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Usage of Organs, Illegal Organ Trafficking, and Disposition of Unclaimed Dead Bodies in Pakistan

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ABSTRACT

The study "Usage of Organs, Illegal Organ Trafficking, and Disposition of Unclaimed Dead Bodies" examines the intricate relationships that exist between unexplained body disposal, organ trafficking, and the sociological environment in Pakistan. It describes a historical context in which the abuse of human bodies has progressed from anatomical research to contemporary organ transplantation procedures, especially in underdeveloped countries beset by poverty and lax regulations. The study emphasizes how stigmas associated with culture and religion impede conversations about organ donation, making it more likely that vulnerable groups will be forced or tricked into selling their organs. According to this study, the illegal organ trade thrives in Pakistan because of the lax enforcement of laws like the Transplantation of Human Organs and Tissues Act (THOTA). The study employs case studies and policy analysis to underscore the dire consequences of unregulated organ trafficking, including health risks and ethical violations. It advocates for comprehensive reforms that encompass legal changes, public education, and international cooperation to combat these issues effectively. The paper also draws comparisons with successful organ donation systems in other countries, suggesting that Pakistan could benefit from adopting similar models to enhance ethical practices in organ donation and improve the management of unclaimed bodies.

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1. Introduction

Unclaimed dead bodies and the sale of body organs present a paradigmatic ethical, legal and social question. These challenges have been made worse by the poor monitoring and regulation in Pakistan, the inclusion of human rights abuses and societal impacts. The questions arising from and concerning the disposal of unidentified carcasses and most particularly, the crime of removing body organs from unsuspecting individuals also form an area of concern in ethical, legal and social jurisdictions all over the world. Such practices are mainly influenced by the increased need for organs and some of the vulnerable groups in society. There is a severe scarcity of organs for transplantation throughout the world; the mortality rate of patients on the waiting list is more than 100,000 individuals per year; therefore, illicit trade in body organs has emerged, and the organs are stolen from cadavers or forced individuals (Bastani, 2020).

In Pakistan, additional challenges include a lack of enforcement of these laws, no coherent healthcare facility, and ill-health perception of the population regarding the donation in the country. In another report conducted by the United Nations Office on Drugs and Crime (UNODC), South Asia is still being reported to be involved with organ trade, especially with Pakistan since the country's high percentage of poverty and low legal protection (Yousaf et al., 2015). Disclaimed are often left exposed and are vulnerable to either being mishandled or misused, especially in cities.

Laws are in place today in many countries such as; the Transplantation of Human Organs and Tissues Act (THOTA, 2010) but their implementation are weak and gives room for criminals to manoeuvre (Idrees et al., 2023). Moreover, there is a lot of ignorance of the ethical organ donation hence making the situation worse. Solving these problems cannot be done only by legal changes, popular education, and international cooperation but through the efforts of all three spheres (Akhtar, 2008). Some countries such as Spain, which has adopted opt-out organ donation programmes can serve as models that replicate in the sociocultural settings of Pakistan.

1.1 Research Methodology

Case Studies: Case studies of individuals affected by organ trafficking will bring a human perspective to the issue, helping to illustrate the lived realities of those involved and the long-term impact on their health, well-being, and families.

Document and Policy Analysis: A detailed review of existing policies, government reports, and media coverage will shed light on systemic issues and policy gaps. Analysis of international frameworks, such as those by the World Health Organization (WHO), will offer comparative insights and inform policy recommendations.

Qualitative data analysis and Doctrinal Method: Thematic analysis of qualitative data will identify patterns in social vulnerability, legal challenges, and institutional practices. Cross-comparisons with data from other countries with similar issues will contextualize Pakistan's challenges in a global framework. Doctrinal methodology concentrates more on Laws and their application. By using this technique, research creates a thorough and descriptive analysis of the laws such as legislations and regulations and court decisions.

1.2 Research Objectives

To examine the socioeconomic conditions and cultural attitudes that make certain populations more susceptible to organ trafficking

To review Pakistan's legal and regulatory frameworks, including THOTA and evaluate gaps and enforcement challenges that allow organ trafficking and unethical handling of bodies to persist.

