



# **THE CHILD ORGAN TRAFFICKING RUMOR: A MODERN 'URBAN LEGEND'**

**A REPORT SUBMITTED TO  
THE UNITED NATIONS SPECIAL RAPPORTEUR ON THE SALE OF  
CHILDREN, CHILD PROSTITUTION, AND CHILD PORNOGRAPHY  
BY THE UNITED STATES INFORMATION AGENCY**

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## **TABLE OF CONTENTS**

- [Executive Summary](#)
- [Introduction](#)
- [A Modern "Urban Legend"](#)
- [The Rumor Enters the World Press](#)
- [The Rumor's Adverse Effects](#)
- [1993-1994: The Rumor Attains Unprecedented Credibility](#)
- ["The Body Parts Business"](#)
- ["Organ Snatchers"](#)
- [The European Parliament Resolution](#)
- [The "Sottas Report"](#)
- ["Ninos de Repuesto"](#)
- [The "Correio Braziliense" series](#)
- [Alleged Organ Trafficking in the Philippines](#)
- [Misinformation in Italy](#)
- [The Impossibility of Concealing Clandestine Organ Transplants](#)
- [Previous Investigations of Child Organ Trafficking Allegations](#)
- [Conclusion](#)



## **EXECUTIVE SUMMARY**

Since January 1987, rumors that children are being kidnapped so that they can be used as unwilling donors in organ transplants have been rampant in the world media. No government, international body, non-governmental organization, or investigative journalist has ever produced any credible evidence to substantiate this story, however. Instead, there is every reason to believe that the child organ trafficking rumor is a modern "urban legend," a false story that is commonly believed because it encapsulates, in story form, widespread anxieties about modern life.

Organ transplant experts agree that it would be impossible to successfully conceal any clandestine murder-for-organ-trafficking ring. Because of the large number of people who must be involved in an organ transplant, the sophisticated medical technology needed to conduct such operations, the extremely short amount of time that organs remain viable for transplant, and the abhorrent nature of the alleged activities, such operations could neither be organized clandestinely nor be kept secret.

Despite the impossibility of such practices occurring, and the fact that no credible evidence has ever been produced to substantiate rumors of such activities, the child organ trafficking myth has attained unprecedented credibility during the past year. It was given credence in British/Canadian and French television documentaries, a book published in Spain, a paper by the director of the World Organization Against Torture, a resolution by the European Parliament, numerous press articles, and the January 14, 1994 report of the U.N. Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography. None of these sources contains any credible evidence of child organ trafficking, however.

The British/Canadian television program "The Body Parts Business" contains numerous inaccuracies. It falsely claims that the only person who investigated child organ trafficking allegations in Guatemala was murdered. In fact, such allegations were investigated on several occasions by people who remain alive. They found no evidence of child organ trafficking.

"The Body Parts Business" cites the claim of Charlie Alvarado, an eight year-old Honduran child, that he was kidnapped for use in organ transplants. But it neglects to mention that the child's accusations were dismissed by a Honduran court and appear to have been a fabrication.

The program also includes the claim that Pedro Reggi had his corneas forcibly removed when he was a patient at the Montes de Oca mental institution in Argentina. Four days after this claim was broadcast, it was retracted by Mr. Reggi's family when an expert medical examination established that Mr. Reggi had lost his eyesight due to disease.

The French television program "Organ Snatchers" also cites the false Reggi claim. It also includes the claim that a Colombian boy named Jeison had his corneas forcibly removed. This claim was disproved when an examination of Jeison's medical records established that, as an infant, he had lost his eyesight due to disease.

A September 1993 European Parliament resolution also gave credence to allegations of child organ trafficking. It was unfortunately based on an August 1992 article in "Le Monde Diplomatique" that was full of inaccuracies, including many claims that had been disproved or repudiated years earlier.

A March 1994 paper by the director of the World Organization Against Torture also gave credence to the child organ trafficking rumors. Like the European Parliament resolution, it was based on inaccurate or unsubstantiated claims made by others, many of which had been shown to be groundless. It also contained glaring misstatements about the organ transplantation system in the United States.

A May 1994 book "Ninos de Repuesto" ("Spare-Parts Children") relied heavily on media accounts that included numerous misstatements. Like all other treatments of this issue, it contained no credible evidence of child organ trafficking.

In July 1994, a week-long series of articles in the Brazilian newspaper "Correio Braziliense" repeated the Pedro Reggi and Jeison stories, both of which had been discredited months earlier. It also included unsubstantiated charges that child organ trafficking had occurred in Brazil. The Brazilian government pledged to investigate but also announced that its investigation of previous charges of child organ trafficking had uncovered no evidence to support those charges.

In August 1994, international wire services reported that four Philippine doctors had been charged with murdering a man for his organs. Subsequent press articles in the Philippines, which were not reported by the wire services, stated that the man had been declared brain dead before his organs had

been removed. [Addendum to report: On December 28, 1994, a Philippine court ruled in the doctors' favor, dismissing the charges against them.]

In September 1994, Italian Minister for the Family Antonio Guidi was mistakenly quoted as confirming the child organ trafficking rumor, in a story that spread to several countries.

The circulation of false reports of child organ trafficking has done enormous damage. Most dramatically, in March and April 1994, several U.S. citizens and citizens of other countries were attacked by mobs in Guatemala who believed the false rumor. One U.S. woman, June Weinstock, was severely injured and remains critically impaired.

The rumor has also harmed and disrupted intercountry adoption, caused widespread, groundless fears in Latin America and elsewhere, and poses the danger of causing numerous premature deaths if it leads to a decrease in voluntary organ donation. This has already happened in the field of tissue donations. In early 1994, cornea donations in Colombia decreased by 90 percent after the false charges of cornea theft in "Organ Snatchers" were publicized in that country.

Given the total lack of evidence for the child organ trafficking myth, its impossibility from a technical point of view, and the widespread, serious damage that it has already caused and is likely to cause in the future, the United States Information Agency respectfully requests that the U.N. Special Rapporteur give maximum attention and publicity to the information in this report, which demonstrates the groundlessness of reports of child organ trafficking and the impossibility of such practices occurring. Otherwise, more innocent people may become victims of this deadly rumor.

## **INTRODUCTION**

The United States Information Agency (USIA) welcomes the opportunity to respond to the request of the U.N. Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography for material to assist him in preparing his upcoming report to the U.N. Human Rights Commission.

In its reply, the United States Information Agency wishes to draw special attention to one aspect of the Special Rapporteur's area of inquiry: the alleged sale of children for the purpose of organ transplantation.

The U.S. Information Agency has investigated allegations of trafficking in children's organs since these charges first appeared in the world press in January 1987. In addition to its own investigations, the U.S. Information Agency has also attempted to learn about the results of examinations of this issue by intergovernmental bodies such as the United Nations and the European Parliament, and by other governments, non-governmental organizations, and investigative journalists. Despite almost eight years of exhaustive inquiries involving numerous allegations, the U.S. Information Agency is not aware of any credible evidence produced by any of these investigations that indicates that any trafficking in children's organs has ever occurred. On the contrary, all the information points to the opposite conclusion: that allegations of trafficking in children's organs are a totally unfounded myth.

In examining this issue, the U.S. Information Agency has not restricted its interest to claims of trafficking in children's organs allegedly involving U.S. citizens, but rather has sought to establish whether there is any truth to any of the child organ trafficking reports, regardless of whether or not they involve U.S. citizens. As stated above, we are not aware of any credible evidence that would indicate that trafficking in children's organs is a real phenomenon.

## **A MODERN "URBAN LEGEND"**

Rumors of child organ trafficking appear to be a modern "urban legend," a false story that is commonly believed despite the total lack of evidence for it because it encapsulates, in story form, widespread anxieties about modern life. Many present-day urban legends revolve around fears of modern technology. For example, apprehensions about microwave ovens gave rise to the widely believed tale about the person who tried to dry a wet dog in a microwave oven, only to have it explode! Another postulates that the oil companies have invented a super-efficient carburetor that

enables cars to drive enormous distances on a tiny amount of gasoline, but are preventing this invention from being sold in order to maintain their sales. Despite the lack of evidence for these urban legends, and the fact that they are insupportable when subjected to rational scrutiny, these myths achieve their credibility because they give voice, form, and substance to unarticulated anxieties or suspicions.

Rumors of child organ trafficking have achieved widespread credibility in just such fashion. This myth embodies, in fable form, some of the most potent anxieties of modern life: fear of and resentment at wealthy foreigners who are perceived as extremely powerful, and, at a even more visceral level, fear of wrongful mutilation and death, which has subconsciously been stimulated by the dramatic advances that have occurred during the past ten to fifteen years in the field of organ transplantation.

The huge advances that have been made in organ transplantation in recent years have been due to the development of drugs that counteract the body's natural tendency to reject a transplanted organ as a foreign body. This has been a great boon and has saved the lives of tens of thousands of people who otherwise would have died prematurely. Yet, paradoxically, this life-giving process, which has brought happiness to so many, has also stirred dark, primordial fears. These were perhaps best encapsulated in the best-selling 1977 book "Coma" by Robin Cook, which was made into a movie by Michael Crichton in 1978. In "Coma," unsuspecting people needing medical treatment are placed in a coma so that their organs can be extracted and the lives of others prolonged. The popularity of this fictional thriller was evidence of the deep anxieties that modern advances in organ transplantation have stimulated. Since then, there have been numerous fictional works that have featured the organ theft theme.

In the real world, as opposed to the world of fiction, as organ transplantation procedures have advanced in various countries, they have been accompanied by the development of elaborate ethical guidelines, designed to guard against possible abuses, to ensure fairness in allocating organs, to prohibit the sale of organs, and to protect the rights and sensitivities of those involved in the transplant process. As the practice of organ transplantation spreads to more countries, guidelines governing it have been adopted more widely. Laws forbidding the sale of organs for transplant now exist in approximately 50 countries and non- statutory measures aimed at accomplishing the same purpose are present in nine countries. But not even the most elaborate, carefully constructed safeguards can quiet all anxieties. Many people remain anxious about imagined dangers from organ transplantation.

In the United States, these concerns usually are expressed in the form of the "kidney heist" myth, as Jan Brunvand, a folklorist at the University of Utah, described it in his 1993 book "The Baby Train." In this tale's typical form, a man meets an attractive woman at a bar while visiting a large city, often said to be New York. After trying to take advantage of the amorous situation, the victim awakes the next day in his hotel room, dazed and in pain, and discovers, to his horror, that one of his kidneys has been removed. Sometimes, this incident is alleged to have happened in the gambling center of Las Vegas, after the victim has enlisted the services of a prostitute. In a third version, a homeless person is the victim. This modern urban legend, which Brunvand says embodies a "crime and punishment" theme, is widely believed in the United States.

Swedish folklorist Bengt af Klintberg has written a book on various urban legends called "Den Stulna Njuren" ("The Stolen Kidney"), named after this tale. In the European versions of the story, travelling Europeans have their kidneys stolen after being at a bar in Bangkok, Thailand, in Brazil, in the Istanbul bazaar, in the Balkans, or in North Africa. Klintberg says that some versions of the legend claim that there are "organ-snatching gangs" that commit the alleged crime, although he notes that this is "much more extensive in German-speaking countries than in Scandinavia." The rumors also change over time. Klintberg notes, with regard to the organ-snatching gangs story, that "places like Tunis, Venice or Spain figure in the earliest version, but since the fall of 1991, cities closer to Germany's borders, like Amsterdam, Venlo, or Strausbourg, are also mentioned." He adds: "In the beginning of 1993, many Germans were so worried about this story being true that the newspapers had to publish denials."

The child organ trafficking myth is the version of the "kidney heist" rumor that is most prevalent in Latin America and other areas outside Europe and North America. "Rich foreigners" or a shadowy "organ mafia" are the alleged villains in this scenario. Instead of adult males being victimized in distant and dangerous large cities, children are the alleged victims in this scenario. This may be connected, in part, with the recent dramatic rise in intercountry adoptions, as many Europeans or North Americans have adopted children from Latin America or East Asia. Or it may simply be due to the fact that children, as the most vulnerable members of any group, are a natural focus of myths involving fears and anxieties.

In a special January 1990 issue of "Western Folklore" entitled "Contemporary Legends in Emergence," French folklorist Veronique Campion-Vincent wrote that the child organ trafficking myth:

is a new -- updated and technologized -- version of an immemorial fable. The core of the fable is that a group's children are being kidnapped and murdered by evil outsiders.

