Pierce-The American College of Greece Model United Nations | 2020

Committee: World Health Organization

Issue: Tackling the issue of medical black markets

Student Officer: Louiza Apostolidi

Position: Deputy President

PERSONAL INTRODUCTION

Dear delegates,

My name is Louiza Apostolidi and it is my honor to be serving as a Deputy President of the World Health Organization committee in this year's 4rth ACGMUN conference. I am an IB1 student at Pierce the American College of Greece and this will be my first time chairing in a Model United Nations conference.

MUN for me is an unforgettable experience through which we learn how to become citizens of the world and fight for our own future. I hope that, throughout this conference and within our committee, we will inspire each other and become more mindful about the world around us and the difficulties we will be called to face in the future.

This study guide focuses on the topic "Tackling the issue of medical black markets". I hope you all find it informative and make good use of it as a first step when conducting your research. For any questions you may have, please email me at l.apostolidi@acg.edu.

Best regards,

Louiza Apostolidi

TOPIC INTRODUCTION

The issue of the black market has occupied governments all around the world for many decades. In the last two centuries, however, the black market has seen immense growth due to the outbreaks of war that wrecked countries' economies. In the First (1914-18) and Second World War (1939-45), especially, the illegal trade of goods and services became more frequent. The demand for products was high but production had haltered in response to the total war that required the devotion of all social classes and industries to the war effort. Thus, many goods were rationed and prices skyrocketed. In response to this economic crisis, many started selling products illegally to get by and avoid the high taxation implemented by the governments at the time. Thus, the black market became a common phenomenon everywhere.

Today, the estimated value of the world black market is \$1.81 trillion¹, with the United States of America as the country with the highest local black market value at \$625.63 billion². Additionally, countries like China, Mexico, Spain, Italy and Japan also have more than 100 billion dollars' worth of black economy.

The black market can be divided into different sectors, depending on the goods or services each sector distributes in the illegal market space. The biggest sector of the medical black market is human trafficking, prostitution and forced labor. In 2016, this sector's victims were estimated to be around 40 million³. As for the traffickers themselves, the Central Intelligence Agency (CIA) estimated that each sex trafficker makes up to \$250,000 per victim, each year⁴. Another sector that has grown immensely the last decade is the illegal distribution of digital personal data and/or classified information, which has caused many companies and individuals great harm.

The medical sector of the black market, on the other hand, which has recently been on the rise, is threatening pharmaceutical industries, organizations, but most importantly, human lives. It may be commonly mistaken that the medical black market is targeted at organ trafficking and trade, and even though that may also be the case, another big sector of the medical black market is illegal drug distribution. This study guide will explore both aspects of the issue, delve deep into the past and discover the main causes of the problem, as well as ways in which it can be combatted efficiently.

¹ "Havocscope Market Value." *Havocscope*, www.havocscope.com/market-value/.

² "Havocscope Country Risk Ranking." *Havocscope*, www.havocscope.com/country-profile/.

³ Amadeo, Kimberly. "How the Shadow Economy Secretly Affects You." *The Balance*, The Balance, 4 Mar. 2019, www.thebalance.com/black-economy-4173517.

⁴ Amadeo, Kimberly. "How the Shadow Economy Secretly Affects You." *The Balance*, The Balance, 4 Mar. 2019, www.thebalance.com/black-economy-4173517.

DEFINITION OF KEY TERMS

Black Market

The black market is a platform through which "illicit trade in goods or commodities in violation of official regulations"⁵ is pursued. The biggest sectors of said market are human trafficking and prostitution, trade of illegal weaponry, distribution of illegal drugs, human organ and tissue trafficking, sale of personal information, and more.

Grey Market

The unofficial definition of the grey market is: the unofficial, but not entirely illegal, market space where items provided by an unofficial supplier are bought and sold. This term, as well as the term 'white market', is not used as frequently as the 'black market'. It still is useful, however, when trying to make a distinction between broader market spaces.

White Market

The officially recognized legal market space of goods.

Illicit (Illegal) Drugs

"Illicit drugs are substances that either stimulate (such as cocaine or amphetamines) or inhibit (such as heroin or sedative-hypnotics) the central nervous system or cause hallucinogenic effects (such as marijuana or LSD) to the effect that their use has been prohibited globally."