To investigate how illegal organ transplants and the improper disposition of unclaimed bodies pose health risks and ethical concerns

To provide recommendations for strengthening regulations, improving law enforcement, and enhancing

2. Terminologies

2.1 Disposition of Unclaimed Dead Bodies:

Concerning unclaimed bodies due to unknown identification or lack of family members willing, the working procedure. The process of addressing unidentified people who are dead or their families cannot be found or identified. They are usually in hospitals, morgues or any other place where nobody owns the body (Yousaf et al., 2015). Ethical regard involves attempts to establish the identity of the deceased, inform potential next of kin as well and, in the event of no one claiming the body, burial or cremation is carried out in compliance with the legal and cultural requirements. Nevertheless, in most instances, these bodies are abused because of inadequate supervision and become providers of body parts for sale for such vices as organ transplants and research.

2.2 Illegal Organ Trafficking:

The meaning of illicit trade in organs can also be described as unauthorized procurement, sale, or transplantation of organs in which force, fraud coercion, or deceit is sometimes exercised on the vulnerable groups (Gawronska 2020). The trade comprises harvested organs from unconscious, untimely, prisoners or those coloured by trafficking. The surgery of removing organs or tissues from a patient without the approval of the law or medical authority. This ranges from the selling of organs within the black market to black marketers who are always hunting for organ sellers. As a result of their delicate socio-economic statuses get targeted.

2.3 Illegal Organ Trafficking in Pakistan

Organ trafficking is the illegal and often coercive removal of organs for transplantation, primarily kidneys, fueled by a profitable market where supply does not meet demand. Pakistan has become a centre for organ trafficking, with networks focusing on vulnerable individuals in economically disadvantaged regions. These individuals are frequently pressured or deceived into selling their organs or are victims of outright theft, enticed by promises of financial compensation or misled by traffickers who take advantage of their desperation (Yousaf et al., 2015). Organ trafficking functions through a complicated network of intermediaries, including medical personnel who may operate outside or within formal healthcare facilities (Altun et al., 2017). Often, these activities take place in settings with limited oversight, where traffickers depend on insufficient law enforcement and corrupt practices within local governments or healthcare institutions to evade prosecution. The trafficking networks exploit Pakistan's socioeconomic inequalities, targeting low-income populations who may be unaware of their rights or are simply in dire need of financial assistance. Additionally, the lack of public awareness regarding organ trafficking and the stigma associated with victimization contributes to its ongoing prevalence.

2.4 Disposition of Unclaimed Dead Bodies

Unclaimed dead bodies, a relatively underexplored aspect of illegal organ usage, add complexity to this research. In Pakistan, unclaimed bodies are often discovered in hospitals, morgues, and public spaces due to social exclusion, homelessness, or poverty. Limited resources in public health institutions and the lack of regulatory mechanisms for the proper handling of unclaimed bodies contribute to their improper disposal (Altun et al., 2017). As unclaimed bodies are more vulnerable to exploitation due to the absence of legal claimants or family oversight, they may be subjected to unethical practices, including organ harvesting for illegal sale. This situation highlights not only a public health issue but also an ethical one, as the deceased may be denied the right to dignified handling and burial. The mishandling of unclaimed bodies further risks facilitating illegal trade by providing traffickers with a source of organs that bypasses legal channels. Through this research, I aim to uncover how the improper management of unclaimed

bodies can lead to their illicit use and how institutional neglect might contribute to an unlawful organ-trafficking supply chain. Unclaimed bodies are more likely to be used in cases of illegal human organ trade. Hearings and advocacy for the victims are rare because the perpetrators effectively conceal their identities legally. The lack of proper law and order, along with rampant corruption in countries like Pakistan, exacerbates such situations, and there often exists a legal loophole through which human rights are violated.

3. Literature Review

The difficulties concerning the unlawful purchase of human organs and the fate of unidentified dead bodies have been described in the world and the Asia Pacific region. In this section, the author presents a brief literature review of principal findings on the legal, ethical, and sociopolitical aspects of these concerns, with specific reference to Pakistan and South Asia.