Accusations of such kidnappings and ritual murders were made against Christians in ancient Rome [and against] Jews throughout antiquity, the Middle Ages, and up to modern times.... Child abductions in 18th century France were explained by ailing nobility who needed them for medical reasons: the leprous King needed blood baths, or a mutilated Prince needed a new arm which incompetent surgeons were trying each day to graft from a new kidnapped child.

## **THE RUMOR ENTERS THE WORLD PRESS**

Folklorists have instantly recognized the child organ trafficking myth for what it is -- a modern urban legend that is widely believed despite the fact that it is not true. But, in 1987, the child organ trafficking myth escaped from the usual realm of folklore, which is passed by word-of-mouth, and began to appear in the mass media worldwide.

This watershed event occurred in Honduras in January 1987, when the former Secretary General of the Honduran Committee for Social Welfare, Leonardo Villeda Bermudez, mentioned the rumor during an interview in a way that made it appear as if it was true. Mr. Villeda immediately issued a clarification stating that he had merely heard unconfirmed rumors of such activities. All top Honduran officials, including the President's wife, emphasized that there was no evidence for such allegations, but by this time the rumor had been reported by the Reuters wire service and it began to circulate throughout the media worldwide, appearing in Guatemala the next month and soon afterwards in Europe. The transformation from word-of-mouth urban legend to mass media misinformation had begun.

In April 1987, the Soviet disinformation apparatus began a conscious effort to spread and embellish the child organ trafficking story. On April 5, 1987, "Pravda" carried the three-month old Honduran story, citing the original allegations without mentioning subsequent press accounts dismissing the story. TASS replayed the story, and during 1987 and 1988 it appeared many times in the Soviet media and in pro-Soviet media worldwide.

Occasional disinformation -- deliberate lies or distortions undertaken for a political purpose -- still occurs. The Cubans continue to press the child organ trafficking story, having repeatedly tried to introduce resolutions on this issue in U.N. human rights meetings. One formerly Soviet-controlled front group, the International Association of Democratic Lawyers, has continued to try to foster the rumor, particularly through its status as a non-governmental organization accredited to the United Nations. In addition, some anti-U.S. extremists, from the far left in some countries and the far right in other countries, have embraced the rumor enthusiastically, perhaps because it fits with their anti-U.S. political agenda.

Although political motivations have been responsible for some of the more spectacular outbursts of the child organ trafficking rumor, for the most part, the rumor has been embraced and spread by well-meaning individuals who believe it out of naivete or worry that it may be true. Tragically, the

publicity these well-intentioned individuals have given the rumor by deploring a non-existent crime has inadvertently contributed to its credibility and the resultant damage it has done. At this point, the rumor has attained such currency that it appears certain to continue on the strength of its own momentum for years to come.

## **THE RUMOR'S ADVERSE EFFECTS**

The continued circulation of unfounded child organ trafficking rumors has done great harm in a number of ways. Most dramatically, it led to unprovoked, violent attacks on U.S. citizens and others in Guatemala during March and April 1994. On March 8, a mob in the Guatemalan town of Santa Lucia Cotzumalaguapa burned the police station in which an U.S. woman wrongly suspected of kidnapping a child for organ trafficking, Melissa Larson, had been held. The mob resisted the efforts of several hundred riot police and was not quieted until army troops and armored vehicles arrived to restore order. Fortunately, Ms. Larson was not harmed.

In the wake of this attack, on March 13, the Guatemalan newspaper "Prensa Libre" published an extremely inflammatory article by Mario David Garcia. The headline of the article was: "Children are frequently purchased to mutilate them." The article falsely accused "developed countries" of stealing human organs from Latin America. It falsely claimed that "in order to obtain human grafts, the worst extremes have been used: assassination, kidnapping, and mutilation." It falsely accused "Europeans, Americans and Canadians" of posing as "tourists" in order to conceal their alleged involvement in "activities that range from the purchase of children to kidnapping" in order to procure organs for transplant. The article, which offered no substantiation for any of its wild claims, was accompanied by an illustration showing the alleged prices for which various organs were supposedly selling on the international market.

The "Prensa Libre" article was posted in the town square of the village of San Cristobal Verapaz, where, on March 29, another U.S. tourist, June Weinstock, was savagely beaten by a mob who wrongly accused her of abducting a Guatemalan child for the purpose of organ trafficking. A mob surrounded the building in San Cristobal Verapaz where Ms. Weinstock was being protected by local authorities, broke in, and dragged her out after a five-hour siege.

Ms. Weinstock was pelted with rocks and beaten with pieces of firewood. She suffered multiple broken bones, internal injuries, and severe head injuries that have caused serious, long-term damage. An American citizen living in San Cristobal who had acted as a translator for Ms. Weinstock, Michael Lewis, was also beaten, although not as severely. As of late November 1994, Ms. Weinstock remained severely disabled in a long-term care facility. Although it appeared that she was aware of what was going on around her, she was not able to speak, walk, or do anything for herself, although she was breathing on her own and had been for some time. She was receiving speech therapy, physical therapy, occupational therapy, and required complete, 24-hour nursing supervision.

On April 13, Janice Vogel, an American woman who was adopting a Guatemalan child, was accosted by a mob in Guatemala City who accused her of stealing the child for organ trafficking. Fortunately, she was not harmed.

In addition to assaults on U.S. citizens, the Guatemalan media have reported numerous attempted lynchings by angry mobs who feared that "strangers" were stealing their children for organ trafficking. A Swiss volcanologist, a Salvadoran family visiting relatives, foreign assistance workers, backpackers, and Guatemalan citizens all reportedly suffered such attacks.

The attacks in Guatemala were the subject of a special feature on the U.S. television newsmagazine program "20/20" on June 3, 1994. It contains graphic footage of the attacks on the four Americans and should be viewed by any who doubt the destructive power of the child organ trafficking rumor.

In addition to provoking attacks on foreigners, the hysteria generated by the child organ trafficking rumor has also had an adverse impact on intercountry adoptions in a number of countries. For example, in May 1991, the Turkish government announced that it was suspending intercountry

adoptions because of the rumor. After false rumors of child organ trafficking were publicized in Brazil in late 1993, only 36 adoptions were completed during the first half of 1994 in the Pernambuco region, as opposed to 300 during the first half of 1993. Intercountry adoptions have also been suspended or hindered in Honduras, Guatemala, and other countries. As a result, some children who might have found loving homes remained in orphanages. Belief in the false rumor is now so widespread that one country, Bulgaria, requires foreigners who wish to adopt a Bulgarian child to sign a notarized form pledging that "I will not permit my child to be an organ donor nor allow the child to give organs or be a part of any medical experiments."

The child organ trafficking rumor has also led to groundless, but widespread fears among parents in Latin America and elsewhere who fear that their children may be kidnapped for the purpose of organ transplantation.

Finally, the rumor may also lead to a serious loss of life by decreasing the supply of donated organs. Voluntary organ donation is prompted by altruism, and can be adversely affected by any perception of impropriety or illicit behavior. In many countries, the waiting lists for various organs exceed donor supply and, as a result, people die every day because of the lack of sufficient donor organs. To the extent the organ trafficking rumor is believed, it may decrease voluntary organ donation, and thereby cost lives.

This has already happened with regard to the donation of corneas, which are tissues, not organs. After false charges of cornea theft in Colombia were publicized in a French television program in November 1993, cornea donations in Colombia plummeted, decreasing by 90 percent, according to the Pan-American Association of Eye Banks. Prior to the broadcast of the false charges, cornea donations in Colombia averaged 94 per month, but dropped to 8 to 10 per month after the program. As a result, the list of people in Colombia waiting to have their eyesight restored by corneal transplants increased from 250 to 878. Even if false charges of child organ trafficking cause a decrease in organ donation that is less precipitous, precious lives will be lost unnecessarily.

In the view of the U.S. Information Agency, the extremely adverse effects of this rumor, particularly those involving violent attacks on innocent bystanders and the potential loss of life from decreased organ donation, impose severe moral constraints on those who are inclined to repeat these rumors uncritically.

Before the attacks in March and April 1994, it was plausible, although, in the opinion of the U.S. Information Agency, incorrect to argue that the greater good was served by calling attention to these rumors, even if they could not be confirmed. This approach entailed serious risks, however. Regrettably, the unjustified credibility given to child organ trafficking rumors by journalists, government officials in several countries, several non-governmental organizations (in particular, the International Association of Democratic Lawyers), the European Parliament, and the U.N. Special Rapporteur may well have played a significant role in creating the atmosphere that led to violent attacks on U.S. citizens and others in Guatemala in 1994. Moreover, the threat of further unwarranted attacks and of premature deaths due to decreased organ donations remains ever present. Given the violence that this false rumor has caused and the serious threat that it poses to the extremely fragile system of voluntary organ donation, the U.S. Information Agency believes that it is incumbent upon all observers, in particular the Special Rapporteur, to subject allegations of child organ trafficking to the most careful and skeptical scrutiny.

### **1993-1994: THE RUMOR ATTAINS UNPRECEDENTED CREDIBILITY**

The need for objective and responsible reporting on this issue has never been greater in light of the unprecedented credibility that the child organ trafficking rumor has achieved during the past year.

Since September 1993, the rumor has been given credence in British/Canadian and French television documentaries, a book published in Spain, a paper presented by the director of the World Organization Against Torture, a resolution by the European Parliament, numerous press articles, and the January 14, 1994 report of the Special Rapporteur, which claimed that there is "mounting

evidence of a market for children's organs." (E/CN.4/1994/84, page 23).

The U.S. Information Agency has examined the allegations made in all of these television programs, books, reports, and resolutions, and has found no credible evidence of child organ trafficking in any of them. A detailed examination of each item follows.

## **"THE BODY PARTS BUSINESS"**

The British/Canadian television program "The Body Parts Business" was broadcast in Britain on November 21, 1993 and in Canada on November 22, 1993. It was produced by Judy Jackson of Alma Associates Ontario Ltd. in Toronto, Canada, and narrated by Bruce Harris, who works for Covenant House in Central America. The program was funded by the British Broadcasting Corporation, the Canadian Broadcasting Corporation, and the Canadian National Film Board.

The program examines alleged organ and tissue trafficking abuses in Guatemala, Honduras, Argentina, and Russia.

With regard to Guatemala, the program claims that the only person in that country who investigated organ trafficking rumors was murdered, thus giving the impression that anyone who investigates these allegations in Guatemala is likely to be killed, presumably by a ruthless mafia-like organization that will do anything to prevent exposure of its clandestine operations.

This claim is not accurate. There have been several investigations of organ trafficking allegations in Guatemala since 1986 and the people involved in them remain quite alive. It is also worth noting that these investigations found no evidence of child organ trafficking.

For example, in the November 18, 1988 issue of Guatemala's "Diario de Centro America," then-Guatemalan President Cerezo stated: "The Guatemalan government has made serious and thorough investigations on the trafficking of babies and it has been concluded that the rumors on the 'butchering' of babies are false."

In 1987 and 1988, when child organ trafficking charges erupted in the Guatemalan press, the U.S. embassy in Guatemala contacted the Guatemalan authorities to see if they had any information to substantiate these claims. They did not. In both years, the Guatemalan authorities stated that they had absolutely no evidence that would authenticate the organ trafficking claims.

In February 1987, the chief of the Guatemalan Treasury Police, Colonel Guillermo Echeverria Vielman, stated that he had "no indication" that children were being used as organ donors. Subsequently, Baudillo Hichos Lopez, the chief of the narcotics and intelligence section of the Treasury Police, who had been quoted in the press as claiming that child organ trafficking existed, stated, in an October 26, 1987 letter to the U.S. embassy's public affairs officer, "at no time did I make the scandalous and compromising statements of the kind you cited."

In 1988, after new allegations of child organ trafficking had arisen, Oscar Augusto Dias Urquiza, Director General of the Guatemalan Treasury Police, stated, on January 29, 1988: "the institution which I direct has no proof, evidence, or indication that Guatemalan children are being sent to the United States, or to any other country, to be dismembered and used as organ donors."

By failing to mention any of these Guatemalan government investigations, "The Body Parts Business" gives the misleading impression that these allegations are too dangerous to examine.

In the next section of "The Body Parts Business," on Honduras, the program includes the claim of eight year-old Charlie Alvarado that he was kidnapped by foreigners who wanted to sell his organs, but luckily escaped after four days. But the program fails to include other important information that indicates that Alvarado's claim was a hoax.

Spiegel television in Germany also examined the Charlie Alvarado case and allegations of child organ trafficking in Honduras, which were rampant in that country in April 1993. According to a



June 20, 1993 Spiegel television broadcast on this subject, an investigation of Alvarado's claims by the Honduran courts "revealed that Charlie's story was a fabrication." Alvarado could not remember the day on which he was allegedly kidnapped, he had no bruises from the ropes with which he claimed he had been bound tightly for days, and the two foreign workers he accused of kidnapping him were released for lack of evidence. "The Body Parts Business" includes none of this information, which is essential in order to properly evaluate Alvarado's claims.

