**Committee:** World Health Organisation

Issue: Addressing the kidney Village in Nepal

**Student Officer:** Dionysis Priftis

**Position:** Deputy President

#### PERSONAL INTRODUCTION

Dear Delegates,

My name is Dionysis Priftis and I am a sophomore at Ekpaideutiki Anagennisi. In this year's ACGMUN, I am the Deputy President of WHO, and so are we, me and my cochairs more than elated to meet and cooperate with you all. This conference will be my third time chairing and my 14th conference.

Entering this immaculate reality of MUN, as the spirit escalates and you accustom yourself to the process, it is gradually becoming harder to escape. I am personally one of the people that were questioning its glory, but I then lapse into this recurrent circle of consecutively attending conferences, and I thus fell in love with it. It is of paramount importance that you have a whetted appetite, and an eagerness to learn so that you truly comprehend the issues you are faced with, and simultaneously realise that these global pathogenies are actually taking place around us.

In the present study guide, you'll find crucial information concerning the topic, so that you take a thorough leap of what is happening in Nepal with the so-called "organ trafficking". Remember that this document should constitute just the basis of your research, and you should certainly conduct more, on your own. It is fundamental that you interpret your country's policy on the issue, in order for you to maintain an unambiguous stand both during the lobbying and the debate.

Do not forget that, I am always here to help you with any problem you may confront. Should you have any questions, please do not hesitate to contact me by email at; <a href="mailto:dionisispriftis@yahoo.com">dionisispriftis@yahoo.com</a>.

Looking forward to meeting you all in April!

Best Regards,

Dionysis P.

#### **TOPIC INTRODUCTION**

In the east of Kathmandu-Nepal, a small underpopulated village, Hoshke, has constituted the lure of multiple organ traffickers. Due to the lack of education, insufficient resources, and especially because of the lack of arable land, residents are convinced that the only way they can make a living is through the selling of their own kidneys.

Organ harvesting is one of the largest issues broached in the international forefront that has ever afflicted our society. However, the constant violation of human rights in Hoshke, and the frequency of its residents falling prey to the red market, have surmounted any other. There is not a single person under these 75 households in the village that has a solid set of kidneys.

As mentioned before, their lack of knowledge on the matter comprises the fundamental factor that leads these inhabitants to sell their organs, while leaving them under the impression that they'll gain a decent amount of money and that the damage is not permanent, since their kidney will grow back. The problem lies beyond the fact that the procedure is not conducted by a qualified doctor removing the organs from Nepali citizens; The act of selling organs itself constitutes a macabre crime on its own, but also the act of disinforming the citizens and not disclosing information regarding their medical licence is fraud. The money that the residents are gaining from this activity can thus offer them the chance to buy a tract of land and build their own house. A house that would get destroyed after an earthquake in 2015, an unexpected weather phenomenon that was deemed catastrophic for Nepali citizens.

Moreover, another direct consequence of illiteracy in the village is the refusal of the citizens to attend the health check-ups of the village, so as to periodically check how their sole kidney works. The health implications and side effects of living with one kidney while having an illicit and unsupervised operation can be fatal, but considering the costly medical bill, a large portion of the responsibility lies on the residents.

So, the problems that derive are the following; residents belonging to the bottom of social stratification, hence of a low income, are trafficking their own organs in the shrine of profit. The aftermath of the topic which is crucial to be addressed is the fact that these people are leaving the village after selling their kidney, so as to avoid becoming the subject of widespread gossip in the small town when they have been subject to massive exploitation and grievous bodily harm (GBH).

Eventually, a government that sustains economic growth and grants decent job placements, the 8<sup>th</sup> of the sustainable goals, can prevent its inhabitants from turning to such an abhorrent way of gaining money. The human instinct of providing one's

family the basic amenities to make ends meet is what leads the residents of the village to such acts of fraud.

#### **DEFINITION OF KEY TERMS**

#### **Atypical operation**

An operation that is not taking place under the circumstances of an official, a formal surgery, and thus it is questionable whether the protocol and the hygienic appreciation are followed.

#### Black market<sup>1</sup>

"An illegal traffic or trade in officially controlled or scarce commodities, it is an economic activity that takes place outside government-sanctioned channels. The Black market often sets a price for foreign exchange that is several times the official one. Examples of goods traded in the black market are weapons, illegal drugs, exotic and protected species of animals, and human organs needed for transplant surgeries".