As Scheper-Hughes (2000) illustrates *Organs for Sale*: This is one of the global issues caused by the social disequilibrium of demand and supply of organs. Pakistan also identifies illicit networks conveyed using poverty, improper regulations, and medical complicity in developing countries. In the same way, Moniruzzaman (2021) examines the experiences of the so-called living cadavers in South Asia that involve the selling of organs by poor people and unidentified bodies.

In their study of the global black market for human body organs, Budiani-Saberi and Karim (2009) note South Asia as a hot spot. This black market still exists in Pakistan due to cultural taboos, poor in society and legal systems not checking this black. Naqvi et al (2019) focus on the challenges encountered with the operationalization of THOTA, arguing that barriers are a consequence of systematic corruption and misconceptions about organ donation.

The black market in organs has negative social implications in so far as social relationships and the levels of trust that people have on health care providers. In the present work, Ansari (2020) also mentions that organ smuggling means inequality in Pakistan as most victims are the poorest population of the country. In the same manner, Siddiqui and Naqvi (2019) posit the emotional and societal impacts on families who lose their loved ones to be used in all forms of counterfeit practices.

Intergovernmental organizations such as the World Health Organization (WHO) and the United Nations Office on Drugs and Crime (UNODC) justified the call for organizing the world to counter organ trade and unethical disposal of unidentified corpses. The WHO's Guiding Principles on Human Cell, Tissue and Organ Transplantation has made it mandatory that the process happens to be voluntary and the recipient has to be informed of the procedure and it also rules out any sale of the organs. These principles serve as guidelines for national policies, yet, they lack enforcement skills that are still very weak in many countries including Pakistan. In its *Global Report on Trafficking in Persons*, UNODC draws the connection between organ trafficking and the more general phenomenon of human trafficking. Surgeons, women, children, refugees, and economically challenged people are the worst hit, making the problems socially and legally sensitive.

Spain and Iran have lowered the cases of organ trafficking with the aid of effective policies. Spain's organ donation system, which functions on a default basis unless otherwise stated, has greatly boosted the volume of legally donated organs, which subsequently reduces the need for illegal trade. Likewise, the compensated kidney donation program in Iran is noted as a possible example for other countries because it pays donors within strict ethical conditions (Gonzalez et al., 2020).

Strategies against organ trafficking also include recent technologies such as DNA recognition and the use of blockchain to document organ donations. Wang et al. (2021) state that "blockchain is capable of providing solutions for organ procurement and distribution," meaning it can guarantee ethical standards, as well as provide transparent and tamper-proof systems which limit fraud.

4. Issues in Pakistan

Pakistani unclaimed corpses, for lack of proper mortuary, are treated shoddily and neglected as a rule. The business of human organ trafficking is rife in such an environment, and many targeted individuals are defenceless. Some of the available documents state that organized networks use inconsistencies in police work. Pakistan has serious problems with the ethical, legal, and organizational aspects of the treatment of unidentified bodies as well as the problem of the trafficking of human organs. Such concerns are compounded by socio-economic differences, limited policing of the law, and cultural beliefs against organ transplants.

4.1 Exploitation of Unclaimed Bodies

The unidentified bodies in Pakistan especially in the urban areas are subject to abuse and misuse. Such bodies may be obtained from hospitals, morgues or other places of public domain and there is little control to check their use. Some of the bodies that have not found anyone during post-mortem are either sold for their organs or used in the wrong ways as illustrated below;

4.1.1 Illegal Organ Trade Networks

This research found that Pakistan is among the leading countries engaged in the human organ trade. However, with the passage of the Transplantation of Human Organs and Tissues Act, 2010 (THOTA) under which trade in human organs is prohibited and a criminal offence, there are black marketers. The mentioned networks take advantage of distressed people and unknown persons who die homeless and penniless. The UNODC defines South Asia as comprising countries such as Pakistan was noted to be involved in about twenty-five per cent of the global trade in human body organs.

4.2 Weak Enforcement of Laws

Despite the presence of legal policies such as THOTA enforcement remains lax largely because of bribery, absence of requisite equipment, and low capacity among the police. There is no coherent monitoring system by which these infractions can be detected and hence many of these malpractices are aggravated especially in the rural and remotized areas. For Example, the a mass level of corruption because individuals in health facilities and police departments engage in the business of trafficking and selling human body organs. Some of the most sensational examples of individual involvement in trafficking include healthcare workers with affiliations to hospitals.