The third section of "The Body Parts Business" examines Argentina. It highlights the case of Pedro Reggi, who claimed that his corneas were forcibly removed when he was a patient at the Montes de Oca mental institution in Argentina. On November 25, 1993, four days after "The Body Parts Business" first aired in Britain, the Reggi claim was repudiated live on the "Hora Clave" television program in Argentina. Pedro Reggi appeared on that program, accompanied by his half-brother Mario Barretto. Mr. Barretto spoke, presumably because of Mr. Reggi's mental deficiencies. He stated:

I came here to refute those reports about organ trafficking. Today, we took him to a highly qualified institution, to have Pedro's eyes examined. I was told it was the result of an infection that, instead of spreading throughout his body, spread to his eyes. There is no cure, because his eyes have shrunk....

Later on the program, Mr. Barretto revealed the apparent origin of the false Reggi claim, stating, "That was my idea, that they might well have taken his corneas."

Subsequently, the Reggi case was investigated further. In a December 6, 1993 letter to the director of Argentina's Lagleyze Hospital, formerly the national ophthalmology hospital, Dr. Patricia Rey stated that Reggi suffered from "bilateral congenital cataracts" as an infant, and in the mid-1980s suffered from nystagmus (a rhythmic oscillation of the eyeballs) in both eyes, the cornea of his right eye contained "intraparenchymatous deposits" and showed "peripheral neovascularization," and his left eye showed a "regenerative cataract." Surgery to try to improve visual acuity was abandoned in 1985 when it was observed that in his left eye "the anterior chamber was filled and the cornea was infiltrated."

In short, the Reggi claim arose from unwarranted suspicions, perhaps stimulated by press reports of organ trafficking allegations. The claim appears to have been made in earnest, but the makers of "The Body Parts Business" do not appear to have sought to verify its validity before including it in their program.

As a result, even though the Reggi claim was immediately disproved, the vast majority of people who are aware of this case are under the false impression that Reggi is a genuine victim of forced corneal removal and living proof that such practices occur. In reality, he lost his vision due to disease.

According to an article in the November 27, 1993 issue of the Argentine newspaper "Pagina 12," the director of the Argentine Transplant Society, the director of the Argentine National Institute of Ablations and Implants (INCUCAI), and other top Argentine transplant authorities stated emphatically that "an organ market does not exist in Argentina" and charged that what "The Body Parts Business" claimed, with regard to Argentina, was "a lie." They also noted that previous accusations of improper transplant activities in the Cordoba region of Argentina had "caused a 90 percent decrease in [organ] donors" in that area.

On November 23, 1993, an article in "Pagina 12" cited Argentine Minister of Health Julio Cesar Araoz as stating, "I cannot claim with certainty that trafficking in organs really existed ...." Araoz also noted that Juan Martin Romero Victorica, who had led the investigation of the Montes de Oca facility, explicitly stated that "the allegations were studied carefully, but no positive results were found in any of the cases." The Argentine Foreign Ministry also issued a statement that no evidence of organ trafficking had been produced.

Other claims that "The Body Parts Business" made with regard to Argentina have been challenged.

For example, "The Body Parts Business" states that at the Hospital Urgenica in Cordoba:

A transplant coordinator who worked here for five years testified that electroencephalograms were performed on patients who had been given drugs that depressed signals from their central nervous systems.

This passage appears to lend credence to the impression given by the program that a clandestine system had been organized in Argentina in which unsuspecting patients were killed so that their organs could be used for transplants. But after the program aired, Judge Luis Rueda, who had investigated the cases in Cordoba, challenged the interpretation of events in "The Body Parts Business" in an undated, unsourced article, received from the Pan- American Association of Eye Banks in Bogota, Colombia. It stated:

Cordoba -- Judge Luis Rueda rejected the information broadcast by the BBC that connects the local emergency hospital with a supposed network of organ trafficking in Argentina ....

... the judge affirmed yesterday that his investigations revealed that there was no traffic in organs, at least up until the time that the death certificate was sent to the Supreme Court.

... Rueda also said that abnormalities that could have occurred during the administration of an encephalogram are not of a "sensationalist" nature, as the BBC implied, and with respect to the use of drugs, he pointed out that "some patients arrive (accident victims brought to the emergency hospital) with drug overdoses, but this comes from street drugs, not from being drugged at the hospital. For this reason, the allegation of the television program is incorrect."

The final section of "The Body Parts Business" deals with Russia and uncritically cites a Russian police lieutenant who believes that people have been kidnapped for organ transplantation, although he admits that he has no evidence for this. The program does not mention that false rumors of child organ trafficking have been widespread in Russia since the Soviet disinformation campaign on this issue in 1987 and 1988, and fails to point out that organ trafficking claims need to be evaluated with this fact in mind.

In sum, the most sensational revelations in "The Body Parts Business" turn out, on closer examination, to be mistakes or apparent fabrications. Like all other examinations of this issue, it contains no credible evidence of child organ trafficking.

## **"ORGAN SNATCHERS"**

A French television documentary "Organ Snatchers" ("Voleurs d'organes"), which also purported to show evidence of child organ trafficking, was also broadcast in late 1993. "Organ Snatchers" was produced by CAPA, and is narrated by Marie-Monique Robin. It has been shown in several countries and on February 4, 1994 was shown at the U.N. Center for Human Rights in Geneva, Switzerland, courtesy of the International Association of Democratic Lawyers (IADL). The IADL claimed that "the film presents irrefutable evidence" of "criminal trafficking of organs removed from destitute children." This is not the case.

"Organ Snatchers" also highlights the claim that patients at the Montes de Oca mental institution in Argentina had their corneas forcibly removed, in particular the allegation made about Pedro Reggi, which, as discussed above, has been retracted.

A second section of the program deals with Colombia. The program includes a dramatic claim by a Colombian woman, Mrs. Luz Dary Vargas, that her young son, Weinis Jeison Cruz Vargas, had his corneas forcibly removed when she took him to a hospital to be treated for diarrhea and vomiting. The blind boy, misidentified as Jenson, was shown on the pages of "Life" magazine in October 1993, playing a flute, in a widely reproduced photograph.

On February 4, 1994, the Colombian government's Office of Human Rights issued a report on its investigation of this allegation. It stated that Jeison had gone blind due to natural causes. It reported

that in early February 1983, when Jeison was four months old, he was hospitalized, suffering from a long list of maladies, including "severe bilateral eye infection [which] had produced perforations of the corneas, conjunctivitis, and drainage of purulent matter from each of his corneas." The report further stated that "in one of the last evaluations given by the ophthalmology department of the hospital Lorencita Villegas de Santos, they said `that he had totally lost his vision.'"

According to a December 1, 1993 letter from Dr. Luis Eduardo Salazar Oliveros, head of ophthalmology at the Lorencita Villegas de Santos Children's Hospital, to Dr. Francisco Aldana Valdes, the assistant medical director of the same institution, an examination of Jeison's medical records showed that he suffered from a "secondary bilateral ocular perforation and corneal ulcers, which were caused by an aeurigenous pseudomony" and presented a "diagnosis of bilateral endophtlmitis." Dr. Salazar added: "A patient with this diagnosis has the most negative prognosis possible in the field of ophthalmology because under these conditions the loss of vision is complete." Jeison's medical records show that the ophthalmology department of the hospital recorded, on February 23, 1983, that "there is a total loss of vision."

The February 4, 1994 Colombian government report also stated:

The mother of the minor Weinis Jeison, Mrs. Luz Dary Vargas, received the sum of 40,000 [Colombian] pesos [about 60 U.S. dollars at the time] from the French journalist Marie-Monique Robin, for the version of the story that she gave regarding the child .... We note that the aforementioned journalist did not question the verbal testimony given by the humble peasant mother about the minor in question at any of the health institutions where the child was attended to. We maintain that they were not visited nor were the professional health officials who took care of the child or the medical records consulted either, as would have been hoped.

The Colombian government report concluded:

The work put forward by the French journalist Marie- Monique Robin in the investigation of alleged organ trafficking in this country and, in particular, regarding the case of Weinis Jeison Cruz Vargas, leaves much to be desired professionally because she did not present these presumed irregularities to the authorities, who had supposedly carried out these deeds, for clarification. With the false publication produced about this case, she has caused enormous damage in national and international public opinion with this kind of tendentious and obviously malintentioned story, which places into question the prestige and good name of Colombia.

"Organ Snatchers" also inaccurately claims that a horrifying scandal uncovered in March 1992 in Barranquilla, Colombia provided evidence of organ trafficking for transplant. Press accounts of events in Barranquilla stated that indigents in Barranquilla were murdered and their bodies sold to the medical school to be used as cadavers for dissection by medical students. "Organ Snatchers" claims that the murders were undertaken for the purpose of trafficking in organs for transplants. The evidence indicates that this was not the case.

The indigent who survived an attempt to murder him, escaped, and exposed this grisly scheme was named Oscar Rafael Hernandez. He reported that he was shot and then thrown on a pile of corpses and left for dead. After his assailants left the room, Oscar was able to flee.

The circumstances of Oscar's story make it clear that the people who attempted to murder him were not doing so in order to use his organs for transplant. Once a person dies and blood circulation ceases, the organs begin to deteriorate immediately and are useless for transplantation within minutes. If Oscar's assailants had wished to murder him in order to use his organs in transplants, they would not have left him on a pile of corpses, but instead immediately have begun the effort to extract his organs surgically.

A sterile hospital setting with trained medical personnel would have been necessary. None of this was in evidence. "Organ Snatchers" omits this essential aspect of the discussion. Whatever was at the root of the macabre scandal in Barranquilla, it was not organ trafficking for transplant.

A third section of "Organ Snatchers" deals with Mexico. It quotes Hector Ramirez Cuellar, a member of the Mexican parliament, as stating that he knows of a child who was kidnapped, had his kidneys removed, and then was returned home with two thousand dollars.

Mr. Ramirez's story relates the child organ trafficking myth in a commonly repeated form: in order to partially atone for their sins, the alleged kidnappers return the child to his family with a generous amount of money. It is never explained why hard-hearted criminals who are ruthless enough to supposedly steal organs from innocent children would feel obliged to do this. Real life criminals do not engage in such inexplicable acts. But even though this aspect of the myth does not stand up to rational scrutiny, it is often repeated, perhaps because it adds poignancy to the story. As the April 18, 1994 issue of "Time" magazine stated, in recounting the false rumors that led to the attack on U.S. citizen June Weinstock:

The word-of-mouth allegations spread rapidly throughout Guatemala: gringos are snatching babies and ripping out their vital organs for sale abroad. Eight babies, the whispers assured, were found with their stomachs slashed open. One had a \$100 bill stuck in its abdomen, plus a note that said in English, "Thanks for your cooperation."

There was no evidence that such gruesome trade exists. But an anti-foreigner paranoia took root swiftly and with savage results.

Claims of a compensatory cash payment also conveniently provide a supposed reason why no one has ever come forward with evidence of such an alleged crime.

"Organ Snatchers" also includes an interview with a person claiming to be a police investigator in Mexico, who refuses to give his name because "to talk with someone means that you risk your own life."

This allegation highlights another element of the child organ trafficking myth: that it is supposedly organized by a shadowy "organ mafia" so powerful and omnipresent that it can destroy anyone who tries to reveal its clandestine operations. In classic conspiracy theory style, the purported existence of this "organ mafia" is commonly offered as an explanation of why no evidence of child organ trafficking has ever been produced: supposedly because those who are knowledgeable about this scheme are afraid to speak out publicly because they if they did so they would be killed.

If this logic were solid, then the world would not know about the existence of the drug cartels or the professional criminal organizations in various countries. Many courageous journalists, government officials, policemen, judges, and others have openly challenged the drug cartels and other organized criminal organizations and brought some of their members to justice. If these powerful groups of professional criminals, with their enormous financial resources and many hired killers, have been unable to prevent the exposure and disruption of many of their operations, then the alleged "organ mafia" would logically have to be many times more powerful and efficient than all known criminal organizations in order to have been able to successfully suppress all information about its existence. There is no evidence that any such "organ mafia" exists. Instead, the less dramatic truth is that the alleged victims of organ theft do not come forward for the simple reason that their stories are not real. As "Organ Snatchers" itself stated, "It turned out to be impossible to meet any of the victims in Mexico. Every time the television crew found a lead, the families refused to talk."