## Forced organ harvesting<sup>2</sup>

"The illegal practice of surgically removing a victim's organs against their will for the purpose of transplantation".

## **Grievous Bodily harm (GBH)**

GBH is a term that describes the severest forms of battery, which is under law differentiated in "wounding with intent" or "causing grievous bodily harm with intent", whereas may be referred to as "unlawful wounding", "malicious wounding" or "inflicting grievous bodily harm".

#### Homeostasis/Osmoregulation<sup>3</sup>

"Keeping the conditions in the internal environment of the body relatively constant. One aspect of homeostasis is the maintenance of the water content of the internal environment, the so-called osmoregulation" - in humans the chief organ of homeostatic function are the kidneys.

https://www.investopedia.com/terms/b/blackmarket.asp

https://www.delta-net.com/compliance/modern-slavery/faqs/what-is-organ-harvesting

<sup>&</sup>lt;sup>1</sup> black market definition

<sup>&</sup>lt;sup>2</sup> what is organ harvesting?

<sup>&</sup>lt;sup>8</sup> Edexcel international GCSE, Biology p. 104

# Human trafficking4

"Involves the use of force, fraud, or coercion to obtain some type of labour or commercial sex act against the will of the person trafficked. Traffickers may use violence, manipulation, or false promises of well-paying jobs or romantic relationships to lure victims into being trafficked".

## Living donor<sup>5</sup>

"A person that donates an organ (or part of an organ) for transplantation to another person. The living donor can be a family member, such as a parent, child, brother, or sister (living-related donation). Or, it can be forced from human trafficking, or it can even be ergo of altruistic spirit".

## Organ trafficking<sup>6</sup>

"The recruitment, transport, transfer, harbouring or receipt of living or deceased persons or their organs 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 to, or the receiving by, a third party of payments or benefits to achieve the transfer of control over the potential donor, for the purpose of exploitation by the removal of organs for transplantation."

#### Red market<sup>7</sup>

"Organ trade, the trading of human organs, tissues, flesh or other body products in the form of sex racket, child trafficking or organ selling, in counter-economics, its meaning refers to a market of violence and theft which is not approved by the State".

#### Transplantation<sup>8</sup>

"The process of moving cells, tissues or organs from one site to another for the purpose of replacing or repairing damaged or diseased organs and tissues".

https://www.dhs.gov/blue-campaign/what-human-trafficking

https://www.kidney.org/transplantation/livingdonors/general-information-living-donation

http://multivu.prnewswire.com/mnr/transplantationsociety/33914/docs/33914-Declaration of Istanbul-Lancet.pdf

https://theobserver-giaa.org/the-red-market-international-organ-trade

<sup>&</sup>lt;sup>4</sup> What is human trafficking?

<sup>&</sup>lt;sup>5</sup> info about living donors

<sup>&</sup>lt;sup>6</sup> organ trade

<sup>&</sup>lt;sup>7</sup> the red market

<sup>&</sup>lt;sup>8</sup> transplant immunology <u>https://www.immunology.org/policy-and-public-affairs/briefings-and-position-statements/transplant-immunology</u>

#### **BACKGROUND INFORMATION**

### Introduction to forced organ harvesting

As stated above, forced organ harvesting is an illegitimately profitable activity, and it constitutes a form of modern slavery. The organs extracted from the victim, through atypical operation, are being sold in the black market or the red market. The reason why illicit organ harvesting and by extension organ trafficking are escalating is because of the advancements in new technological machines. Meaning that, with regulations such as the one of abolishing alcohol at the age of 18 which further prevents the drunk automotive accidents, other laws that are deterring and protecting the youth from gratuitous deaths, together with the automated advancements, are quid pro quo for the society, and eventually for the red market, but a loss for the medicine sources. Thus, provoking the desperate patient to search for illicit ways of winning the "race" of transplantation and hence to turn to the black market, when simultaneously facilitating a hotbed of criminal activity.