4.3 Emotional and Psychological Impact on Families

According to Okoth, families of the victims of human organ trade scenarios remain stuck in grief, confusion, and PTSD for years. Lack of information on the whereabouts of a relative, for instance, when a body is retrieved or remains unnamed, causes stress. As highlighted by Qureshi et al. (2021) families of victims are traumatized and experience long-term grief with feelings of powerlessness, as they are left with no answers or redress. The trauma is worse when the victim's body is not claimed; families are likely to fight for the burial rights of their kin. , Khan et al. (2019) observed that families that leave unclaimed bodies feel neglected and even angry because they never know the fate of their kin.

Such immoral markets linked with poverty are dominantly seen in societies like Pakistan, and the most sensitive and needy people in society are easily trapped. That means those, who are engaged in the organ trade directly, as donors or victims or indirectly, as recipients, are outcasts, and the local population is generally not ready for their acceptance into their communities. A survey conducted by Ansari (2020) describes how individuals who attempt to sell bodily organs or get trapped in trafficking are shameful to

their families, and society generally frowns upon it as wrong.

This social stigma also applies to those unlucky ones, who experience the consequences of engaging in the improper utilization of dead bodies that have been abandoned by family and friends. Such events may be seen by the communities as utter disrespect or insult, particularly when the corpses of the deceased are not respected, deepening the explain why grieving families continue to feel alienated.

Organ trafficking as a business has major impacts on the economic lives of families especially those who are economically unsound and are induced into selling their organs. Poor families are mostly targeted by traffickers who promise a chunk of money for their kidneys or any other organs. Moniruzzaman (2021) has identified that traffickers target poor people in different countries like Pakistan to sell their organs for higher amounts of money. This financial incentive becomes a cycle of dependency, keeping victims poor and vulnerable and has a long-lasting impact on their and their family's financial future.

Relatives of the victim might also financially experience the loss because the person who has been transported and sold for his or her organs is a breadwinner (Ullah et al., 2023). Families who rarely come across claimed bodies may experience other pains when, for example, seeking to transport, identify, retrieve, and bury the remains by their legal and cultural aspirations and capacities.

4.4 Loss of Confidence in Health Care Facilities

Options such as illegal organ trafficking, and the wrong disposition of unidentified corpses are also responsible for the diminution of public confidence in healthcare facilities, therefore complicating public health solutions. According to Rizvi et al. (2018), the people of Pakistan are very much aware of various unethical practices in health facilities including the sale of organs and the use of dead bodies in teaching and research erodes people's trust in the health system. This distrust gives people reasons not to seek medical treatment or even register for organ donor programs, making the scarcity of legal organs for transplantation worse.

4.5 Public Health Risk Factors and Dissemination of Disease

The human traffic in organs which occurs in various parts of the world is very dangerous for the health of people because the organs are bought from unauthorized individuals and thus the required medical checkup is never offered. This is because organs such as, the liver and kidneys can be sourced from carriers of diseases such as hepatitis or HIV and this is even more dangerous when the organs are taken from individuals who do not know about the illness. According to the World Health Organization (2010), it has been made clear that trafficked organs tend not to have to go through the recommended health measures regarding risks associated with transplanted tissues (Samin et al., 2023).

Due to the scarcity of legal sources of organ transplantation in Pakistan, a growing number of people turn to black markets for organ transplants. This has contributed to a continuing increase in the incidence of the spread of diseases from untested organs as more and more people undergo transplants. The failure of the healthcare system that the regulation of this issue added to public health deterioration not only concerns the victims of the black market of organ trade but also the entire population.

4.5.1 Expanded Risk or Danger Experience for Eroded Groups

Such practices are usually experienced in vulnerable groups of the population, particularly from the low-income group. This reason is evident since the street people from the poor neighbourhoods are compelled ... or even duped into selling their organs. It also targets the most vulnerable people claiming to offer good cash for body parts, which they never essentially provide. The economic implication of this exploitation is heart-wrenching seeing families lose their breadwinners and respectively worsening their status by being LOCKED-IN POVERTY. Scheper-Hughes (2000) opines that grafting exploitation of the impoverished populace for their fetuses guarantees continued poverty and social anarchy.