One small section of "Organ Snatchers" deals with organ transplantation in the United States. The only person interviewed is Janice Raymond, who is not a physician but a professor of women's studies and medical ethics at the University of Massachusetts. Professor Raymond suggests that "it's very likely that there is some cover-up going on someplace" with regard to organ transplantation in the United States. She admits that she has "no proof" that clandestine organ transplants are occurring, but suggests that "private clinics" may be receiving organs from abroad and using them in clandestine, illegal transplants. As evidence, she states that although there are only about 4,000 organ donors in the United States each year, far more than 4,000 organ transplants are performed each year. She speculates that this discrepancy may exist because: "I think it's possible to be receiving organs

from abroad and for those organs not to be accounted for in the National Registry [the list maintained by the U.S. organization responsible for matching organ donors to organ recipients]."

Ms. Raymond's speculation ignores the fact that, in the United States, frequently more than one organ is used from each deceased organ donor; several organs can be used for transplantations involving different recipients. Therefore, there are always more organ recipients than organ donors and there is no reason to postulate the existence of a clandestine organ trafficking network.

Any transplant physician, transplant surgeon, or person familiar with organ transplant procedures could have explained this fact to the makers of "Organ Snatchers." But, unfortunately, no people knowledgeable about organ transplantation in the United States were included in the program.

In sum, the judgement of the Colombian government that the treatment of the issues in "Organ Snatchers" is "tendentious and obviously malintentioned" seems justifiable. The program gives prominence to the flimsiest, most insupportable allegations of clandestine organ and tissue trafficking, while other facts are totally ignored. In this connection, it is worth noting that Colombia's Barraquer Institute of America, which is world renowned for its ophthalmological expertise, has sued the makers of "Organ Snatchers" for libel.

In the summer of 1994, more than six months after "Organ Snatchers" first aired, its narrator Marie-Monique Robin wrote a three-part series of feature articles that was offered for sale to magazines in various countries by the GLMR agency in France. Articles by Ms. Robin subsequently appeared in the July 7 and July 14 issues of the Turkish magazine "Aktuel" and in the November issue of the Spanish edition of the French magazine "Marie Claire." The articles, entitled "The Organ Thieves," accompanied by 40 photographs, contained much of the same material that had been in the "Organ Snatchers" television program. Despite the fact that she was writing in mid-1994, Ms. Robin continued to publicize the original claims made in her program about Pedro Reggi and Jeison. Mr. Reggi's claim had been repudiated and disproved in November 1993 and Jeison's claim had been decisively discredited by February 1994.

The print articles also included distortions and inaccuracies that were not present in the television program. For example, in discussing the case of Jeison, Ms. Robin wrote that Jeison's mother took him to a hospital "when he was eight," at which time his corneas were allegedly removed. Ms. Robin then wrote, "a child's eyeball is fully developed when it is seven years old. An adult can therefore receive a child's cornea. One that is less than seven years old is simply `of inferior quality.'"

Thus, according to Ms. Robin, Jeison's eyes were suitable for transplants into anyone his age or older. However, as Jeison's medical records show, he was admitted to the hospital when he was four months of age, not eight years old, and lost his eyesight just before he turned five months old. Either Ms. Robin's research was so shoddy that she was not even able to determine Jeison's age at the time of his hospitalization correctly, or else she deliberately misrepresented his age in order to make the tale of alleged cornea theft seem more plausible.

## **THE EUROPEAN PARLIAMENT RESOLUTION**

On September 14, 1993, the European Parliament adopted a "Resolution on Prohibiting Trade in Transplant Organs." Two of its preambular clauses stated:

whereas there is evidence that foetuses, children and adults in some developing countries have been mutilated and others murdered with the aim of obtaining transplant organs for export to rich countries, [and]

...having regard to the current existence of trafficking in foetuses, children and incapable adults who are used as organ providers,

the resolution then stated that it:

calls for action to be taken to put a stop to the mutilation and murder of foetuses, children and adults

in certain developing countries for the purpose of providing transplant organs.

The resolution was based on a February 25, 1993 "Report of the Committee on the Environment, Public Health and Consumer Protection on prohibiting trade in transplant organs." The rapporteur for the report was Mr. Leon Schwartzberg, a European parliamentarian who had formerly served as Minister of Health in France. Following a sensitive, nuanced, and informative discussion of the medical, ethical, and social factors involved in the transplant organ shortage, the report unfortunately went on to give credence to the organ trafficking rumors, stating:

Organized trafficking in organs exists in the same way as trafficking in illegal drugs, and is often controlled by the same people. This traffic is all the more monstrous where it involved killing people to remove organs which can be sold at a profit. To deny the existence of such trafficking is comparable to denying the existence of the ovens and gas chambers during the last war.

In the September 16, 1994 issue of Italy's "La Stampa," Mr. Schwartzberg cited an article by Maite Pinero in the August 1992 issue of "Le Monde Diplomatique" as the main source of his information on the child organ trafficking rumors. Mr. Schwartzberg apparently had not realized that this article was full of inaccuracies.

For example, the Pinero article stated that:

In January 1987, ... Mr. Leonardo Villeda Bermudez, Secretary of the National Committee for Social Welfare [in Honduras] disclosed that children were being used as "organ donors." ... In an interview with the newspaper "La Tribuna" and on Radio America, Mr. Leonardo Villeda gave details of the inquiry. He concluded as follows: "We have proof that children bought or stolen from poor families were sold to networks in the United States for a minimum of 10,000 dollars to be used as organ donors."

What the Pinero article failed to add, however, was that, as explained previously, Mr. Villeda had immediately repudiated these claims. In an interview with the Honduran newspaper "El Heraldo" on January 3, 1987, he explained "that he was not used to giving interviews to the press and that he confused a simple 'rumor' when trying to promote several ideas regarding the adoption of babies."

On January 8, the top officials of the Honduran Committee for Social Welfare categorically denied that any trafficking in infants for organ transplants had ever occurred. The First Lady of Honduras and Honorary President of the Committee, Miriam de Azcona, emphatically stated that "the Committee has no documents that indicate anything of this sort has happened in the past." The President of the Committee said, "I have never heard of anything like this during my service in the Committee." Sergio Sanchez, the Committee's Special Counsel, stated that "It was impossible that Honduran children adopted by foreign couples are being used for transplants."

The Pinero article, written five and one-half years after the events in question, mentioned none of these repudiations of the original Villeda allegations.

The Pinero article also stated that in Guatemala in February 1987:

Mr. Baudillo Hichos Lopez, head of the police information services, declared: "We know that the children sent to the United States under the pretext of being adopted were in fact used as organ donors."

Mr. Hichos Lopez was actually head of the intelligence and narcotics section of the Guatemalan Treasury Police. After the allegations attributed to him had spread, Mr. Hichos Lopez denied that he had made such claims, stating in an October 28, 1987 letter to the U.S. Public Affairs Officer in Guatemala:

I have the pleasure to write to you in order to respond to your note ... by means of which you brought to my attention articles appearing in a foreign weekly and a foreign periodical concerning the traffic in children to the United States for illicit purposes.

On this matter, I wish to inform you that ... at no time did I make the scandalous and compromising statements of the kind you cited.

In addition, the child organ trafficking allegations had been strongly denied by the Guatemalan authorities. In the February 18, 1987 issue of "Prensa Libre," Guatemalan Minister of the Interior Juan Jose Rodil characterized as "a piece of very imaginative fiction the story that infants are clandestinely sent to the United States to be used as organ transplant donors for American children."

On March 15, 1987, "El Grafico" published a letter from the U.S. embassy's public affairs officer, John Treacy, in which he stated:

I visited the head of the director of the Treasury Police, General Echeverria, to ask about this story. General Echeverria told me that he and his men had "no" information or evidence -- he used the Spanish word "indicios" -- that the children were to be used for this purpose. He said neither he nor the Treasury Police spokesman had made the organ transplant charge and speculated that its source may have been a lower ranking employee repeating "rumors."

The Pinero article mentioned only the original allegations as they had been inaccurately reported by the press in Guatemala, and ignored all of the subsequent clarifications, repudiations, or denials -- the same way that it had reported events in Honduras.

The Pinero article also claimed:

In four years, 4,000 Brazilian children with visas had arrived in Italy to be adopted. One thousand were actually found again. There is no trace of the 3,000 others. In fact, curiously, many requests for adoption came from Campanie, a region of large families and also a region where the Camorra reigns. Two Italian judges, Mr. Angelo Gargani and Cesar Martinello went to Brazil, to Salvador-de-Bahia. On their return to Italy, they informed the government that in their opinion, the Camorra had set up "a traffic in children's organs."

The myth of the "missing 3,000" Brazilian children that Pinero cited may have been started by Mr. Paul Barruel, a professor of theology at the University of Sao Paulo in Brazil. A July 31, 1991 story published by EFE, the Spanish news service, cited Mr. Barruel:

"Between 1984 and 1990, Brazilian police issued 9,135 passports for as many children supposedly adopted abroad. Four thousand of these were sent to Italy, but Italian authorities claim to have registered only one thousand arrivals."

... Paul Barruel, a member of the Brazilian commission investigating the destination of these children, alleged that they were used as donors of organs and holds responsible the "Italian Camorra because they have the necessary structure to preserve and transport organs."

... And he added further, "everybody has to know that the U.S. accepts the kidneys and livers of innocent children, that Europe beats thanks to the heart of an innocent and that Japan can see with the eyes of horror and misery."

When these allegations arose, the U.S. embassy in Rome contacted adoption officials at the Italian Ministry of Foreign Affairs and Ministry of Justice. Although complete records for all years between 1984 and 1990 were not available, the Italian government stated the number of children recorded as having been adopted from Brazil from 1986 to 1989 was 2,869, broken down as follows:

1986 -- 507 adoptions 1987 -- 626 adoptions 1988 -- 786 adoptions 1989 -- 950 adoptions

Extrapolating from the 1986-1989 figures, probably several hundred additional adoptions occurred during the 1984-1985 period and, if the steady upward trend observed from 1986 to 1989 continued, there would have been more than 1,000 adoptions of Brazilian children in 1990. Adding this additional 1,300 or so adoptions to the 2,869 adopted between 1986 and 1989 makes the total figure

for the period 1984 to 1990 more than 4,000. Therefore, there are no "missing 3,000" Brazilian children as Barruel and Pinero inaccurately claimed.

The Pinero article also mentioned allegations made by Paraguayan judge Angel Campos in 1988 that were shown to be without foundation, false allegations surrounding the Montes de Oca mental institution in Argentina, and false claims regarding Colombia, which have been examined above. It also raised suspicions about possible child organ trafficking in Mexico.

Ms. Pinero may not have been aware that shortly before her article had appeared, on July 20, 1992, the Mexican magazine "Epoca" had published the findings of its investigation of allegations of child organ trafficking in Mexico. It stated:

Doctor Arturo Dib Kuri, director of the Health Secretariat's National Transplants Register, expresses this opinion: "The possibilities of human organ and tissue trafficking are extremely remote. It would be virtually impossible to conceal a criminal organization of this magnitude."

The interviewee continues: "First, to obtain an idea of what we are saying, I need only mention that, in the entire country, there would be, at the most, 10 doctors capable of performing a transplant. In an operation of this type, such as a liver transplant, 32 persons participate in an operating room, including doctors, nurses, paramedics, and team and technical personnel; not to mention laboratory workers and the personnel required for post-operative hospitalization ...."

Doctor Dib Kuri also describes the conditions for preserving an organ outside the body. The medical technique for extracting a kidney is very delicate.

"It [the operation to remove the kidney] takes from 4 to 6 hours .... Once it [the kidney] is outside the donor's body, it must be kept at a temperature no lower than 4 degrees centigrade, because the organ must retain optimal oxygenation levels."

"Organs such as the heart, lung, liver, and pancreas have, at the most, a duration of 6 hours after they are extracted from the human body; and this is under preservation conditions requiring advanced technology and an infrastructure that hardly any hospital could possess."

Dib Kuri comments: The number of persons engaged in a surgical practice of this type, and the complex hospital infrastructure that it requires, make it extremely difficult to keep this type of crime clandestine, in the event that anyone were to attempt to deal in organs."

"I can't imagine one of those 10 doctors that we have in Mexico who are capable of making a transplant becoming involved with a criminal organization engaged in such activities. These are not operations that can be performed in any old hospital."

"The recipient would not risk receiving an organ from anyone. All this is a mere rumor. I don't dare deny that there are stolen children, but it could be done for other purposes, such as prostitution; it is highly unlikely to be for the purpose of extracting and selling their organs."