## The health risks of organ harvesting

Organ harvesting for organ transplantation is a complex medical procedure, which requires advanced knowledge in the medical field, in order to find a close match for the transplantation. Thus, the surgery entails multiple risks such as severe pain, blood clots, incisional herniation<sup>9</sup>, serious infection adverse drug reactions Pneumonia, Lung collapse, psychological symptoms, Death<sup>10</sup>

## The biological importance of a kidney

Every human has two kidneys located at the waist level and the posterior wall of the abdomen. The kidneys are organs involved in the excretory system, which are responsible for the transformation of waste into urine and have five fundamental functions; The first one is the filtration of the plasma blood before its return to the heart, meaning the collection of any nutrients, or waste products away from the big circulation. Moreover, the maintenance of balance amongst the body fluids; when talking about body fluids we are referring to salt, water, glucose, amino acids, and the regulation of minerals from the blood via the nephrons (homeostasis). In addition, kidneys are contributing to the filtering of waste materials from food, medications and

https://www.mountsinai.org/care/surgery/services/general-surgery/conditions/hernia/incisional-hernia

<sup>&</sup>lt;sup>9</sup> "An incisional hernia is a protrusion of tissue that forms at the site of a healing surgical scar. This type of hernia accounts for 15-20 percent of all abdominal hernias."

<sup>&</sup>lt;sup>10</sup> what is organ harvesting? https://www.delta-net.com/compliance/modern-slavery/faqs/what-is-organ-harvesting

toxic substances, while creating hormones that help the production of red blood cells, promoting bone health, and finally regulating blood pressure.

Considering all the above, two of the most common diseases that are intricately linked to the failure of kidneys are diabetes and chronic kidney disease (nephritis). For patients with diabetes, the phenomenon of kidney complication is more often than not present, because of the development of high blood pressure. Blood sugar, also known as high blood glucose, can damage the blood vessels of the kidney, and thus cause them permanent dysfunction.

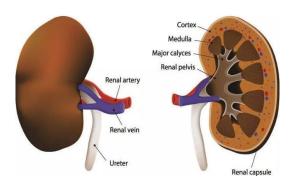


Figure 1<sup>11</sup>: The anatomy of human kidneys

Statistically, the kidneys are the most needed organ for transplantation, it is thus inferred that the damages of the kidneys are initially permanent, secondly, they cannot be directly repaired with medication, and finally that people are able to live with just one kidney; which is one crucial reason why living donors are preferred. Moreover, when it comes to having to live with one one kidney, it has been medically proven that it can execute the exact same filtration as both kidneys would. However, even if someone can live with one kidney this entails that they should remain healthy through ways such as eating a healthy diet, exercising regularly, maintaining a healthy weight, blood sugar and pressure, staying hydrated and seeing a doctor regularly for check-ups.

In the case of Hoshke, the majority of the citizens are unable to abide by these conditions, especially when the country as a whole does not have a stable healthcare system that can ensure the maintenance of these salubrious circumstances. Other than that, the chance of incompatibility between the donor's kidney and the recipient's organism is also high. Thus, a villager would have been subject to an

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<sup>&</sup>lt;sup>11</sup>Anatomy of the kidney. (2018, October 24). News-Medical.net. https://www.news-medical.net/health/Anatomy-of-the-Kidney.aspx

extremely risky operation in order to gain a negligible amount of money, only for the kidney to be incompatible or even rejected by the recipient's immune system.

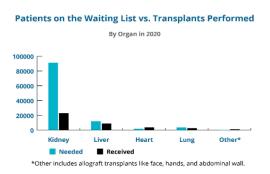


Figure 2<sup>12</sup>: Kidney transplantation statistics in 2020

#### Factors contributing to the rise of the crisis in Nepal

#### Lack of Education

There are a plethora of factors that have contributed to this crisis. As stated in the introduction, residents of Hoshke are not in the critical state of mind to discern the bizarre promises the traffickers are offering them. That is a result of poor education and the lack of knowledge on modern slavery and medical procedures such as organ transplantation. In a general sense, when an isolated group of people does not have a strong stimulus that can actuate their inquisitiveness to search for elementary knowledge, people are prone to turning into impressionable victims, with no libitum. Not having a steady source of income can thus turn into a detrimental factor for someone's wellbeing. In Nepal, traffickers are exploiting the resident's illiteracy and gullibility, and therefore make false promises to assure the regeneration of the organs, while bestowing high amounts of money, which are never going to give back. For example, the villagers may have been promised a stable house and some money for such a donation, but instead, they would be given back a meagre amount of money that in contrast with their donation could not even nurture them for a whole month. However, it is important to note that even if the villagers were to receive a higher amount of money, that would not under any

<sup>&</sup>lt;sup>12</sup>Organ donation statistics. (n.d.). Information about Organ, Eye, and Tissue Donation | organdonor.gov. <a href="https://www.organdonor.gov/learn/organ-donation-statistics">https://www.organdonor.gov/learn/organ-donation-statistics</a>

circumstances defy that the action of harvesting a kidney to be sold is a serious criminal offence.