Recreational Drug

"A drug (such as cocaine, marijuana, or methamphetamine) used without medical justification for its psychoactive effects often in the belief that occasional use of such a substance is not habit-forming or addictive." Many recreational drugs are sold in the black market since prescriptions for such drugs are difficult, or even impossible, to obtain.

Prescription

"A physician's order for the preparation and administration of a drug or device for a patient."

⁵ "Black-market." *The Merriam-Webster.com Dictionary*, Merriam-Webster Inc., https://www.merriam-webster.com/dictionary/black%20market. Accessed 21 January 2020.

⁶ Uutela, A. "Drugs: Illicit Use and Prevention." *International Encyclopedia of the Social & Behavioral Sciences*, Pergamon, 2 Nov. 2002, www.sciencedirect.com/science/article/pii/B0080430767038869.

⁷ "Recreational Drug." *Merriam-Webster*, Merriam-Webster, www.merriam-webster.com/dictionary/recreational drug.

⁸ Jr., William C. Shiel. "Definition of Prescription." MedicineNet, MedicineNet, 11 Dec. 2018, www.medicinenet.com/script/main/art.asp?articlekey=11896.

Transplantation

"The transfer (engraftment) of human cells, tissues or organs from a donor to a recipient with the aim of restoring function(s) in the body."9 The organs that are most common in transplantation are the kidneys, the heart, lungs, liver and the pancreas. More specifically, there is a very high demand for kidneys, seeing as

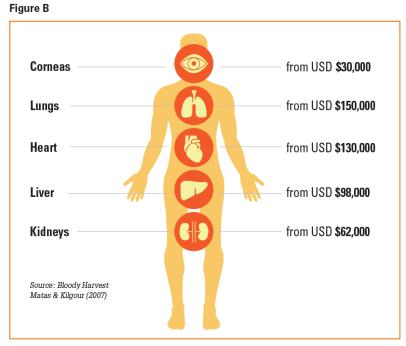


Figure 1 Possible Prices of Organs in the Black Market

kidney failure can be caused by very common diseases, such as diabetes.

Transplant Tourism

"Travel for transplantation when it involves organ trafficking and/or transplant commercialism or if the resources (organs, professionals and transplant centers) devoted to providing transplant to patients from outside a country undermine the country's ability to provide transplant services for its own population. "¹⁰

Transplant Commercialism

"A policy or practice in which cells, tissues or organs are treated as a commodity, including by being bought or sold or used for material gain. "11

Consent to Donation

"Legally valid permission for removal of human cells, tissues and organs for transplantation." 12

⁹ "Global Glossary of Terms and Definitions on Donation and Transplantation." *Https://Www.who.int,* www.who.int/transplantation/activities/GlobalGlossaryonDonationTransplantation.pdf?ua=1.

¹⁰ "Global Glossary of Terms and Definitions on Donation and

Transplantation." *Https://www.who.int/transplantation/activities/GlobalGlossaryonDonationTransplantation.pdf?ua=1*.

¹¹ "Global Glossary of Terms and Definitions on Donation and Transplantation." www.who.int/transplantation/activities/GlobalGlossaryonDonationTransplantation.pdf?ua=1.

 $^{^{\}rm 12}$ "Global Glossary of Terms and Definitions on Donation and Transplantation."

 $[\]underline{www.who.int/transplantation/activities/GlobalGlossaryonDonationTransplantation.pdf?ua=1}.$

Waiting List (WT)

"The list of candidates registered to receive a human cell, tissue and organ transplant." ¹³

BACKGROUND INFORMATION

History of the medical black market

The medical black market has existed for hundreds of years and has evolved dramatically as a result of various factors, such as the invention of the World Wide Web and generally the constant technological advancements and the evolution of medicine along with the creation of new pharmaceuticals. Another reason behind the expansion of this market is the growing demand of the people for different medical products and their inability to obtain them legally for economic or other reasons, as well as the incompetence of the governments to provide them with their necessities.

