

## Editorial

Since the time when Joseph Murray and Christiaan Barnard changed the history of medicine by performing the world's first successful kidney and heart transplants, transplantation procedures have become increasingly sophisticated and now offer unprecedented opportunities of survival to hundreds of thousands of patients.

However, the global organ shortage caused by the huge gap between the transplantation demand and the availability of organs has slowly triggered the emergence and worldwide spread of illegal and unethical practices such as trafficking in persons for organ removal, trafficking in human organs and transplant tourism, which have rapidly become a highly profitable business for transnational organised criminal groups. Although it is very difficult to assess the real scale of these underworld phenomena, organ trafficking affects around 10 per cent of the transplants performed yearly all over the world,<sup>1</sup> with an estimated annual value of 840 million to 1.7 billion US dollars.<sup>2</sup>

Apart from its criminal implications, the global organ trade raises serious ethical, medical and legal concerns. It represents a threat to public health and human security, a blatant violation of human dignity and fundamental rights, and a bold infringement of universal principles of medical ethics, and therefore calls for a coordinated and robust response from the international community at large, based on the engagement and achievements of some key international organisations, including the United Nations, the World Health Organization, the Council of Europe, the European Union and the Organization for Security and Cooperation in Europe.

In order to tackle this complex and multifaceted phenomenon and contribute to the global fight against trafficking in human organs and transplant tourism, it is crucial to explore the multiple and interconnected dimensions (legal, medical, ethical, social and religious) of these illegal practices and promote multidisciplinary studies aimed at raising awareness, supporting national policy and law makers, and strengthening international cooperation for the protection of victims.

This ambitious aim has fostered this Special Issue of the Journal of Trafficking and Human Exploitation, which is one of the results of two international research projects: "The Discourse of Biorights. Philosophical and Legal Foundations, Features and Implementation" (DER2014-52811-P), financially

---

<sup>1</sup> The World Health Organization estimates that 10,000 black market operations involving purchased human organs take place each year. Kidneys make up seventy-five per cent of the global illicit trade in organs. Patients who mainly go to China, India, Pakistan or the Philippines for surgery pay up to USD 200,000 for a kidney to gangs who harvest organs from vulnerable and desperate people, sometimes for as little as USD 5,000 or even much less. The sites of illicit transplant have also expanded from Asia to the Middle East, Eastern Europe, South Africa, Central Asia, Latin America and the US. See WHO, *Global Observatory on Donation and Transplantation*, data available at <http://www.transplant-observatory.org/>.

<sup>2</sup> See Global Financial Integrity, *Transnational Crime and the Developing World*, 2017, available at [http://www.gfintegrity.org/wp-content/uploads/2017/03/Transnational\\_Crime-final.pdf](http://www.gfintegrity.org/wp-content/uploads/2017/03/Transnational_Crime-final.pdf).

supported by the Spanish Ministry of Economy and Competitiveness, Principal Investigator prof. José-Antonio Seoane; and “The Repression of Organ Trafficking in International, European and Comparative Law” (FARB 2015), financially supported by the University of Salerno (Italy), Principal Investigator prof. Stefania Negri.

As guest editors, we are particularly grateful to the Editor-in Chief of the Journal of Trafficking and Human Exploitation, Dr. Nicole J. Siller, for kindly accepting our proposal to publish a Special Issue on such a topical and debated subject, and to all the distinguished contributors who have generously accepted our invitation and enriched this volume with their invaluable expertise.

Stefania Negri (Università di Salerno, Italy)

José-Antonio Seoane (Universidade da Coruña, Spain)