#### Poverty in combination with the massive Earthquake

Furthermore, another factor contributing to the vulnerability of Hoshke's citizens is the poor living conditions which undermine human dignity, in combination with the massive earthquake that took place in Nepal in 2015. This earthquake also known as the Gorkha earthquake was mortally disastrous and ominously fatal. More specifically, the sequence of extreme natural disasters killed 8,964 people and injured 21,952 more. The shortage of economic pores can many times oblige humans to search for unlawful methods of livelihood. An unprecedented act is turning to the black market, as it is one of the most assured techniques of making huge amounts of money tax-freely and directly. However, taking into account that these citizens may significantly lack entrepreneurial or any critical way of thinking, due to the rising issue of illiteracy, as well as the immediate need for money to sustain their families, the only source of income is selling their kidneys for a negligible amount of money. It is important to mention that Nepal is one of the least developed countries in the world, with an economy anchored in agriculture, employing 70% of the citizens and accounting for 33% of the GDP. Meaning that at least these small amounts of money they gained could grant them a tract where they could build a small house, or agricultural infrastructure for the purpose of nurturing their family.



Figure 3<sup>13</sup>: Citizens of Hokshe village

Hence, it is concluded that money may constitute an exterminating factor for the mob and can constitute the inducement of many phenomena of social pathogeny. In other words, if the government of Nepal could grant the citizens

<sup>&</sup>lt;sup>13</sup>Doe, J. (2019, February 8). These villagers don't know any other home than Nepal. But they're still stateless. The Kathmandu Post | Read online latest news and articles from Nepal. https://kathmandupost.com/province-no-5/2019/02/08/these-villagers-dont-know-any-other-home-than-nepal-but-theyre-still-stateless

stable employment or sustained economic growth, these people would not turn to illegitimate ways of making a living, since such acts only contribute to the rise of black/underground economy<sup>14</sup> and the criminal rate of the country.

#### Open borders with India

The last contributor to the exacerbation of organ trafficking in Nepal is the issue of open borders with India. Indo-Nepal Treaty of Peace and Friendship, 1950, provides for an open border between the two countries. Even though neither India nor Nepal have stable foreign relations, the latter is vulnerable to the rise of the red market in India because of the impunity system that Nepal operates with. More precisely, "under Nepalese law, kidney transplants are allowed only if the organ is donated by a blood relative or spouse. When India's laws are laxer, allowing a non-relative to donate an organ 'out of affection', subject to the approval of a medical committee - a checking process which can often be circumvented" Most Nepalese people often turn to economic migration, since the circumstances in the country are not propitious. Thus, maintaining the open border between the two countries, and so exhorting India to take advantage of the not rigid legislation in Nepal.

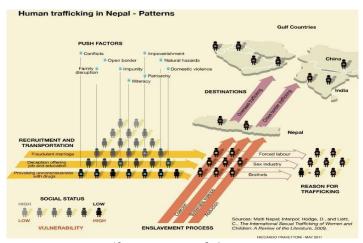


Figure 4<sup>16</sup>: Summary of the causes

<sup>&</sup>lt;sup>14</sup> "Underground economy, also called shadow economy, transaction of goods or services not reported to the government and therefore beyond the reach of tax collectors and regulators. ... Illegal activities include drug dealing, trade in stolen goods, smuggling, illegal gambling, and fraud"

<sup>&</sup>lt;sup>15</sup> Organ traffickers luring Nepal's poorest to India, Weak Laws <a href="https://www.abc.net.au/news/2010-12-29/organ-traffickers-luring-nepals-poorest-to-india/1889428">https://www.abc.net.au/news/2010-12-29/organ-traffickers-luring-nepals-poorest-to-india/1889428</a>

<sup>&</sup>lt;sup>16</sup>Human trafficking in Nepal - Patterns | GRID-arendal. (n.d.). GRID-Arendal. https://www.grida.no/resources/8306

# **Consequences of organ trafficking in Nepal**

The prime consequence of the crisis is the long-term effects that organ harvesting may have on the human body. Death is not a rare phenomenon, as aforementioned, but also, other permanent, chronic-inflicted implications that may come up during or after the surgery, leading to a significant population loss. This event, considering the fact that more than one-third of the total population has lost their kidney, is eventually subverting the economy of the country. Moreover, because of the systematic and continuous violations of human rights, the morals of democracy are eroded and human nature is abased. In a nutshell, the consequences above can bring about in the forefront an amplitude of more repercussions, which are all contributing to a social crisis, and the repulsion of the human being.

#### MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

#### **United Nations Office on Drugs and Crime (UNODC)**

Nepal has not adopted the Palermo Protocol, a convention which is explained in the timeline, and so the UNODC attended a meeting with representatives from Nepal, to proceed with the adoption and support of the protocol, through stakeholders. However, no further progress has been reported since August 2017. Ratifying the Protocol would give guidance and support to help protect Nepal from traffickers and to punish those who traffic.

#### India

India is a country that has an intimate diplomatic relation with Nepal, and it is also one of the sources of the organ-traffickers. It is a common phenomenon for the organs harvested from Nepal to be sold in India. "While the Government of India has mandated the Sashastra Seema Bal (SSB) to guard the open border with Nepal, the Government of Nepal has deployed the Armed Police Force (APF) to watch over its border. However, procedures relating to the interception of victims or suspected traffickers of cross-border human trafficking are not institutionalised. This gap is exploited by traffickers on both sides of the borders, who go unidentified"17. In addition, India also aided Nepal significantly after the earthquake by donating one billion dollars and other non-monetary reliefs.

## Maiti Nepal

<sup>&</sup>lt;sup>17</sup>https://www.unodc.org/documents/southasia//publications/SOPs-on-TIP-India-Nepal-Bangladesh/indo nepal 20 March 18.pdf

Maiti Nepal is a Non-Governmental Organisation that has set up rehabilitation homes in Nepal for victims of trafficking in order to help get their lives back on track and protect them. They nurture children and educate them substantially so as to avoid falling prey to traffickers again. It is a preventive organisation that offers succour to the ingenuous youth, and thus reduces its effect on the victim and the victim's outlook to the future.

#### Free for life

Free for life is a Non-Governmental Organisation in Nepal that sets up border checkpoints in order to intercept traffickers. At the border checkpoint, they have specifically trained staff who look out for people who are potentially being trafficked and step in as a last resort or form of defence to rescue the victim. This has played a crucial role in catching traffickers in the act which helps when prosecuting them.

## **Egypt**

Egypt is one of the most afflicted counties by organ trafficking as the rate of undocumented immigrants constitutes the incentive of many traffickers. As in Nepal, the widespread poverty is what has triggered Egyptians to sell their organs, especially because of the criminal gangs that can pressure people into falling into this vicious trick.

#### China

Even if the Chinese government has been denying multiple allegations of illegal organ harvesting and smuggling, China has a high rate of organ trafficking. Considering the fact that China is an overpopulated country with also high poverty and unemployment rate, and a country with many open borders especially with Nepal, a fertile ground for traffickers is sustained for them to exploit such circumstances.

#### TIMELINE OF EVENTS

Date	Description of event
1950	Signing of the Indo-Nepal Treaty of
	Peace and Friendship.
1953	First kidney transplantation
15 November 2000	Signing of the Palermo Protocol
April 2015	Gorkha Earthquake.
25 April 2015	India becomes the First country to economically and militarily assist Nepal regarding the Earthquake's casualties.

#### **RELEVANT UN RESOLUTIONS, TREATIES, AND EVENTS**

# Palermo protocol<sup>18</sup>

A resolution (55/25) voted on 15 November 2000. Its main attribute is the prevention, suppression, and punishment of trafficking in human beings, especially in women and children. It is a Protocol that supplements the UN Convention against Transnational Organized Crime.

#### GA Resolution A/RES/64/293<sup>19</sup>

A resolution adopted by the General Assembly on 30 July 2010, which acknowledges the United Nations Global Plan of Action to Combat Trafficking in Persons, while recalling the Palermo Protocol and the Outcome of the World's Summit 2005 and further extending the UN plan of Action.

## GA Resolution A/RES/59/156<sup>20</sup>

A Resolution adopted by the General Assembly on 20 December 2004, the purpose of this resolution is to prevent, combat, and punish trafficking in human organs. It reaffirms both the Palermo protocol and the GA resolution A/RES/64/293, while it deplores the commercialization of the human body through the request of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice to draw its attention on illicit organ trade.