A much older form of the medical black market, more specifically organ trade, can be traced back to the early 19th century in London where English medical schools would illegally buy human corpses from body-dealers so as to study human anatomy. It has been estimated that, between the years 1832 and 1931, 125,000 bodies were traded in such a way, while other dealers sold body parts individually, which amounted up to 125,000 sales¹⁴.

Nowadays, illegal drug distribution and organ trafficking are more frequent than ever, with the estimated annual value of drug trafficking and organ trafficking at \$426 to \$652 billion and \$840 million to \$1.7 billion¹⁵, respectively.

Illegal Drugs

The illegal drugs sale is the part of the medical black market that one can easily come across. From the Dark Web to the streets, illicit drugs can be found everywhere and yet, no one seems to have found a way

Table A. Global Drug Market Annual Values (US\$)

Market	Value
Cannabis	\$183 billion to \$287 billion
Cocaine	\$94 billion to \$143 billion
Opiates	\$75 billion to \$132 billion
ATS	\$74 billion to \$90 billion
Global Total	\$426 billion to \$652 billion

Figure 2 Global Drug Market Annual Value of different types of drugs

to halt their production and distribution. The vast network of sellers is expanding from

¹³ "Global Glossary of Terms and Definitions on Donation and Transplantation." *Https://Www.who.int*, www.who.int/transplantation/activities/GlobalGlossaryonDonationTransplantation.pdf?ua=1.

¹⁴ "The Victorian Trade in Dead Bodies." *HistoryExtra*, 15 Aug. 2018, www.historyextra.com/period/victorian/the-victorian-trade-in-dead-bodies/

¹⁵ "Report: Global Drug Trafficking Market Worth Half a Trillion Dollars." *TalkingDrugs*, www.talkingdrugs.org/report-global-illegal-drug-trade-valued-at-around-half-a-trillion-dollars.

country to country and deaths due to drugs/medicine or their wrong use are increasing annually. The most common types of drugs that are distributed through the black market are recreational drugs, opioids and prescription drugs, whose wrong or extensive use may prove to be fatal.

Recreational Drugs

Common recreational drugs include cocaine and marijuana. Cocaine has been proven to be an addictive and stimulating drug, who's also referred to as "coke". It can be digested in different ways and has multiple harmful short-term and long-term effects on one's health and behavior. For example, when a person uses cocaine, at first he/she may feel a sudden change of mood (burst of happiness, anger, paranoia). In the long run, however, it can cause health problems, from a simple headache to seizures, heart diseases/attacks and/or HIV or hepatitis when injected.

Marijuana, or cannabis, is a drug that has been used for both medical and recreational purposes. In the case of medicine, pharmaceuticals that derive from marijuana are used to treat anorexia, chronic pain, or even some cases of severe epilepsy. However, when taken recreationally, cannabis may cause memory loss, cancer, psychosis, and more. Some types of drugs that derive from marijuana, like K2 or Spice as are their nicknames, that are common within the black market, can have even more negative effects on the drug user's health.

Opioids

Opioids are chemicals that have proven to be controversial throughout the years because of the risks their extensive use hides. Heroin also belongs in the opioid family; however, this drug is illegal. Heroin's extensive use may lead to kidney, lung or liver diseases, sexual dysfunction for both men and women, as well as the development of mental disorders. Since such a dangerous chemical like heroin is an opioid, doctors are concerned that the prescription opioids can have similar results. There have even been cases where such chemicals have led to heroin use. For example, in 2011, 80% of heroin users admitted that they were taking prescription opioids first¹⁶.

Other prescription drugs

Prescription drugs are drugs that can only be bought and consumed with a prescription from a doctor for medical reasons. However, since many of them can be expensive or addictive, people seek them in the medical black market as well. Examples are Diazepam, Nitrazepam and Temazepam, prescription drugs that

¹⁶ National Institute on Drug Abuse. "Heroin." *NIDA*, www.drugabuse.gov/publications/drugfacts/heroin.

produce calming effects and their long-term unregulated use will lead to memory loss, confusion and insomnia.

An example of a very dangerous prescription drug that has caused high death rates in the UK the last couple of years is Pregabalin. Pregabalin is used as a treatment for anxiety and epilepsy and can be highly addictive, especially when combined with heroin. The use of this combination has led many times to the overdose of the drug user. In 2016, for example, 111 deaths were attributed to Pregabalin, when in 2012 there were only 4¹⁷.