In most of Pakistan social and economic status of the people is very bad and people belonging to lower

classes are the trafficker's main focus. Moniruzzaman (2021) proved that the people of the low-income group are vulnerable to exploitation because they never have access to social protection and financial services. Gay and black populations are systematically excluded from mainstream society and that is why they cannot easily get out of the poverty trap.

4.6 Increase in Cases of Crime and Social Disorder

These human organ-selling networks wreak society by carrying out their activities with a lot of ease thus enhancing the rate of crimes. Associated criminal groups may be engaged in other types of criminal activity including; drug trafficking, money laundering, and human trafficking. Siddiqui, in his article and analysis in 2019, argues these syndicates promote organized crime and hence social unrest, violence and insecurity. In Pakistan the areas that have high levels of trafficking also have high incidences of general criminality and violence that are linked to gang control over organ trade.

Combining trafficking in organs with the disposition of such bodies as fallow also increases problems of lawlessness and social turbulence, especially where local police are often compromised. By the time criminal gangs are firmly established, the social cohesion comes undone and the communities in question are further destabilized. This has a negative implication on the quality of life of the ordinary citizen and erodes their confidence in government organs.

5. Relevant Laws in Pakistan

Pakistan has passed several legislations from time to time to curb and control the criminal aspects of this inhumane and barbaric issue, and there are numerous judgments of higher courts available that ordered executives and parliament to respond swiftly and take the right actions for better results. Below are the details of some of the relevant laws:

Transplantation of Human Organs and Tissues Act, 2010 (THOTA): Regulates organ transplantation and prohibits organ trade.

Pakistan Penal Code (Sections 297 and 302): Addresses disrespect to human remains and wrongful death. However, weak enforcement and insufficient awareness hinder the effectiveness of these laws.

5.1 Case Laws in Pakistan

Here are some notable case laws in Pakistan related to the usage of organs, illegal organ trafficking, and the disposition of unclaimed dead bodies:

Humayun Sheikh v. State (PLD 2013 Lahore 343)

This matter pertains to the unlawful trade in human organs. The court observed that organ trafficking in Pakistan is flourishing because of poverty, the prevalence of law, and the corruption of health services. It also underscores an urgent need for better implementation of The Transplantation of Human Organs and Tissues Act, THOTA 2010. This decision is key to enforcing compliance with THOTA and controlling the removal and transplantation of human organs.

State v. Dr. Fawad Mumtaz & Others (2018)

One of the major organ selling and buying cases in Pakistan is registered against a surgeon from Lahore for allegedly carrying out unconsented radical nephrectomy and selling kidneys. It provided further evidence of the participation of medics in organ transplant syndicates and flagged critical gaps in the legal framework. Here, the case demonstrates an almost uncontrollable form of corruption combined with the lack of control for those offering services in medicine.

Dr. Farrukh Javed v. State (2015)

The accused was a healthcare practitioner who was found guilty of aiding in the commodification and transplantation of organs of needy people. The case highlighted the need for legal societal supervision for the poor. This organ trade brought to light the more active role the courts must take in curbing the deviance of those in the healthcare system.

Agha Khan University Hospital v. Provincial Government (PLD 2011 Karachi 194)

This particular case looked at the ethical and legal responsibilities of hospitals concerning the management of unclaimed cadavers. The court stressed the duty of hospitals to make sure that bodies are identified and disposed of in a good ethical manner. Set an important legal guideline on the ethical handling of unclaimed bodies in health institutions.

‘Muhammad Junaid v. State’ Cases (2020 SCMR 516)

The case dealt with a breach of removing tissues from presumed dead persons within a state hospital's mortuary without permission. The Supreme Court took the opportunity to deplore the lack of supervision and to require enhanced control of the personnel in the morgue. Points out the susceptibility of unclaimed deceased persons to organ harvesting when there is little regulation.

THOTA Case (2017)

In this case, the Supreme Court took notice of the application of the Transplantation of Human Organs and Tissues Act of 2010. The absence of adequate public education materials or posters and devices to prevent illicit organ market activities was noticed. Authorities need to be required to make more effort to protect THOTA and provide more information on organ donation to the public.