# GA Resolution A/RES/72/195<sup>21</sup>

A Resolution adopted by the General Assembly on 19 December 2017 and calls for the improvement and the coordination of efforts against trafficking in persons. The resolution reaffirms all three aforementioned resolutions and further takes notice of the Global Act of Action, the 2030 Sustainable Development Goals and the Human Rights Council resolution 32/3 of 30 June 2016.

## GA Resolution A/RES/73/189<sup>22</sup>

<sup>&</sup>lt;sup>18</sup> https://www.ohchr.org/Documents/ProfessionalInterest/ProtocolonTrafficking.pdf

<sup>&</sup>lt;sup>19</sup> https://www.unodc.org/documents/commissions/CCPCJ/Crime Resolutions/2000-2009/2009/General Assembly/A-RES-64-293.pdf

<sup>&</sup>lt;sup>20</sup> https://www.unodc.org/documents/commissions/CCPCJ/Crime Resolutions/2000-2009/2005/General Assembly/A-RES-59-156.pdf

<sup>&</sup>lt;sup>21</sup> https://undocs.org/en/A/RES/72/195

<sup>&</sup>lt;sup>22</sup> https://undocs.org/es/A/RES/73/189

A Resolution adopted by the General Assembly on 17 December 2018, and its role is the strengthening and promoting of effective measures and the 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.

## Article 4 of the Universal Declaration of Human Rights (OHCHR)<sup>23</sup>

Such a declaration may not be legally binding, however, the document itself constitutes a milestone document in the history of human rights. More precisely, Article 4 states that; "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms" meaning that any illegal trading is considered a form of modern slavery and thus, it is against the fundamental human rights.

## Council of Europe Convention against Trafficking in Human Organs<sup>24</sup>

A covenant ratified on 01/03/2018 by Albania, Austria, Belgium, the Czech Republic, Greece, Italy, Luxembourg, Norway, the Republic of Moldova, Poland, Portugal, Spain, Turkey, and the United Kingdom. It is a treaty that has been recognized by the United Nations it is considered international and aims for the establishment as a criminal offense the illegal removal of human organs from living or deceased donors.

#### PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

# First official transplantation

Throughout the years, the attempts to eliminate the issue of human trafficking and to a certain extent illegal organ harvesting are only augmenting. These efforts are followed by multiple treaties which address human rights in respect to organ harvesting, but also the official promulgation of transplanting. The Uniform Anatomical Gift Act, ratified in 1968, stated that an individual can irrevocably donate upon death his or her organs for medical purposes by signing a document before witnesses. In addition to that, in 1972 amendments in social security were submitted in which Medicare coverage was extended to dialysis and kidney transplant for most people that are older than 65 with chronic kidney disease. Moreover, in 1984 the US Department of Health and Human Services established a regulated system of nonprofit organ procurement and Transplantation networks, also known as the National Organ Transplant Act, in order to acquire all usable organs from potential donors and

<sup>&</sup>lt;sup>23</sup> Article 4,

https://www.ohchr.org/en/udhr/documents/udhr translations/eng.pdf

<sup>&</sup>lt;sup>24</sup> https://rm.coe.int/16806dca3a

allocate them among transplant patients using specific criteria. It is by NOTA's official declaration<sup>25</sup> that organ trade is considered a criminal offence.

#### **Donor Pool**

In 1986, the Omnibus Budget Reconciliation Act mandated all hospitals that participate in Medicare or Medicaid, to develop programs and thus increase donor pools, by requiring hospital personnel to request the consent of potential candidates or their families for donation, or at least inform people of the option. In the extent of that, in 1991 the Patient Self-Determination Act was in force seeking to ensure physicians' awareness with patient's instructions and use of advance directives, free-living wills, and power of attorney for organ transplant.

## **Technological medical improvement**

From the 2000s and later there are other attempts that indirectly encumber the red market. In 2004, the Organ Donation & Recovery Improvement Act directed the department of health and human services to grant awards to states, transplant centres, qualified procurement organisations, and other entities for transplant-related travel and subsistence expenses incurred by individuals. Furthermore, the *Uniform Anatomical Gift Act* was revised in 2006 and specifically expanded the list of people who could make an anatomical gift on behalf of the deceased in the event that no determination has been made before death. The Act also encouraged the use of life support systems at/near death for the purpose of maximising procurement opportunities of organs medically suitable for transplant.