Organ Trafficking

The United Nations (UN) has stated that the illegal organ trade is one of the organization's top priorities. According to Global Financial Integrity (GFI), 10% of all transplantations every year use trafficked organs¹⁸. Additionally, there have been cases of organ trafficking in multiple countries, such as the US, China, Pakistan, Indonesia, India and more. Nickolay Mladenov, a UN representative, has stated that there have even been allegations of illegal organ trade activity lead by the ISIS (Islamic State of Iraq and Syria) that are being investigated by the UN itself¹⁹.

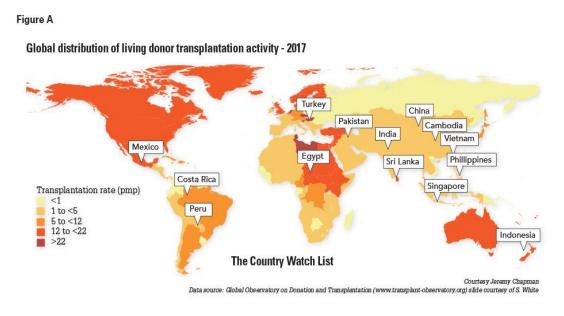


Figure 3 Living Donor Transplantation Activity in 2017

¹⁷ "Prescription Drug Pregabalin Linked to Death Rise." *BBC News*, BBC, 11 Sept. 2017, www.bbc.com/news/av/uk-england-devon-40937449/prescription-drug-pregabalin-linked-to-death-rise.

¹⁸ Bain, Christina, et al. "ACAMS Today." *ACAMS Today*, 26 June 2018, <u>www.acamstoday.org/organtrafficking-the-unseen-form-of-human-trafficking/</u>.

¹⁹ Perry, Philip. "What You Need to Know about Human Organ Trafficking." *Big Think*, Big Think, 5 Oct. 2018, bigthink.com/philip-perry/what-you-need-to-know-about-human-organ-trafficking.

As was mentioned above, kidneys are the organs that are of highest demand. However, many different types of organs (e.g. hearts, lungs, pancreas, intestines, etc.) are being sold and bought all around the world. The methods of obtaining such organs are not as straightforward or simple as one might think. It is very common for poor, vulnerable or uneducated people to become victims of organ-dealers by selling their organs for a very small price, when in reality their worth is much higher. For example, it has been estimated that, while donors receive about \$5,000 for an organ, dealers might sell them for \$150,000 or more²⁰. Apart from becoming victims of deception, many donors are forced to give away their organs through cruel procedures, which many times are not even conducted by real doctors. More specifically, there have been cases where sex trafficking victims have given organs away against their will.

A good example of a country's illegal activity in regard to organ trade has been uncovered in China, where in 2006 a state-run hospital was accused of trafficking organs of prisoners of forced organ harvesting. Per international investigators, thousands of citizens have been killed by Communist Party officials for their organs to be used in trade²¹. The Chinese government has denied all allegations regarding this matter.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

United States of America (USA)

The United States of America is one of the countries with the highest rates of illegal distribution and consumption of drugs and consequentially, one of the countries with the highest death toll due to drug overdose. In 2013, for example, a study that was conducted supported that 9.4% of the population had taken an illicit drug in the past month²². Because of that, there have been various attempts to limit the medical black market's reach in this sector with many campaigns, the most prominent one being the "War on Drugs".

The "War on Drugs" was introduced during the presidency of Richard Nixon in 1971. The rapid rise of recreational drug consumption during the 1960s led President Nixon to declare illicit drugs "public enemy number one". Thus, he used this campaign to raise capital to fund organizations and agencies that are dedicated to drug-control, while also implementing stricter penalties for both drug-dealers and drug-users. Additionally, he created multiple governmental bodies to strengthen the campaign.

²⁰ Perry, Philip. "What You Need to Know about Human Organ Trafficking." *Big Think*, Big Think, 5 Oct. 2018, bigthink.com/philip-perry/what-you-need-to-know-about-human-organ-trafficking.

