulnerabilities; (ii) addressing contributing factors, such as humanitarian emergencies, unemployment, poverty, discrimination and inequalities, including with regard to gender; and (iii) requiring medical facilities to apply standardized and uniform procedures to organ donations in order to prevent, detect and investigate suspicious donations;

(d) Consistently investigate and prosecute organ trafficking and trafficking in persons for the purpose of organ removal, while ensuring full respect for the rights of victims, in line with the principle of non-punishment, namely that victims should not be punished or prosecuted for crimes that they were compelled to commit as part of their exploitation;¹⁹

(e) Take steps to assess, review and evaluate the extent to which their societies can be vulnerable to organ trafficking and trafficking in persons for the purpose of organ removal and obtain reliable baseline age- and sex-disaggregated data on victims and survivors, including by using *Assessment Toolkit: Trafficking in Persons for the Purpose of Organ Removal*, which was published by UNODC in 2015;²⁰

(f) Develop and implement population-based strategies to prevent organ failure and deficiencies by, among other means, encouraging a healthy lifestyle and providing universal health care;

(g) Provide targeted training and awareness-raising on human trafficking for the purpose of organ removal to medical and other health professionals involved in organ transplantation, so as to enable the early detection of cases;

(h) Provide appropriate physical, psychosocial, legal, educational and especially health-care services to victims and survivors of trafficking in persons for the purpose of organ removal, taking into consideration their vulnerabilities, rights and needs;

(i) Ensure that victims and survivors of trafficking in persons for the purpose of organ removal are provided with temporary shelter and are also provided with the opportunity to access safe and affordable independent accommodation with no discrimination of any kind, giving due consideration to their specific needs;

(j) Take steps to reduce the demand that contributes to trafficking in persons for the purpose of organ removal and trafficking in human organs as a matter of priority, by, among other things, ensuring that waiting lists for organ transplants are subject to supervision by accountable and independent bodies;

(k) Provide adequate voluntary resources for the work of the United Nations system agencies on trafficking in persons for the purpose of organ removal and on trafficking in human organs.

¹⁹ See Inter-Agency Coordination Group against Trafficking in Persons, “Non-punishment of victims of trafficking in persons”.

²⁰ The *Assessment Toolkit* outlines a practical methodology for determining the scope and scale of the problem in the criminal justice and health sectors and thus informs the development of targeted, evidence-based policies to address the two crimes.