The transplantation medical system was also expanded by the Charlie W. Norwood Living Organ Donation Act, signed in 2007, enhancing the willing related donors who are biologically incompatible with their intended recipients to agree and donate organs to an unknown recipient. In exchange, their intended recipient either receives an organ (paired exchange) or a higher position on the transplant waiting list (list donation). Lastly, in 2008 a law called *The Stephanie Tubbs-Jones Gift of Life Medal Act*, establishes the Stephanie Tubbs-Jones Gift of Life Medal for organ donors and families of donors, thus creating a new medical landscape for organ transplantation.

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<sup>&</sup>lt;sup>25</sup> https://www.livingdonorassistance.org/documents/NOTA.pdf

#### **POSSIBLE SOLUTIONS**

### Building the region with educational facilities and healthcare services

Taking under consideration the fact that Hoshke is in multiple ways underdeveloped, with a prime example being poverty and alliteration, the optimum way for the citizens to filtrate and the promises by predators is to have learned how to distinguish such offences from a young age. Thus, exercising suspiciousness, critical thinking and inquisitiveness can deter them from making fateful decisions for a disproportional profit. At the same time, the absence of a stable healthcare system significantly hinders the exercise of their fundamental rights, thus after falling victims of traffickers, a sanitary crisis follows, with the bodies of the villagers being subject to GBH.

# Ensuring Transparency and Cooperation between the nations for the elimination of human trafficking

As mentioned above, there are other countries that have been plagued by human trafficking and specifically by forced organ harvesting. So, reintroducing and reestablishing a measure, a protocol, a convention or even forming a separate entity that will ensure the global prevention of human trafficking and will bridle the international black smuggling, would seem effective for the human mileage. In the meanwhile, the vigilant surveillance of borders could obstruct many illicit trades, especially in the case of India-Nepal, where the situation is yet to decline.

#### Constructing resilient infrastructure to shelter the ones afflicted by the earthquake

After the earthquake in 2015, together with the sanitary crisis that has eventuated from organ harvesting, it is deemed urgent that people are supplied with housing facilities so that they have a chance to start over. Delegates should refer to the way this could be achieved through. For example, the construction of regional shelters that will house the citizens that lost their properties through the offer of breadlines, clothing, resting rooms, and access to telephonic devices in order for them to communicate with their families.

## Raising awareness for the smuggling of kidneys

An amplitude of people is not yet familiarised with the term 'human trafficking' and the different aspects of it. So, on one hand it is important that everyone can comprehend the perilous activities that human trafficking entails, as well as its consequences to the community while focusing specifically on organ harvesting. On the other hand, delegates should take into account the continuous human rights violations, the lack of education, the exploitation of the citizens' gullibility and in general their lack of knowledge because of the scarce resources they have at their disposal.

## Ameliorating the living standard through the guidance of sustainable goals

Incorporating sustainable living in our daily life is the aim of the sustainable goals agenda of 2030. Therefore, drawing on information from the Sustainable Development Goals (SDGs), prosperity, well-being, and the advancement of the living standard can be ensured in Nepal. Especially due to the fact that the theme of the conference is referring to the 8<sup>th</sup> SDG, delegates should find a way to reflect how the crisis can be eradicated by guaranteeing decent work and economic growth to Nepali citizens. Reducing poverty rates through sustainable development programs could reverse these vulnerabilities in the long run but strong legal actions are required immediately to decrease the number of victims of organ trafficking

#### **BIBLIOGRAPHY**

United Nations High Commissioner for Refugees. "Trafficking in Persons." *UNHCR*, www.unhcr.org/human-trafficking.html.

"April 2015 Nepal Earthquake." *Wikipedia, the Free Encyclopedia,* Wikimedia Foundation, Inc, 25 Apr. 2015, en.wikipedia.org/wiki/April\_2015\_Nepal\_earthquake. Accessed 13 Feb. 2022.

"Black Market." Investopedia, www.investopedia.com/terms/b/blackmarket.asp

East, 101. "Q&A: Organ Trafficking in Nepal." *Breaking News, World News and Video from Al Jazeera*, 12 Sept. 2016, <a href="www.aljazeera.com/features/2016/9/12/qa-organ-trafficking-in-nepal">www.aljazeera.com/features/2016/9/12/qa-organ-trafficking-in-nepal</a>

*United Nations documents* undocs.org/pdf?symbol=en/A/RES/73/189.