The Pinero article also claimed that "in Peru, a total of 3,000 children were sent by U.S. lawyer Patrick Gagel to the United States and Italy in 30 months," and pointedly asked "what has become of these children," implying that they might have been used for organ transplants.

The U.S. attorney James Patrick Gagel was, in fact, arrested in Peru in 1992 and charged with arranging thousands of illegal adoptions. Gagel, who came to Peru in 1989 on a Fulbright fellowship to help reform the Peruvian criminal justice system, had remained in Peru and started an international adoption service in 1990 with a Peruvian lawyer. According to an April 16, 1994 article in the "Los Angeles Times:"

Gagel said the adoptions he handled were done in Peruvian provinces to avoid red tape and corruption in Lima. One of the papers required for an adoption was a police certificate to show that the baby was not a missing person.



Gagel said Commander Victor Prado, former head of the police missing person bureau in Lima, charged \$300 for each certificate, but Gagel refused to pay.

It was the same Commander Prado who first accused Gagel and 22 Peruvians of operating a child-trafficking ring. The 22 included employees of Gagel's office, his lawyer- partner, foster mothers who took care of babies to be adopted and people whose names were "found in my card file, people I didn't even know," Gagel said.

Prado's police raided Gagel's home and office, confiscating papers and a computer. Prado himself arrested Gagel at 7:30 am in his apartment, beating him and screaming obscenities, according to Gagel.

Gagel pressed charges against Prado for a series of violations, but those charges were dismissed. The charges against Gagel, however, resulted in indictments.

The government attorney who brought the original charges said Gagel's "ring" had arranged thousands of irregular adoptions. Gagel said he arranged no more than 40, all by the book [according to the rules]. He said ... he earned only a modest income from them.

The Pinero article concluded by dramatically asserting:

No one denies the existence of a dreadful clandestine market [in organs] anymore. Miserable populations in Third World countries are its victims. After gold, silver and precious stones, after oil, coffee, cotton, is the search for organs the modern version of the pillaging of the South by the North?

The Pinero article used the simple technique of selectively repeating allegations without either subjecting them to critical examination or mentioning the many press accounts pointing to the fallacy of the accusations. The article gave great credence to charges of child organ trafficking made by various officials, but totally ignored or discounted the subsequent denials or repudiations of these charges. The most improbable claims were taken at face value, as if it were possible for a single U.S. attorney and his Peruvian partner to process 3,000 intercountry adoptions in a two-year period, which would mean completing the extensive paperwork necessary for 6 adoptions on each working day. Intercountry adoptions typically take weeks or months to process. Similarly, the article assumed that 75 percent of the numerous Brazilian infants arriving in Italy could vanish without anyone noticing this for years. In short, all objectivity was abandoned in the Pinero article.

The article in "Le Monde Diplomatique" was one of many that Ms. Pinero had written giving credence to the child organ trafficking myth. She has written articles on this subject since April 14, 1987, when her first article, "To Sell the Hearts of Infants," appeared in the French communist party newspaper "L'Humanite." At the time, Ms. Pinero was the Central American correspondent for "L'Humanite," based in Havana. She has written numerous articles on this subject in the years since, but none with the impact of her August 1992 article in "Le Monde Diplomatique."

## **THE "SOTTAS REPORT"**

In March 1994, Eric Sottas, director of the World Organization Against Torture, presented a 13-page paper on "Trade in organs and torture" at the Eurosciences Media Workshop. In this paper, described in media accounts as the "Sottas report," Mr. Sottas expressed his belief that there was "increasing evidence emerging to support the allegations of the existence of a network involving the trafficking of human beings for organ transplants," and discussed seven countries in which he believed that clandestine organ trafficking might be occurring. Sottas was also interviewed by the Mexican newspaper "Proceso" on this subject, and their article on his allegations was the basis for subsequent articles in other newspapers in Latin America, and for an article in the "Los Angeles Times." This latter article stated that the "Sottas report" had listed six Latin American countries as "confirmed traffickers in child organs." In fact, all of Sottas' supposed evidence was hearsay; none of it was substantiated, and some of it had been repudiated before his paper had been written.

The first country Sottas listed was Nepal. As evidence, he cited the addendum to the January 1994 report by the U.N. Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography entitled "Visit by the Special Rapporteur to Nepal" (E/CN.4/1994/84/Add. 1). This addendum states:

During the Special Rapporteur's visit, several sources, including the police, expressed concern on the issue [of the sale of children's organs]. They indicated that there was trafficking of children to India for the purpose of sale of organs. High ranking police sources informed the Special Rapporteur of a 1993 case concerning a child and an adolescent kidnapped from Nepal and taken into India. As reported, the kidnapper was from Bihar. The case concerned trafficking with the intention of extracting their kidneys. The young persons were saved as the result of cooperation between border authorities, and they were brought back to Nepal.

No names or other specific details that would permit this allegation to be checked are mentioned in the Special Rapporteur's account. The name of the alleged kidnapper is not mentioned; the names of the alleged victims are not mentioned; nor are the names of the "high ranking police sources." Until specific information is provided that would allow this allegation to be checked for accuracy, it must remain another unsubstantiated allegation, one of many on this subject. As has been shown earlier, high ranking police sources in other countries have been known to have put forward unsubstantiated allegations of child organ trafficking. Their assertions can not be taken as ipso facto evidence that such activities are occurring. So far, no information that would substantiate the Nepalese allegation has been made public. In the absence of such evidence, there is no reason to conclude that it is anything more than another manifestation of the ubiquitous child organ trafficking rumor.

The second country that Mr. Sottas mentioned was Brazil, where he repeated the allegation in the report presented to the European Parliament "that some 3,000 children adopted from Brazil had been sent to Europe as part of the market for organ transplants in Europe and Italy in particular." The groundlessness of this allegation was discussed above.

The third country that Mr. Sottas mentioned was Argentina, where he repeated the accusations that organ and tissue trafficking had occurred at the Montes de Oca mental institution, focusing particularly on the Pedro Reggi case. He was apparently not aware that it had been publicly repudiated four months earlier.

The fourth country Mr. Sottas mentioned was Peru, where he repeated the false allegation that James Gagel, whom he misidentified as Patrick Gagel, might have been involved in trafficking in children's organs. The unfounded nature of these charges has been discussed above.

The fifth country Mr. Sottas mentioned was Colombia, where he mentioned the Barranquilla incident, which had nothing to do with organ transplants, and another case raised by Maite Pinero, the author of the long article in "Le Monde Diplomatique." Mr. Sottas wrote:

According to Maite Pinero, ... two children were reportedly kidnapped and had their eyeballs removed. The first case was that of a little girl who was subsequently returned to her family. The second case was that of a young boy who was found dead by a peasant named Garrigo Mesa. According to the death certificate signed by a doctor at the regional hospital of Cundinamarca, the eyeballs of the victim had been removed. According to Maite Pinero, the family of the little girl and Mr. Garrigo Mesa subsequently disappeared following the publicity made around this case.

The familiar pattern of evasions is evident: there is no specificity about the identity of the alleged victims; they are simply a "little girl" and a "young boy." In addition, both the family of the little girl and the man who discovered the young boy are said to have disappeared without a trace. Thus, there is no evidence, only claims based on phantoms.

The sixth country Mr. Sottas mentioned was Mexico. Mr. Sottas cited Mr. Hector Ramirez Cuellar, a parliamentarian who had declared that he was "convinced" that Mexican children have been abducted for use in organ transplants. Mr. Ramirez has not produced any evidence that would substantiate his

beliefs, however.

None is mentioned by Mr. Sottas and Mr. Ramirez mentioned none in his comments broadcast in the French television program "Organ Snatchers," which was discussed earlier.

The last country that Mr. Sottas mentioned was Honduras. He wrote:

On 18 April 1993, the President of Honduras, Mr Rafael Callejas, publicly voiced his concern about the fears that a network for the traffic of children's organs had been established in his country. On 23 April 1993, "Le Monde" published an article which included, amongst others, the declarations made by the Liberal Member of Parliament, Mr. Rosario Godoyon [actually, Ms. Rosario Godoy], who claimed that the body of a mutilated child had been discovered in the cold room of a lorry 175 km. from Tegucigalpa.

This passage of Mr. Sottas' report illustrates the danger in relying on accounts in the international media without checking with original sources in the country in question. Honduran president Rafael Callejas had, indeed, voiced fears that child organ trafficking had occurred in Honduras, a fact that had been widely reported in the international press. But what was not nearly as widely reported was that after investigating this issue, President Callejas and others concluded that such clandestine organ trafficking was impossible in Honduras for technical reasons and that there was no reason to believe that any such activities had ever occurred.

Moreover, Honduran Congresswoman Rosario Godoy de Osejo never produced any evidence to substantiate her claim that a body of a mutilated child had been found, although her accusations created a media uproar. In the wake of her charges, the Honduran authorities quickly established that the child organ trafficking claims were groundless. On April 19, 1993, the President of the Honduran Supreme Court, Orlando Lozano Martinez, stated: "These allegations have been coming forward for three years and we have not been able to prove anything nor find merit in them through investigation." On April 21, Honduran Attorney General Leonardo Matute Murillo stated that his office had investigated organ trafficking charges for more than one year and found nothing to support them. The spokesman for the Honduran police also stated that the police had investigated organ trafficking allegations and found them to be completely false.

None of these clarifications received much attention in the international media, however. In a typical pattern, repeated numerous times, the original child organ trafficking allegations receive tremendous publicity, despite being unsubstantiated. The denials, repudiations, and clarifications that follow receive little or no attention outside of the country in which the incident allegedly took place. Thus, people worldwide hear about the inaccurate allegations, but people in only the country concerned learn about the denials. In this way, the child organ trafficking rumor gains undeserved credibility and is often repeated by prestigious organizations and individuals who rely on international media accounts but lack the time or resources to carry out the research necessary to check the allegations. In this way, child organ trafficking becomes "conventional wisdom" in the minds of many.

Later in his paper, Mr. Sottas revealed a stunning ignorance of the most elementary facts about organ transplantation in the United States. He wrote:

As far as the United States is concerned, only about one- fifth of the 20,000 or so organs transplanted every year are recorded in a National Register which enables close control. The many operations that are carried out by private clinics do not fall within this centralised scheme. What is all the more preoccupying is the fact that in the United States, a number of surgeons seem to accept the notion of the purchase of organs.

This passage is incorrect. First, all the organ transplants that have been performed in the United States since October 1, 1987 have been recorded in the U.S. Scientific Registry on Transplantation -- not one-fifth of them, as Mr. Sottas claimed. All U.S. transplant operations are closely monitored in a highly centralized system organized by the United Network for Organ Sharing, which coordinates all organ transplant allocation in the United States.

Finally, Mr. Sottas' claim that numerous U.S. surgeons "seem to accept the notion of the purchase of organs" ignores the fact that since the passage of the National Organ Transplant Act in 1984, the sale of organs for transplant in the United States has been outlawed, with stiff penalties for violation.

In sum, the "Sottas report" is nothing more than a rehashing of the various claims that have circulated in the world media, none of which has ever produced any credible evidence that would substantiate the claims of child organ trafficking.

### **"NINOS DE REPUESTO"**

In May 1994, a full-length 200-page book giving credence to the child organ trafficking myth was published in Spain. It was entitled "Ninos de Repuesto" ("Spare-Parts Children"), and was written by Spanish journalist Jose Manuel Martin Medem, an editor who works for the international section of Spanish National Radio.

Despite its length, "Ninos de Repuesto" breaks little new ground, consisting almost in toto of a repetition of the various allegations that appeared in the world press between 1988 and 1994.

Mr. Martin does not appear to have checked these charges very carefully and, as a result, repeats many inaccurate claims.

For example, on page 55, the book cites Wilfredo Guzman, spokesman for CEMEDIN, the Mexican Center for Children's Rights, as stating in April 1993 that:

In the United States, there are some 10,000 children waiting for organs in order to survive. Therefore, dozens of Mexican midwives, nurses, doctors, lawyers, judges, and even clerics participate as accomplices in the theft of children from whom organs are extracted at clandestine clinics on the U.S. border. The organs are transplanted to rich children right there.

Guzman's charges of child organ trafficking are unsubstantiated. In addition, his claim that 10,000 children were waiting for transplants in the United States in 1993 is wrong. The United Network for Organ Sharing (UNOS), which coordinates and monitors organ transplant allocation in the United States, keeps detailed national lists of all people in the United States who need organ transplants. According to UNOS records, there are 488 American children between the age of zero and five years of age on waiting lists for organ transplants. There are 265 children between the ages of six and ten who need transplants, and 698 older children and adolescents between the ages of 11 and 17. The total of these three figures is 1,451, far less than the 10,000 claimed by Mr. Guzman. Mr. Martin apparently did not check Mr. Guzman's figures.