Pakistan Medical Association v. Government of Punjab (2018)

This case managed grievances about unlawful kidney transfers being directed in confidential facilities. The Lahore High Court requested stricter authorization of THOTA and ordered customary examinations of clinical offices. Embodies the general set of laws' part in fighting unlawful organ exchange inside confidential medical care arrangements.

Irfan Bashir v. State (2021)

This case uncovered the trafficking of organs from expired survivors of illegal exploitation. The court requested the public authority to facilitate with global offices like Interpol to address cross-line organ trafficking. Features the transnational idea of organ trafficking and the requirement for worldwide collaboration. These Case regulations uncover the holes in executing existing regulations like THOTA 2010. A few decisions show the contribution of medical care labourers and mortuary staff in unlawful organ exchange. Courts have over and over-focused on the requirement for moral administration of unclaimed bodies to forestall organ collecting. Many cases feature the absence of mindfulness about organ gifts and the shortfall of strong checking frameworks.

5.1 Comparative analysis

Best Worldwide Locales and Regulations on Organ Trafficking and Attitude of Unclaimed Dead Bodies. In resolving the issues of unlawful organ trafficking and the attitude of unclaimed dead bodies, different nations have created structures and best practices to alleviate these worries. The following is a similar investigation of Pakistan's lawful way to deal with organ trafficking and unclaimed bodies with the acts of driving purviews worldwide:

Spain: The Quit Organ Gift Framework

Spain is generally viewed as one of the best models for organ gift and transplantation because of its "quit" framework. This framework expects that all residents are willing givers except if they expressly state in

any case. The Spanish model has been instrumental in expanding the stockpile of lawfully secured organs, accordingly lessening the bootleg market. Spanish regulation Quit Framework (Organ Gift Regulation, 1979) consequently enlists all residents as organ benefactors except if they object. Assent is gotten from families in situations where the departed didn't quit, guaranteeing moral treatment of organ gift.

Spain's outcome in battling organ trafficking is halfway because of close collaboration with global organizations like the WHO, UNODC, and INTERPOL. Spain has one of the greatest paces of organ gifts per capita universally. Diminished organ trafficking by satisfying lawful needs through moral frameworks. Illustrations for Pakistan are that Carrying out a quit framework could assist with tending to organ deficiencies in Pakistan and decrease unlawful trafficking. Public mindfulness missions would be indispensable to defeating social obstructions and guaranteeing informed assent.

Iran: Managed Kidney Gift Program

Iran is the main nation where a managed kidney gift market exists. This model repays kidney contributors for their organs under a severe legitimate system, meaning to wipe out the bootleg market while guaranteeing the moral obtainment of organs. Organ Transplantation Regulation (1988) is Iran's special framework that considers the buy and offer of kidneys, however, the exchange is vigorously controlled by the public authority. Kidney benefactors get paid, and beneficiaries should go through state-supported clinical appraisals. The Iranian government directs the benefactor-beneficiary matching cycle to guarantee reasonableness and well-being. Observing and Straightforwardness: Each relocation is enlisted with the public authority, guaranteeing full straightforwardness in the gift cycle.

Iran's model has wiped out kidney trafficking by offering a legitimate, controlled market. Moral worries are tended to by guaranteeing informed assent and government oversight. While social and strict worries might present difficulties, Pakistan could investigate the presentation of a managed framework for organ deals that remunerates contributors morally, lessening dependence on unlawful business sectors.

Singapore: Complete Regulations and Implementation Instruments

Singapore has laid out an extensive and compelling general set of laws to battle organ trafficking, zeroing in on areas of strength for, government-funded schooling, and moral clinical practices. Human Organ Relocate Act (1987) (Huynh, 2022). This regulation commands that every single Singaporean resident and extremely durable occupant are expected to give their organs upon death except if they quit, with severe punishments for rebelliousness. The Demonstration incorporates severe punishments for organ trafficking, including detainment and weighty fines. The Singaporean government conducts standard missions to educate residents about the significance of organ gifts and the dangers of trafficking.