"Forced Organ Harvesting: "This is Beyond Understanding"." *Health Europa*, 30 Jan. 2020, www.healtheuropa.eu/forced-organ-harvesting-this-is-beyond-understanding/96933/.

"Full List." *Treaty Office*, <a href="https://www.coe.int/en/web/conventions/full-list?module=treatydetail&treatynum=216.">www.coe.int/en/web/conventions/full-list?module=treatydetail&treatynum=216.</a>

"General Information on Living Donation." *National Kidney Foundation*, 9 July 2021, <a href="https://www.kidney.org/transplantation/livingdonors/general-information-living-donation">www.kidney.org/transplantation/livingdonors/general-information-living-donation</a>

"Illicit Organ Removal in Nepal: An Analysis of Recent Case Law and the Adequacy Human Trafficking and Transplantation Frameworks." *Taylor & Francis*, 2 2021, <a href="https://www.tandfonline.com/doi/full/10.1080/23322705.2021.1946655">www.tandfonline.com/doi/full/10.1080/23322705.2021.1946655</a>

Log in - OHCHR UPR Contribution Submissions, uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=8088&file=EnglishTranslatio

"Natural Disasters and Human Trafficking." *Engage Together*, 2 Apr. 2019, engagetogether.com/2018/06/05/natural-disasters-and-human-trafficking/

"Organ Trade." *Wikipedia, the Free Encyclopedia*, Wikimedia Foundation, Inc, 18 Feb. 2008, en.wikipedia.org/wiki/Organ\_trade. Accessed 13 Feb. 2022. "Organ Traffickers Luring Nepal's Poorest to India." *ABC (Australian Broadcasting Corporation)*, 29 Dec. 2010, www.abc.net.au/news/2010-12-29/organ-traffickers-luring-nepals-poorest-toindia

"Organ Trafficking and Migration: A Bibliometric Analysis of an Untold Story." *PubMed Central (PMC)*, <a href="www.ncbi.nlm.nih.gov/pmc/articles/PMC7246946/">www.ncbi.nlm.nih.gov/pmc/articles/PMC7246946/</a>

Pokharel, Sugam. "Nepal's Organ Trail: How Traffickers Steal Kidneys." *CNN*, 15 July 2015,

www.cnn.com/2014/06/26/world/asia/freedom-project-Nepal-organtrail/index.html

"Red Market." *Wikipedia, the Free Encyclopedia,* Wikimedia Foundation, Inc, 5 Mar. 2020, en.wikipedia.org/wiki/Red market. Accessed 13 Feb. 2022.

"Sustainable Development Goals." *UNDP | United Nations Development Program*, <u>www.undp.org/sustainable-development-goals</u>.

"Timeline of Historical Events and Significant Milestones." *Information About Organ, Eye, and Tissue Donation | Organdonor.gov*, <a href="https://www.organdonor.gov/learn/history">www.organdonor.gov/learn/history</a>

"What Is Human Trafficking?" *Department of Homeland Security*, 24 May 2021, www.dhs.gov/blue-campaign/what-human-trafficking

"What is Organ Harvesting?" *DeltaNet International: Online Compliance & Health and Safety Training | DeltaNet*, 3 Sept. 2018, <a href="www.delta-net.com/compliance/modern-slavery/faqs/what-is-organ-harvesting">www.delta-net.com/compliance/modern-slavery/faqs/what-is-organ-harvesting</a>
<a href="www.ohchr.org/en/udhr/documents/udhr\_translations/eng.pdf">www.ohchr.org/en/udhr/documents/udhr\_translations/eng.pdf</a>

"| British Society for Immunology." *British Society for Immunology |,* www.immunology.org/policy-and-public-affairs/briefings-and-positionstatements/transplant-immunology

"A/RES/72/195 - E - A/RES/72/195 -Desktop." ESubscription to United Nations

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Documents, undocs.org/en/A/RES/72/195
"A/RES/73/189 - S - A/RES/73/189 -Desktop." ESubscription to United Nations
Documents, undocs.org/es/A/RES/73/189.rm.coe.int/16806dca3a.com
United Nations Office on Drugs and Crime,

www.unodc.org/documents/commissions/CCPCJ/Crime Resolutions/20002009/200 5/General Assembly/A-RES-59-156.pdf.

United Nations Office on Drugs and Crime, www.unodc.org/documents/southasia//publications/SOPs-on-TIP-India-Nepal Bangladesh/indo nepal 20 March 18.pdf.