On pages 91 and 92, Mr. Martin cites the August 1992 article by Maite Pinero in "Le Monde Diplomatique," quoting the original allegations of child organ trafficking that first surfaced in Honduras in January 1987. Like the article in "Le Monde Diplomatique," "Ninos de Repuesto" mentions only the allegations made by Leonardo Villeda Bermudez, former head of the Honduran Social Welfare Ministry, and fails to note that he immediately repudiated these allegations.

On page 134, the book mentions the mistaken claim by Professor Paul Barruel of Sao Paulo, Brazil that only 1,000 of the 4,000 Brazilian children adopted by Italians between 1984 and 1990 were recorded as entering the country, and his belief that the Italian "Camorra" used the allegedly missing children for organ transplants. This groundlessness of this claim was discussed earlier.

On page 155, the book repeats the mistaken claims made in "Le Monde Diplomatique" about American lawyer "Patrick Gagel." The author apparently conducted no independent research on the case, and did not list James Gagel's name correctly.

On page 184, the book quotes the International Association of Democratic Lawyers:

It is becoming increasingly difficult to procure reliable information on the organ traffic, especially when it affects children, owing to that traffic's link with criminal organizations. Official

investigations are being conducted in nearly all the Latin American countries, but no judicial proceedings are being initiated, because the witnesses and evidence disappear quickly. ... The victims of this abominable traffic are kidnapped. Those later found still alive are usually under the effects of strong drugs that prevent them from remembering what has happened. Generally, their names are unknown, because the victims and their families fear the revenge of the traffickers.

This assertion by the IADL is a masterpiece of obfuscation. It cites no specifics for its sweeping claims, conveniently claiming that the lack of any evidence for child organ trafficking is due to supposed fear of reprisals and alleged drugging of the presumed victims. Despite the fact that the IADL had no evidence for its assertions, its claims were treated seriously by Mr. Martin.

It is worth examining the role the International Association of Democratic Lawyers has played in spreading the child organ trafficking rumor in more detail.

The IADL is a non-governmental organization that has consultative status with the United Nations. It has been active in the Working Group on Contemporary Forms of Slavery, established by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the U.N. Commission on Human Rights. Several years ago, the IADL brought allegations of child organ trafficking that had supposedly occurred in Colombia to the attention of the Working Group. The government of Colombia subsequently investigated the allegations. The conclusions of their investigation were included in a February 7, 1991 letter written by Ambassador Eduardo Mestre Sarmiento, Permanent Representative of Colombia, to Mr. Jan Martenson, Under-Secretary General of the U.N. Commission on Human Rights. In the letter, Ambassador Mestre stated:

Respectfully, I am writing to you to inform you of the results of the investigation conducted by the competent authorities of my country in connection with the alleged sale of children's organs in Colombia ....

...This dramatic charge was brought to the attention of the Colombian authorities and an investigation was immediately undertaken by the Office of the Attorney General of the nation. This Mission requested the cooperation of the organization making the accusation [the International Association of Democratic Lawyers] in order that they might put us in touch with the witness which they say they have and send evidence to clarify the acts under investigation. We received a video cassette made by a French journalist in which it is stated, with pictures, that this practice is common in Colombia and is engaged in with the connivance of the police authorities.

The investigation was exhaustive and I wish to inform you, Sir, that the acts referred to in the accusation by the International Association of Democratic Lawyers are completely unsubstantiated and that this organization has made use of evidence which, according to the results of the investigation, corresponds to a video montage in which it was found that:

- (1) The newspapers referred to as having published the news item never had any knowledge of these acts;
- (2) The place referred to as the child's residence is not situated in the sector mentioned;
- (3) It was not possible to find the witness who signed the letter appended to the statement by the non-governmental organization making the accusation.

The falsity of the accusations and the use of unfounded evidence place us in a delicate position which must be analyzed rigorously and objectively. What is involved is the sense of responsibility with which certain non- governmental organizations handle the information they receive from countries, especially when it leads to accusations concerning specific cases.

In the case which I am submitting for your consideration, the International Association of Democratic Lawyers has used unfounded evidence which affects the dignity of my Government and its police authorities. We cannot overlook this fact and accordingly, Sir, with my Government's due respect and consideration for the United Nations, I would request you to take the necessary measures

to ensure that this type of action by certain non-governmental organizations does not recur in the future.

As regards the International Association of Democratic Lawyers, my Government respectfully requests you to report this case to the Non-Governmental Organizations Committee in order that it may take the appropriate measures on the status of this organization vis-a-vis the United Nations, since we consider that its attitude shows a lack of respect towards a Member State and the United Nations as a whole.

The IADL, which was identified decades ago as a Soviet-controlled international front organization, has spread false anti-American disinformation since at least the time of the Korean War, when they were the vehicle for spreading false charges about the alleged U.S use of "germ warfare." In 1988, the IADL submitted two reports giving credence to child organ trafficking rumors to the United Nations. In a July 11, 1988 report, U.N. Secretary General Perez de Cuellar warned that reports of such activities were "possibly fictitious" and added that there had been no "corroboration" of them. Despite the collapse of the Soviet Union, the IADL has continued to give credence to the child organ trafficking rumors, publicizing many false, discredited claims.

"Ninos de Repuesto" mentions other discredited charges, such as those made about Pedro Reggi in Argentina and ones made by Paraguayan Judge Angel Campos in 1988, for which he admitted he had no evidence.

Although the book gives credence to the false rumor of child organ trafficking, it does cite U.S. denials of these charges and statements made by authoritative spokesmen such as Rafael Matesanz, national coordinator for transplants of Spain's National Organization for Transplants. In a February 22, 1993 report that Mr. Matesanz prepared for Spain's Ministry of Health and Consumption, cited on page 203 of "Ninos de Repuesto," he stated, "The alleged export of organs to rich countries is impracticable today, with the current means of preservation."

With regard to the European Parliament resolution on this issue, Mr. Matesanz stated:

The reference to [rumors of child organ trafficking] in an official document controlled by the European Parliament is improper from any standpoint, because it implies acknowledgement that such practices exist. As a result, there is an additional deterioration in the image of transplants, and negative repercussions on the procurement of organs.

Mr. Matesanz's recommendation was that "our country should by no means sign any proposal including this type of assertion."

On balance, although "Ninos de Repuesto" includes some repudiations of false child organ trafficking claims, the general thrust of the book, unfortunately, gives the rumors credence. For example, the book's final sentence asserts:

The trafficking of children and the marketing of their organs are the most merciless businesses in the dunghap of the market economy, in which anyone who can pay obtains whatever he needs.

The author states that his book was the culmination of six years of research. It is unfortunate that despite the many long hours that the author labored on the project he was not able to conduct sufficient research to learn that the claims he was repeating were contradicted by the facts and, in many cases, had been repudiated by the individuals making the claims. Despite its length, "Ninos de Repuesto," like all other examinations of this issue, contains no credible evidence of child organ trafficking.

## **THE "CORREIO BRAZILIENSE" SERIES**

From July 24 to July 31, 1994, a series of articles on alleged child organ trafficking appeared in the Brazilian newspaper "Correio Braziliense." The articles demonstrated the journalistic hazards involved in relying on secondary sources. Although the author of the articles, Ana Beatriz Magno,

interviewed 101 people during her research, she did not consult any sources in Argentina or Colombia. Therefore, when she wrote about the Pedro Reggi and Jeison cases in those countries, her reports were badly out of date and inaccurate. In addition, the sources to whom she talked in Europe, who included three people who have been in the forefront of the effort to give credence to the child organ trafficking charges, French journalists Maite Pinero and Marie-Monique Robin and International Association of Democratic Lawyers Assistant Representative Renee Bridel, apparently did not tell Ms. Magno that the original allegations of cornea theft involving Pedro Reggi and Jeison had been discredited months earlier. Thus, the articles in "Correio Braziliense," while they may have appeared reliable and authoritative to a Brazilian audience not familiar with these cases, suffered from a lack of even the most elementary fact checking.

With regard to Pedro Reggi, the articles badly misreported even the simple matter of the dates of his residence in the Montes de Oca facility. A July 24 article claimed, with regard to Reggi:

Dated September 1989, the admission record is categorical: all of the youth's vital senses are in order. His vision was graded ten, and he did not even have to wear glasses. His problem was actually his head.

A year later, on 10 October 1990, the psychiatrist, Florencio Sanchez, at that time director and "sheriff" of the hospital, changed his mind. He reached the conclusion that Pedro had a bilateral cataract.

"He must be operated on immediately, at the Lagleyze Hospital in Buenos Aires," stated Doctor Sanchez's medical prescription. The hospital still has Argentina's only public eye bank today.

The cataract was the signal. Pedro was targeted by the mafia headed by Sanchez that has infiltrated the Argentine public health system. The doctors removed Pedro's corneas. He was insane, and was left blind.

This is a powerful passage. But virtually nothing in it is true.

Pedro Reggi was not admitted to the Montes De Oca facility in 1989.

According to his half-brother Mario Barretto, speaking on the November 25, 1993 "Hora Clave" television program in Argentina, "he was admitted in 1981" to the Montes de Oca facility and remained there for "five years." Thus, he was released in 1986. Therefore, Ms. Magno could not quote from documents that record him as being admitted there in 1989 and operated on in 1990.

In addition, according to the Pedro Reggi's medical records, which were summarized in a December 6, 1993 letter from Dr. Patricia Rey to the director of the Lagleyze Hospital in Buenos Aires, Reggi had surgery for "bilateral congenital cataracts" when he was nine months old (he was born in 1965) and surgery to improve his vision was contemplated in 1984 but it was decided not to pursue it in 1985 because "the anterior chamber was filled and the cornea was infiltrated." In light of this, his vision could not have been flawless in 1989, as Ms. Magno claims.

It is clear that Ms. Magno did not do sufficient research to discover that these claims she made about Reggi were insupportable, even with regard to the simplest, most easily verifiable facts.

With regard to the claim that the director of the Montes de Oca facility, Florencio Sanchez, who died in jail while awaiting trial, was the head of a "mafia" and indulged in massive corruption, an article in the March 16, 1992 issue of the Argentine magazine "Somos" stated:

In contrast to the probable illicit administrative dealings, totaling several million dollars, is Sanchez's modest house, built at the turn of the century by personnel from the complex, and his 1975 model car. Apart from the garden, well tended and large, the house has suffered neglect for years.

His wife is quoted in the article as stating: "We don't have a peso, nor do we lead a life of luxury. We bought this house with a loan from the Mortgage Bank that we are still paying."

As is implied by this passage, someone who allegedly embezzled millions of dollars and headed a "mafia" would be unlikely to drive a 17-year old car and live in a modest, run-down house.

The Magno series was also badly misinformed about the Jeison case in Colombia. It claimed that "the boy stopped seeing at the age of ten" because his corneas were removed against his will in an operation. But Jeison's medical records, discussed in an earlier section, record him as having lost his sight from disease at the age of five months. The Colombian government report on this case was issued in February 1994 and discussed in the Colombian press in March 1994. If Ms. Magno had consulted Colombian sources during her research, she would have discovered that the allegations she repeated about Jeison had been discredited months earlier.

One of the articles in the "Correio Braziliense" series included the stories of two Brazilian children, referred to anonymously as P. and D., who were allegedly kidnapped, both from the same shopping mall in Rio de Janeiro, and returned to their parents with a kidney missing, in a story similar to the "kidney heist" urban legend in the United States. The manager of the shopping mall where the incidents allegedly occurred denied any knowledge of the alleged kidnappings, however. Dr. Jose Roberto Coelho de Rocha, the former president of the Brazilian Nephrology Society, also discounted the claims, particularly the case of one boy who was said to have been returned to his parents after only one day's absence. Dr. Coelho de Rocha pointed out that the surgery alone would take four hours, involve 20 doctors, and have to occur at a major medical center. Such surgery could not be clandestinely arranged in the time frame alleged.

The article also claimed that the boy's family had moved three times since the alleged incident and no longer lived in Rio de Janeiro, making it difficult to check the story. The family of the other alleged victim was not identified in any way. Thus, these allegations appear to follow the familiar pattern of making claims that are difficult or impossible to check.

The Brazilian Department of Justice's Council for the Defense of Human Rights stated that it would investigate the claims published in "Correio Braziliense." At the same time, the national secretary for citizen's rights and justice, Pedro Avellar, cautioned, according to the July 28 issue of "Correio Braziliense," that:

he had not seen in the reports published to date any concrete data on the trafficking of children for the purpose of using them for grafts and transplants.