Singapore has practically killed organ trafficking because of its severe regulations and public consistency. The quit framework, like Spain, guarantees a consistent stock of lawful organs, lessening interest for unlawful exchange. Solid implementation of regulations like THOTA (Transplantation of Human Organs and Tissues Act) and dynamic public commitment could assist with decreasing unlawful organ exchange in Pakistan.

US: The Public Organ Relocate Act (NOTA)

The U.S. has a hearty lawful system under the Public Organ Relocate Act (NOTA), which forbids organ trafficking and controls organ gifts through an incorporated public library. Public Organ Relocate Act (1984) (Satel et al., 2014). This regulation restricts the offer of organs and lays out the Organ Acquirement and Transplantation Organization (OPTN), which oversees organ allotment. The U.S. observes severe moral rules for organ transplantation, guaranteeing decency and value in organ allotment. The U.S. Division of Equity effectively prosecutes instances of organ trafficking and unlawful organ exchange.

The U.S. has been fruitful in making a straightforward and fair organ gift framework. The government's implementation of organ trafficking regulations has discouraged criminal operations. Reinforcing the public vault for organ gifts and upgrading the implementation of against trafficking regulations could

assist with working on Pakistan's legitimate system and lessen unlawful organ exchange.

India: Tending to Organ Trafficking through THOTA and Further developed Policing

India has been battling unlawful organ trafficking through the Transplantation of Human Organs Act (THOA), even though moves stay because of the intricacy of implementation and provisos in the framework. Transplantation of Human Organs Act (1994) THOA controls the evacuation, stockpiling, and transplantation of human organs and tissues, zeroing in on lessening double-dealing of weak populaces (Setia, 2020). Public Mindfulness Missions: India has started a few public missions to bring issues to light about the significance of moral organ gifts. Endeavours are being made to reinforce the administrative structure and increment the effectiveness of policing.

While India has seen enhancements in handling unlawful organ exchange, provokes stay due to underreporting and debasement. The progress of India's transfer framework is reliant upon the fortifying of the administrative structure and work on government-funded schooling. Pakistan can gain from India's methodology by improving its policing and administrative oversight to forestall unlawful organ exchange.

Worldwide Organizations and Cooperative Structures

World Wellbeing Organization (WHO) Core values on Human Cell, Tissue, and Organ Transplantation (2010): WHO gives global rules to battle organ trafficking, advancing willful gift and moral practices. The WHO's job remains generally warning, and nations like Pakistan need more grounded authorization at the public level.

Joined Countries Office on Medications and Wrongdoing (UNODC) Worldwide Report on Trafficking in People (2020): UNODC features the connection between illegal exploitation and organ exchange, calling for more compelling global collaboration and regulation (Habicht et al., 2018). While the UNODC gives fundamental structures, requirements stay conflicting, especially in locales with feeble general sets of laws like Pakistan.

6. Conclusion

This examination attempts to address these difficulties by fundamentally dissecting how organ trafficking networks work inside Pakistan, why unclaimed bodies are fumbled, and how legitimate structures neglect to safeguard people's freedoms. Examining the abuse of unclaimed bodies and coordinating it with the unlawful organ exchange the frameworks and designs of society are additionally to blame. For these difficulties to be tended to exhaustively, Pakistan should upgrade the Lawful and Institutional limits while at the same time constructing cultural cognizance. The worldwide local area has taken huge steps in resolving the issues of unlawful organ trafficking and the demeanour of unclaimed bodies. Driving wards like Spain, Iran, and Singapore have executed viable lawful structures, including quit organ gift frameworks, managed markets, and serious areas of strength for and instruments, which have added to the decrease of unlawful organ exchange. By coordinating worldwide prescribed procedures and teaming up with worldwide organizations, Pakistan can move toward making a more moral and compelling organ gift and transplantation framework, eventually checking organ trafficking and guaranteeing the moral administration of unclaimed bodies.

7. Recommendations

- Strengthening implementation: Dispense assets to screen and uphold existing regulations.
- Public mindfulness crusade: Advance comprehension of moral organ gift. Send off crusades on moral organ gifts and the dangers of unlawful exchange.
- Capacity Structure: Improve the foundation for overseeing unclaimed bodies morally.

