STEPS TOWARDS COMBATING TRAFFICKING IN HUMAN ORGANS IN SOUTH EASTERN EUROPE, WITH PARTICULAR REFERENCE TO THE CASE OF "KOSOVO"

Vanda Božić94

Abstract

Trafficking in human organs, trafficking in human misery, is one of the worst crimes of our time and a growing global problem. Due to the constant discrepancies between the available and required organs, illegal and criminal acts of trafficking in human organs are increasingly associated with living donors. What is the actual "dark figure" of this crime? A special emphasis in this paper relates to the case of "Kosovo", where in 2011 based on the adopted report by Dick Marty, the Council of Europe representatives ordered an investigation against the Kosovo authorities for organ trafficking and adopted a resolution (Resolution 1782) (2011) Investigation of allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo. Taking into account the international legal documents to combat trafficking of persons, the author will work to explore the extent to which a system is built to combat trafficking in human organs with regards to the criminalization of the sale and purchase of organs and the threat of punishment for donors and recipients as the major measure to stop the illegal market. Is the statutory sentence sufficient and proportionate enough to the committed criminal offense with regard to the consequences that the victim will have for a lifetime? An analysis of the criminal legislation de lege lata at the national level compared to other countries of South Eastern Europe that are most faced with the above problem, Serbia, Macedonia, Kosovo and Albania, will try to indicate possible further perspective towards more effective action against trafficking in human organs.

Key words: Trafficking in human organs, organ transplants, trafficking in human beings, crime

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⁹⁴ Department of Criminal law, Faculty of Law, University of Zagreb, vanda.bozic@pravo.hr





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