"I am still anxious for more data. The articles add nothing to the charge of organ trafficking. They are more objective regarding illicit adoptions," [Avellar said].

The Brazilian government's investigation is continuing. But many such anonymous allegations of child organ trafficking have been put forward during the past eight years. So far, no one has ever produced any evidence to substantiate a single one of them.

In the midst of the media furor unleashed by the "Correio Braziliense" articles, the Brazilian government released the results of a previous investigation of child organ trafficking charges, which it had undertaken after the claims in the 1993 European Parliament resolution had been reported in the Brazilian press. According to the July 26 issue of "Correio Braziliense," Brazilian Minister of Justice Alexandre Dupeyrat reported that this "extensive investigation" discovered "no concrete evidence that could prove illicit, criminal activity."

In sum, the series of articles in "Correio Braziliense" does not include any evidence that substantiates allegations of child organ trafficking. The stories that were capable of being checked had been proven false months earlier, a fact of which the reporter was unaware. Even the simplest facts about these cases were reported inaccurately, raising serious questions about the quality of research in the articles. The Brazilian government stated that it had investigated earlier alleged cases of child organ trafficking in Brazil and found no evidence to substantiate them, and resolved to investigate the allegations raised by the latest articles as well.



## ALLEGED ORGAN TRAFFICKING IN THE PHILIPPINES

A story reported in August 1994 about events in the Philippines illustrates how misinformation may result if journalists rely exclusively upon international media stories as their sources and do not conduct follow-up investigations of media reports in the country in question.

On August 24, 1994, both the Reuter and Kyodo wire services reported a sensational story from Manila: four surgeons who had performed the Philippines' first double organ transplant in 1988 had been charged with murdering the organ donor, Arnelito Logmao, for his kidney and pancreas. Reuter reported:

According to court documents, Logmao was admitted to a government hospital in Manila on March 1, 1988, after falling from a pedestrian overpass. He had apparently been drinking.

The physician on duty found no head injuries but allowed him to spend the night in the hospital.

The next day, one of the four doctors charged transferred Logmao to the government's National Kidney Institute after his condition allegedly worsened.

The court documents allege that while Logmao was still alive, doctors cross-matched his tissue with the recipients and later pronounced him clinically dead.

"With intent to kill him in order to retrieve vital organs ... for purposes of financial gain and glory, [the respondents] surgically cut out his two kidneys and pancreas without the knowledge, consent and authority of his mother, thereby causing his untimely death," [special prosecutor] Apostol said in his report.

The Reuter account did note that "the four doctors denied the accusations and said Logmao was brain dead before the procedure began," but the bulk of the story and the attention-grabbing headline featured the accusation of murder for organ transplant.

After these initial accusations, more facts about the case began to appear in the media in the Philippines. On August 27, "The Manila Times" reported that in 1989 a Quezon City prosecutor had dismissed a murder complaint against the doctors in the Logmao case, a fact that the initial press accounts did not note.

On September 8, several Philippine newspapers reported that the four doctors charged in the case had filed a 16-page supplemental motion to dismiss the case in which they noted that the alleged murder victim had been pronounced "brain dead" by Dr. Abdias Aquino, the neurology chief of the National Kidney Institute (NKI), and Dr. Antonio Rafael, the attending physician, before his organs had been transplanted, adding that these two doctors even went beyond generally accepted medical practices by ordering a second electroencephalogram to be performed before declaring Logmao to be brain dead.

According to "The Philippine Star," in response:

Government prosecutors justified the filing of the murder charges by saying that a person, even if declared brain dead, is still, "for practical [sic] and in a layman's point of view, alive."

On October 19, 1994, an article in the "Manila Bulletin" reported other arguments by the four accused doctors in a 47-page reply to the charges against them. The article stated:

The physicians asserted that they acted in accordance with law and followed the guidelines governing organ retrieval and transplantation embodied in Republic Act No. 1056 in relation to Section 96 of the Presidential Decree No. 856. They maintained that:

The person was declared brain dead by three competent and expert doctors several hours before actual harvest; there were no known relatives; and efforts were taken to locate the relatives.

Besides, defense counsel said, the four doctors would not have performed the transplant operation without the go- signal of Dr. Filoteo Alano who, in his capacity as director of NKI, was authorized by law to give donor consent in the absence of the patient's nearest relatives.

They said that two doctors -- both of whom were not part of the transplant team -- pronounced Logmao "brain dead" at about 6:30 a.m. on March 3, 1988. At 3 p.m. on the same date, the kidneys and pancreas of Logmao were transplanted to one Lee Tan Koe and Alexis Ambustan.

The lawyers said that the pronouncement that Logmao was "brain dead" came before the transplant operation and was made by Dr. Abdias Aquino, a consulting neurologist at NKI. He made the declaration after noting that the patient's blood pressure drastically dropped, spontaneous respiration was gone, and he no longer responded to various tests and stimuli.

These indications, according to Dr. Aquino, conclusively point to a "complete and irretrievable" loss of Logmao's brain stem functions, meaning he was "brain dead." Two electroencephalogram (EEG) tests confirmed this fact, Dr. Aquino further said.

None of the Philippine press reports containing these additional facts was reported by any wire service. Thus, all that readers outside the Philippines would know was contained in the initial press accounts, which gave no details of the accused doctors' side of the story. It is this natural tendency of the media to report sensationalistic charges and to ignore subsequent clarifications, denials or repudiations that has led to the circulation of much misinformation and half-truths with regard to charges of child organ trafficking and other alleged organ trafficking abuses.

[Addendum to report: On December 28, 1994, a Philippine court dismissed the charges against the doctors, ruling that evidence indicated that Logmao was already "brain dead" when his organs were removed.]

## **MISINFORMATION IN ITALY**

In September 1994, allegations of child organ trafficking appeared in Italy, and spread to Germany, Turkey, and Brazil. The sequence of events demonstrates how vague allusions or hypothetical statements can be mistakenly reported as confirmed fact.

On September 21, Italian Minister for the Family Antonio Guidi testified before the Italian Chamber of Deputies' Social Affairs Committee. During his testimony, Guidi stated that he "did not exclude" the existence of "an illegal traffic in children for 'health' purposes ... of which we are about to open an investigation." Asked by a committee member to be more specific, Guidi stated: "Let's wonder about illegal adoption in Italy of children who, instead of going to the families requesting them, end up elsewhere."

In an interview with the press after his statement, Guidi said he had been referring to illegal adoptions, not allegations of organ trafficking. Nevertheless, he added, he could not rule out the possibility that children might be transited through Italy to be used for organ transplants in other countries.

These remarks led to a media furor.

On September 22, the Italian newspaper "L'Informazione" reported Guidi as stating that "weak control of the borders and the heavy influx of children may have allowed abuses and even illegal organ trafficking." This possibility was quickly refuted by Italian Minister of Health Raffaele Costa, who was quoted by "L'Informazione" and other Italian newspapers as stating:

In Italy, transplants occur only in highly specialized, public clinics, and it is inconceivable that they would accept organs under the table. No surgeon, no medical team would ever engage in such criminal activity, for moral and professional reasons, nor on practical grounds, for it would not be possible to conceal these activities and they would be immediately discovered.

On September 22, the Italian newspaper "L'Indipendente" reported the comment by Giuseppe Calderoli, chairman of the Chamber of Deputies' Social Affairs Committee, that Guidi's remarks before the committee had been "misunderstood" and that Guidi had "immediately clarified that the situation of illegal adoptions of children to which he had referred did not have to do with organ trafficking."

Nevertheless, the story spread, and became even more distorted when reported by a German reporter in Rome.

On September 23, two German newspapers, the tabloid "Bild" and the more conservative "Die Welt," carried stories on the Guidi allegations by the same reporter, Andreas Englisch. "Bild" ran the story on its front page, under a banner headline that read, "Organ Mafia -- 3,000 Children Slaughtered -- Minister Confirms Awful Suspicion."

The "Bild" story stated:

A suspicion so awful that nobody wanted to believe it, but one that has now for the first time been officially confirmed by Italian Health [sic] Minister Antonio Guidi.

For years, the mafia has been adopting children from Third World countries and having them smuggled into secret clinics in Italy, where they are killed and their organs removed.

Innocent children to supply livers, kidneys, and hearts for the sick rich.

In Brazil alone, Interpol is searching for 3,000 lost children.

The story continued:

His face as white as a sheet, Italian Health [sic] Minister Antonio Guidi stood before the Social Affairs Committee of the Italian parliament on Wednesday evening. "The suspicion is unfortunately no horror story, it is the truth. That is why I see no other option but to open an official investigation."

The awful trade in children as living organ donors.

The article in "Die Welt" stated:

It is reported that handicapped children between 8 and 12 years of age are being adopted in Third World countries and brought to secret clinics where they are killed and their organs removed. In the past, this suspicion was nothing more than an awful plot for some horror story. In a sensational statement before the Social Affairs Committee of the House of Deputies, Health [sic] Minister Antonio Guidi said: "The suspicion is unfortunately no horror story, it is the truth. That is why I see no other option but to open an official investigation."

Guidi also pointed out that Interpol was searching for 3,000 children who had disappeared in Brazil after being approved for adoption.

... Minister Guidi: "We believe that the mafia smuggles the children into Italy, from where they are dispatched to their ultimate destination."

The stories by Englisch mistakenly identified Guidi as the Minister of Health, ignored the statements by the actual Italian Minister of Health Raffaele Costa that clandestine organ transplants were impossible in Italy, attributed a number of direct quotations to Guidi that had not been reported in the Italian press, ignored the comment by the head of the Social Affairs Committee that Guidi had been "misunderstood" and had "immediately clarified" that his statements regarding illegal adoption had nothing to do with organ trafficking, and, worst of all, reported Guidi's hypothetical musings as officially "confirmed" fact. In addition, "Bild's" imaginative headline writer decided that the story's claim that Interpol was "looking for" 3,000 missing Brazilian children should be changed to "3,000 Children Slaughtered -- Minister Confirms." As has been discussed previously, the claim that 3,000

Brazilian children are missing is false.

These stories in the German press became the basis for further stories on September 24 and 25 in the Turkish newspapers "Turkiye" and "Sabah." In "Sabah," Guidi's alleged statements became even more seemingly specific and detailed. According to "Sabah," Guidi stated:

These adopted children are brought to Italy. Here they are brutally murdered and their internal organs are sold for astronomical prices all over the world. My words may sound like a horror story, but unfortunately they are true. An official investigation has been opened in order to capture these inhumane criminals. We are cooperating with international organizations and Western police.

Thus, as the story was reported at greater and greater remove, the alleged statements by Minister Guidi grew in scope until it appeared as if he was unambiguously confirming the existence of child organ trafficking in Italy.

In Brazil, Guidi's allegations were reported more objectively. On September 23, the Brazilian newspaper "O Estado de Sao Paulo" carried a story that talked about the "supposed" existence of child organ trafficking alleged by Guidi and noted that "Italian authorities reacted indignantly to the denunciation, which they characterized as 'absolutely unfounded'." The remarks of Health Minister Costa denying the allegations were also reported.

On the same day, the Brazilian newspaper "Jornal da Tarde" reported the important fact that Guidi possessed no evidence of child organ trafficking, in Italy or anywhere else. The article stated, "Minister Guidi denied he has evidence of concrete information on trafficking of organs, but assured that adopted children enter the country clandestinely."

A sidebar article in "Jornal da Tarde" noted that after allegations of child organ trafficking made by European Parliamentarian Leon Schwartzberg had been reported in Brazil, that "the adoption system became much more rigid." The article reported, with regard to adoptions in the Pernambuco area of Brazil:

The result, following the creation of the State Judiciary Commission on Adoption, was a fall by 90 percent of adoptions made (36) in the first semester of this year, in relation to the same period last year, when more than 300 children were adopted.

Italian Health Minister Costa also warned of the adverse effects that the child organ trafficking allegations could have on voluntary organ donations. In the September 24 issue of the Italian newspaper "L'Unita," he was reported as stating:

Minister Guidi's alarmist tone is not justified. I regret as a person that these conjectures can be exploited. ... the activity of surgeons, researchers, immunologists, scholars, the sacrifice of donors and the efforts at building civic awareness could be undermined by vague insinuations.

## **THE IMPOSSIBILITY OF CONCEALING CLANDESTINE ORGAN TRANSPLANTS**

Health and organ transplant officials in the United States and other countries have stated emphatically that it would be impossible to successfully conceal any clandestine organ trafficking ring.

In many countries, the sale or purchase of organs for transplants is expressly forbidden by law, with stiff penalties for violators. For example, organ sales for transplant have been illegal in the United States since 1984. In 1994, the sale or purchase of organs for transplant was outlawed in India, where previously many voluntary organ sales by adults had taken place, in which they had sold one of their kidneys, often to a foreigner.

