

Organ Trafficking and Transplant Tourism

POSITION STATEMENT

Kidney Health Australia, as the peak body representing those with kidney disease, their carers and families supports the official efforts relating to Australia's organ donation agenda. This involves working with, and supporting, the efforts of Australian Governments, both State and Federal, along with medical organisations and medical professionals to increase the Australian organ and tissue donation rate.

However, Kidney Health Australia recognises that there are individuals or groups who seek to engage in the illegal practice of organ trafficking or 'transplant tourism', including those as outlined in Australia's Crimes legislation (*Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013*).

Kidney Health Australia unequivocally supports 'The Declaration of Istanbul on Organ Trafficking and Transplant Tourism' (the Declaration), which includes **condemning the practice of buying and selling organs for transplantation and other illegal activities related to transplant tourism.**

This includes condemning the practice of:

- providing economic incentives to individuals to coerce the outcome of an organ or tissue being provided for transplantation;
- advertising for, or seeking to purchase organs;
- brokering the movement of organs, donors, recipients or transplant professionals for the purpose of organ trafficking, transplant commercialism or transplant tourism, as defined in the *Declaration*;
- use of organs suspected to have been obtained through commercial transaction; and
- any other illegal and unethical practices outlined in the *Declaration*.

Kidney Health Australia supports legitimate efforts aimed at increasing the organ and tissue donation rate, including through such positive actions as:

- improving rates of deceased and living organ donation through greater public awareness and education;
- improved processes in donor identification and procurement;
- improved national registers;
- supporting the concept and practice of living kidney donation;

- greater support to families of potential deceased donors; and
- reducing or avoiding the need for transplantation through the improvement of early detection and management of chronic kidney disease.

Kidney Health Australia recognises that there are some instances in which travelling overseas for a kidney transplant, or a live donor travelling to Australia to donate an organ, is considered both legal and ethical and it is important that such a distinction be made. For example, a small percentage of family based live kidney donors do come from overseas, which is not surprising given the cultural diversity of the Australian population. There can also be cases when a related donor and recipient both travel from a country without transplant services to a country in which transplants can legally be carried out. Recognising that current Australian organ donation rates do not meet the level of demand, it is important that such arrangements, provided they are legal and conducted through official means, should not be discouraged.

Finally, Kidney Health Australia would encourage anyone with information relating to the illegal practices of organ trafficking or transplant tourism to contact the authorities as soon as possible.

For more information on Australia's organ donation efforts, or on the illegal practices of transplant commercialism, organ trafficking and transplant tourism please see:

- The Australian Government website for the Organ and Tissue Authority: www.donatelife.gov.au
- The full text of the 'The Declaration of Istanbul on Organ Trafficking and Transplant Tourism', which was developed under the leadership of the Transplantation Society and International Society of Nephrology in 2008 www.declarationofistanbul.org
- The World Health Organisation's Guiding Principles on Human Cell, Tissue and Organ Transplantation www.who.int/transplantation/en
- Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013 www.ag.gov.au/CrimeAndCorruption/HumanTrafficking/Pages/Humantraffickinglegislation.aspx

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