²¹ Perry, Philip. "What You Need to Know about Human Organ Trafficking." *Big Think*, Big Think, 5 Oct. 2018, bigthink.com/philip-perry/what-you-need-to-know-about-human-organ-trafficking.

²² National Institute on Drug Abuse. "Nationwide Trends." *NIDA*, www.drugabuse.gov/publications/drugfacts/nationwide-trends.

For example, in 1973 he created the Drug Enforcement Administration (DEA), which is still active today, and aims at the complete dissolution of the illegal drug trade. When it first started, the DEA had access to around 1,500 officers and just 75 million dollars. In 2019, however, the number of officers exceeded 10,000 while the budget reached over 3 billion dollars.²³

The War on Drugs is still active today. Since its establishment, imprisonments in regard to drug distribution and/or consumption have skyrocketed from 50,000 (1980) to 400,000 (1997)²⁴. Despite this development, however, the medical black market on drugs seems to be stronger than ever. Furthermore, throughout the years the whole campaign has been the subject of many discussions, since it has been surrounded by controversy. The War on Drugs has been characterized as a racist campaign that hides ulterior motives, while evidence has supported the opinion that this policy has been used as a means of discrimination against African Americans. Thus, one may argue that the whole campaign has proven to be a failure and the problem of illegal drugs is nowhere near being solved. The decriminalization and legalization of marijuana in some states and the District of Columbia, on the other hand, could have as an effect the limitation of the illegal trade of marijuana. This measure, however, cannot be implemented for all illicit drugs and thus, it does not tackle directly the issue of the medical black market.

Iran

The first kidney transplant in the Middle East was performed in Iran in 1967. By 1988, the waiting list for organ transplants in Iran had reached unprecedented levels, which urged the Ministry of Health to legalize the living non-related donation (LNRD) of kidneys. In the year that followed (2000), the Brain Death and Organ Transplantation Act was passed by the government, which "regulates the procurement of organs from clinically brain-dead patients"²⁵. This Act and the kidney LNRD program that was introduced before it led to the growth of the transplantation industry and the degradation of the black market in organ trafficking within the borders of the country. By the end of 2012, more than 36,000 transplants were performed, namely of kidneys, heart, lungs, liver and pancreas²⁶.

²³ History.com Editors. "War on Drugs." *History.com*, A&E Television Networks, 31 May 2017, www.history.com/topics/crime/the-war-on-drugs.

²⁴ History.com Editors. "War on Drugs." *History.com*, A&E Television Networks, 31 May 2017, www.history.com/topics/crime/the-war-on-drugs.

²⁵ "Organ Donations in Iran." *Centre for Public Impact (CPI)*, www.centreforpublicimpact.org/case-study/organ-donations-in-iran/.

²⁶ Ghods, Ahad J. "The History of Organ Donation and Transplantation in Iran." *Researchgate.net*, Mar. 2014,

www.researchgate.net/publication/260873792_The_History_of_Organ_Donation_and_Transplantati on in Iran.

Today, Iran is the only nation in the world that allows the buying and selling of organs. This organ trade is controlled by an organization called the Dialysis and Transplant Patients Association (DTPA), that is responsible for matching a certified donor to a recipient in need. Additionally, donors usually receive money and free health insurance from the government as a recompense. On the other hand, the recipients also frequently pay for the organ they receive, while some non-profit organizations involved might pay for those that are not financially independent. The system of Iran, however, has some restrictions. For example, the trade of organs is only allowed between Iranian citizens, and thus transplant tourism is somewhat limited. Despite the positive outcomes of this system, many have claimed that it is characterized by deception and manipulation, as many donors are characterized as "poor and vulnerable". Additionally, as Nancy Scheper-Hughes, the director of Organ's Watch, has suggested: "Regulation in Iran has not ended the black market, it has simply made it an official policy".

TIMELINE OF EVENTS

Date	Description of event
1971	President Nixon declares a "War on
	Drugs"
1988	Iran establishes a deceased kidney
	transplant system
1991	The World Health Organization (WHO)
	publishes the Guiding Principles on
	Human Organ Transplantation
2000	The Organ Transplantation Brain Death
	Act
2008	The Declaration of Istanbul

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

73/192. International cooperation to address and counter the world drug problem²⁷

To tackle the issue of illegal drug distribution, this resolution, that was adopted by the General Assembly on the 17th of December 2018, aims at urging the member states to take stricter measures against illicit drug trafficking.