In addition to the legal and moral deterrents to organ trafficking, the technical requirements that would be involved in arranging and operating an alleged murder-for-organ-transplantation scheme are so formidable that such clandestine activities are a practical impossibility.

In order for an organ transplantation to have any chance of success, a number of sophisticated medical procedures must be conducted to determine the suitability of various organs for transplantation and to permit a match with potential recipients. In particular, correct tissue and blood typing is critical to matching donor organs and potential transplant recipients. Crossing the blood group barrier from transplant donor to recipient can result in death. An equally important consideration is histocompatibility, which measures the extent to which a donor organ and a recipient match.

The surface of all cells in the body carries proteins known as major histocompatibility complex (MHC) antigens. These proteins act as signals that identify what is uniquely self to our immune system. The importance of matching MHC antigens for transplanted organs is similar to the need to match blood types for blood transfusions. However, MHC matches are more complex, and excessive differences between a donor and a recipient will cause the recipient's immune system to attack and reject the transplanted organ. In humans, the MHC antigens are encoded by a set of linked genes, which are designated as Human Leukocyte Antigens (HLA). In transplantation, it is vital to the survival and well-being of the recipient to identify and match the donor's HLA types. This can only be accomplished in a laboratory designed to test histocompatibility, and requires individuals with specialized laboratory skills to conduct the testing.

After the organs have been extracted from a donor, an extremely delicate procedure that involves a transplant surgeon and support staff including an anesthesiologist, attending surgeons, and operating room nurses, the organs must be transported as rapidly as possible, typically by helicopter or airplane, to the hospitals where the transplants will occur. Before transporting the donor organ, special preservation solutions must be infused into it. Proper insulation and temperature controlled packaging including adequate ice or refrigeration must be used to protect the organ during shipment. Absolute sterile conditions must be maintained for the organ to remain viable for transplant.

Organ transplants must be accomplished extremely rapidly because the time that organs can survive outside the body is severely limited. Hearts must be transplanted within 5 hours, livers within 24 hours, pancreases within 6 to 12 hours, and lungs within 5 hours. Kidneys can survive the longest, but most surgeons will not transplant a kidney that was removed more than 48 hours ago.

Sophisticated surgical equipment and highly skilled medical personnel are necessary for a transplant to take place. At a minimum, one needs 20 individuals, including three members of a surgical team, one scrub nurse, one circulating nurse, one anesthesiologist, one perfusion technician, and one general function technician. For all transplant surgery, a large area is needed for the operating table, instrument table, laboratory instruments, anesthesia equipment, monitoring equipment, spare supplies, gas sources, and personnel access.

In addition, in order to prepare for a kidney recipient's surgery, a kidney machine must be available to perform dialysis. For a heart transplant, the patient must be placed on circulatory and respiratory bypass equipment during the entire length of the transplant procedure and constantly monitored by a pulmonary technologist. During a liver transplant, bleeding is extensive because the liver produces the substance that causes blood to coagulate. Access to a blood bank is necessary because as many as 20 to 50 units of blood may be required for blood transfusions.

Thus, the daunting technical requirements of the transplant process make it impossible that transplants could occur clandestinely, as the child organ trafficking rumor alleges. Such highly complex operations could not occur at hidden, makeshift facilities. It would not be possible to assemble a team of highly trained medical professionals who would all be willing to engage in such morally repugnant criminal acts and be willing to take the enormous personal risks that would be involved in performing a transplant operation clandestinely. Nor would it be possible to arrange such a procedure for purely logistical reasons alone because the technical resources required could not be assembled outside of major medical centers.

In addition, the transplant process does not end with the completion of the transplant operation.

Follow-up care of the transplant recipient is critical for short-term and long-term survival and well-being. After the transplant operation, the organ recipient must be treated by a transplant physician, a separate individual, who monitors, medicates, and treats the transplant recipient for the rest of his life. No transplant physician would treat a person without knowing all the circumstances of their progressive organ disease, the details of their transplant operation, including the identity and health records of the donor of the organ, and a great deal of other information that would not be available if the transplant operation were performed clandestinely.

It is important to remember that transplant surgeons and physicians are highly trained professionals who are handsomely compensated for their expertise. There would be no reason for them to engage in clandestine, illegal transplantations. On the contrary, they would have every incentive not to participate in such activities. If such illegal activities were detected -- and they surely would be given the large number of people involved, the highly technical nature of the procedures, and the abhorrent nature of the alleged activities -- this would mean the effective end of the surgeon or physician's career, with catastrophic financial and personal implications.

In sum, organ transplantation is such an immensely complicated, highly technical, heavily regulated, extremely time-sensitive procedure, involving so many highly trained professional personnel and so much sophisticated medical equipment, that clandestine organ trafficking is, quite simply, an impossibility from a practical point of view. The charges that children are being kidnapped and murdered for such purposes make the allegations even more dubious.

Nor is there any evidence that any clandestine rings exist for the purpose of kidnapping children in order to extract their corneas for transplant. The requirements for a successful corneal transplant differ substantially from those for organs. Corneas, which are tissues, not organs, can be extracted up to 12 hours after death for use in sight-restoring transplantations (up to 18 hours given extremely favorable conditions). They can be preserved in a solution for up to two weeks, but are typically transplanted within five or six days.

There is a shortage of corneas for transplantation in most parts of the world, but not in the United States and in some other industrialized countries. For example, in the United States, where corneal donations are organized by eye banks, 42,469 corneal transplants were performed in 1993. In addition, 5,042 corneas were exported from the United States for use in transplants in other countries. Of these, 789 went to Europe and Canada. The remaining 4,253 were sent to Latin America, Asia, Africa, and the Middle East. Of these, 2,998, or 70 percent, were placed without charge. Of the 2,689 corneas sent to Latin America, 2,457, or more than 90 percent, were provided free of charge. Thus, the insinuation in "The Body Parts Business" that "after gold, diamonds, and natural resources, are human body parts to become the next commodity to be extracted from the Third World?" has its facts inverted. In reality, much of the flow of human tissue for transplant goes from the United States to the Third World, and the majority of it is provided gratis.

Allegations of child kidnapping for tissue transplants are essentially indistinguishable in the popular mind from the child organ trafficking urban legend. Most people do not understand the important differences between corneas and organs, even though the transplant procedures for them differ significantly as does the supply/demand situation in some countries.

## **PREVIOUS INVESTIGATIONS OF CHILD ORGAN TRAFFICKING ALLEGATIONS**

In addition to the investigations of child organ trafficking allegations mentioned previously, in early 1987, when it was first alleged that Americans were adopting children for the purpose of organ transplantation, the U.S. Justice Department, the Federal Bureau of Investigation, the Food and Drug Administration, the National Institutes of Health, the Department of Health and Human Services, and the Immigration and Naturalization Service all investigated their records and stated that they found no evidence of alleged organ trafficking.

On July 23, 1987, in response to a European Parliament resolution asking for an investigation of such charges, the European Community Commission stated that it "does not know of any transplant

operations performed in Europe for which the organs of Latin American children have been used."

On October 7, 1987, the Geneva-based non-governmental organization Defense for Children, International (DCI) stated, "In recent months, DCI has tried to have these reports verified by its representatives in Central America. So far, these investigations have failed to find any evidence to substantiate the reports."

On August 23, 1988, Mr. Gene Pierce, Executive Director of the United Network for Organ Sharing (UNOS) in the United States, stated that, "since the establishment of the Scientific Registry on October 1, 1987, UNOS has kept very detailed records on organ donors. There has been no documentation of any Latin American children under the age of five becoming donors in the United States."

On August 25, 1988, Ms. Linda Sheaffer, Director of the Division of Organ Transplantation at the U.S. Public Health Service, stated that such illegal transplants would be "not only impractical but impossible." She pointed out that some organ transplants "take up to 14 hours, none of the procedures could occur without the complete cooperation and knowledge of the hospital staff," and "any such large scale operation would not be kept secret."

On September 23, 1988, the Paris-based International Federation for Human Rights released a "Mission Report" on their "Investigation on Possible Trafficking in Infant Organs." It stated, "we have not been able to find a single piece of evidence indicating that such a trafficking operation is really occurring."

On September 26, 1988, the U.S. Federal Bureau of Investigation stated that "based on a review of all information available to the FBI, these charges are completely unfounded."

On October 3, 1988, Mr. R.C. Steiner, chief of the U.S. National Central Bureau, which represents the United States in the international criminal investigative organization Interpol, said that its records "do not reflect any requests for criminal investigative assistance from either the police in the United States or the police of any foreign country concerning this matter."

On October 8, 1988, U.S. Assistant Secretary of State Richard Schifter stated that "My government has made an exhaustive investigation of the charges and rumors related to this matter and both the U.S. Justice Department and the Federal Bureau of Investigation have concluded that they are totally groundless."

On June 6, 1989, U.S. Assistant Secretary for Health James Mason and U.S. Surgeon General C. Everett Koop released a lengthy letter in which they pointed out that "the technical and medical aspects of organ transplantation make it impossible to obtain and transplant organs secretly." They stated, "The requirements of the process, including numerous highly trained professional personnel and sophisticated equipment, assure that any such activity would be detected and exposed," stressing that "removals of organs is a complex surgical procedure, performed only in hospitals, and specialized technical arrangements are needed to preserve the organs." Mason and Koop went on to point out, "Organ transplant procedures are also highly complex and must be performed in the highest level surgical facilities, most often in large hospitals affiliated with schools for the education of physicians." "Because of the nature of the technology involved," they concluded, "these activities could not be conducted in secret or makeshift facilities."

On June 7, 1993, Mexico's "El Financiero" newspaper quoted Pablo Chapa, the director of complaints at Mexico City's attorney general's office, as stating, "I have not seen a single case where a person has been kidnapped and has later appeared with scars where his organs were taken, or his eyes were taken away. If these famous clandestine hospitals existed, we would have found out about them immediately." Dr. Arturo Dib Kuri, director of Mexico's National Registry of Transplants, stated, "I compare the rumor of stolen children whose organs are sold for transplant to a story saying that several thieves stole three [space] ships from Cape Canaveral to go to the moon."

## CONCLUSION

A thorough examination of this issue demonstrates that rumors of child organ trafficking are a fictional "urban legend." This myth derives its credibility from the fact that it speaks to widespread, largely unconscious anxieties about mutilation and death that have been stimulated by the dramatic advances made in the field of organ transplantation in recent years.

The child organ trafficking rumor would perhaps be of interest only to modern folklorists if it were not for the extremely pernicious effects that it can have and has had. In addition to stimulating violent attacks on U.S. citizens and others, arousing widespread unjustified fears, and disrupting numerous international adoptions, false rumors of child organ trafficking threaten the extremely fragile system of voluntary organ donation, upon which many lives depend.

Regrettably, previous reports on this subject by the Special Rapporteur have given undue credibility to child organ trafficking rumors, essentially placing them on a par with the denials. For example, the Special Rapporteur's 1991 report (E/CN.4/1991/51, page 7) states, regarding "the question of organ transplants affecting children," "the rumours abound, and the denials are equally abundant." But equating groundless rumors that do not stand up to logical scrutiny and which have never been substantiated with responsible, reasoned denials is false symmetry.

The very fact that the Special Rapporteur has examined this issue for several years and has sent questionnaires to governments in which it is implicitly assumed that child organ trafficking is a real phenomenon is mistakenly seen by many as evidence that child organ trafficking actually occurs. For example, question number five of a "Questionnaire Relating to the Sale of Children's Organs," circulated by the Special Rapporteur in 1992, stated:

The sale of children is mainly carried out for the purposes of organ transplantation. To what extent, and in what ways and forms, do these violations of children's rights exist in your country? Please describe.

The implicit assumption in this question is that child organ trafficking actually occurs.

The assertion of the Special Rapporteur in his 1994 report that "There is mounting evidence of a market for children's organs" is also unfortunate. In the absence of clear evidence that clandestine child organ trafficking takes place at all, mere allegations, which have been commonplace in the world press for years, should not be treated as anything more than groundless rumors.

Given the ubiquitous nature of the false child organ trafficking rumor, the role that the Special Rapporteur has inadvertently played in this process, the groundlessness of the rumors, their demonstrated impossibility, and the tremendous harm that they have done and can do, the U.S. Information Agency respectfully requests that the Special Rapporteur give maximum attention and publicity to the information contained in this report, in order to counterbalance the undue credence that has unfortunately been given to false rumors of child organ trafficking in past reports by the Special Rapporteur.

[End Report]



[top of page](#)