²⁷ "United Nations Official Document." *United Nations*, United Nations, www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/192.

71/322. 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.²⁸

This resolution of the General Assembly, that was drafted on the 8th of September 2017, addresses the issue of organ trafficking. It basically aims to create an international framework and unite countries so as to effectively combat this issue.

Council of Europe Convention against Trafficking in Human Organs²⁹

This convention drafted the first legal document that contained a definition of trafficking in human organs, which was internationally recognized. Additionally, so far it has been signed by Albania, Austria, Belgium, Czech Republic, Greece, Italy, Luxembourg, Moldova, Norway, Poland, Portugal, Spain, Turkey and the United Kingdom.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

The Declaration of Istanbul

The Declaration of Istanbul was drafted during thes Istanbul Summit of Organ Trafficking and Transplant Tourism, which took place in Istanbul, Turkey, from the 30th of April to the 1rst of May 2008. This Summit was organized by The Transplantation Society (TSS) and the International Society of Nephrology (ISN). The Declaration of Istanbul defines the terms "transplant tourism", "organ trafficking" and "transplant commercialism", while suggesting that all countries adopt certain ethical principles in relation to organ transplantation and trade, which are highlighted within the declaration itself. One must stress, however, that this is not a legally binding document and does not establish an international legal framework on the practices of transplantation. Nevertheless, it has urged many countries, such as the Philippines and China, to strengthen their laws in regard to this matter.

The Palermo Protocol

The United Nations Palermo Protocol, or as it is officially called "Protocol to prevent, suppress and punish trafficking in persons, especially women and children", is a part of the United Nations Convention against Transnational Organized Crime, which was conducted in May 2000. This protocol mostly focuses on the trafficking of

²⁸ United Nations, General Assembly. "71/322. 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." *Www.edqm.eu*, 8 Sept. 2017, www.edqm.eu/sites/default/files/who_res71-322_e-september2017.pdf.

²⁹ "Council of Europe Convention against Trafficking in Human Organs." *Rm.coe.int*, rm.coe.int/16806dca3a.

human beings, while including organ trafficking as one form of human trafficking. However, because of its focus on a broader topic, it does not clearly outline ways to limit the expansion of the medical black market in this sector and thus, it does not provide the Member States with effective measures that could be implemented to tackle this issue as a whole.

POSSIBLE SOLUTIONS

In order to tackle the issue of the medical black market many measures must be taken. Specialists have argued that the LNRD system of Iran is the key to solving this problem. It cannot be implemented in all countries, however, since it violates their religious or moral beliefs. Apart from that, both the World Health Organization (WHO) and the United Nations (UN) believe that the sale of organs should be banned. Additionally, while stricter penalties for drug users or dealers have resulted in mass incarcerations, the War on Drugs did not manage to limit the reach of the medical black market. Thus, the elimination of this problem depends on the establishment of further measures.

First of all, raising awareness is the root to tackling this issue. For more people to become donors and eradicate the waiting list (WT) of transplantations, while consequentially limiting this issue as a whole, they need to be educated and informed enough to weigh the advantages and disadvantages of this position. Additionally, taking into consideration that many donors of the illegal organ trade are in vulnerable positions (and most of the times uneducated), raising awareness campaigns or programs would eventually eliminate as much as possible the manipulation of possible illegal donors, and thus, illegal organ trafficking as a whole. Lastly, establishing a stronger international or national legal framework on the procedure of transplantation would also prove to be effective.

As for the illegal distribution of drugs, the prescription problem needs to be addressed. Stricter regulations and procedures for the obtainment of a prescription should be established, while regular checks on doctors or pharmacists should be introduced, so as to ensure their credibility and devotion to the law. Additionally, medicine prices should be reassessed while state healthcare should provide people with free drugs or tax reductions on drugs, when they cannot afford medication that is vital for their health. Lastly, as for recreational drugs, investigation campaigns and agencies that are involved in their prohibition must be strengthened as well as penalties that are related to illegal drug distribution or consumption.

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Figures

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