- International Coordinated effort: Take on accepted procedures and look for specialized help from effective purviews.
- Strengthening THOTA 2010: Address provisos in the Demonstration, especially concerning unclaimed bodies.
- Advanced Innovation: Use DNA distinguishing proof and blockchain to follow organ gifts and forestall unlawful exchanges.
- Institutional Changes: Execute stricter oversight of emergency clinics, mortuaries, and medical services professionals.

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References

- Agha Khan University Hospital v. Provincial Government (PLD 2011 Karachi 194).
- Akhtar F. *Organ transplantation law in Pakistan to curb kidney trade: chance for global reflection*. *NDT plus*, 1(2), 128–129, (2008)
- Altun, S., Abas, M., Zimmerman, C., Howard, L. M., & Oram, S. *Mental health and human trafficking: responding to survivors' needs*. *BJPsych International*, 14(1), 21–23, (2017)
- Bastani, B. (2020). The present and future of transplant organ shortage: some potential remedies. *Journal of nephrology*, 33(2), 277-288.
- Caulfield, T., Duijst, W., Bos, M., Chassis, I., Codreanu, I., Danovitch, G., Gill, J., Ivanovski, N., & Shin, M. *Trafficking in Human Beings for the Purpose of Organ Removal and the Ethical and Legal Obligations of Healthcare Providers*. *Transplantation direct*, 2(2), (2016)
- Dr. Farrukh Javed v. State (2015).
- Gawronska, S. (2020). *Illicit organ removal and international criminal law response: strengths and challenges* (Doctoral dissertation, University of Antwerp).
- Gonzalez, J., Garijo, I., & Sanchez, A. *Organ Trafficking and Migration: A Bibliometric Analysis of an Untold Story*. *International journal of environmental research and public health*, 17(9), 3204, (2020)
- Habicht, J. L., Kiessling, C., & Winkelmann, A. *Bodies for Anatomy Education in Medical Schools: An Overview of the Sources of Cadavers Worldwide*. *Academic medicine : journal of the Association of American Medical Colleges*, 93(9), (2018)
- Huynh, J. (2022). *A Mixed Method-Approach to Exploring Human Organ Trafficking and Its Policy Implications* (Doctoral dissertation, Texas Southern University).
- <https://www.dawn.com/news/1308778>
- https://www.researchgate.net/publication/371961996_HUMAN_ORGAN_TRAFFICKING_AND_TRANSPLANTATION_A_LEGAL_ANALYSIS_OF_CAUSES_CHALLENGES_AND_IMPLEMENTATION_OF_EXISTING_LAWS_IN_PAKISTAN
- <https://www.unodc.org/unodc/en/organized-crime/work-of-unodc-crime.html>
- Humayun Sheikh v. State (PLD 2013 Lahore 343).
- Idrees, R. Q., Imran, M., & Manzoor, S. (2023). HUMAN ORGAN TRAFFICKING AND TRANSPLANTATION: A LEGAL ANALYSIS OF CAUSES, CHALLENGES AND IMPLEMENTATION OF EXISTING LAWS IN PAKISTAN. *Pakistan Journal of Social Research*, 5(02), 115-122.
- MONIRUZZAMAN, M. (2021). Current Scenario of Women and Children Trafficking in Bangladesh:

A Way Forward. *IRE Journals*, 5(5), 100-119.

Muhammad Junaid v. State (2020 SCMR 516).

Pakistan Medical Association v. Government of Punjab (2018).

Public Interest Litigation: Disposal of Unclaimed Bodies (2019).

Samin, Y., Durrani, T., Yousaf, A., Majid, M., Misbah, D., Zahoor, M., & Khan, M. A. *Barriers and Enablers to Joining the National Organ Donation Registry Among Patient Population at a Tertiary Care Hospital of Peshawar, Pakistan*. *Cureus*, 15(4), (2023)

Satel, S., Morrison, J. C., & Jones, R. K. (2014). State organ-donation incentives under the National Organ Transplant Act. *Law & Contemp. Probs.*, 77, 217.

Scheper-Hughes, N. (2000). The global traffic in human organs. *Current anthropology*, 41(2), 191-224.

Setia, R. (2020). Transplantation and Donation-A New Hope for a Life Yet Unvoiced in India. *Supremo Amicus*, 20, 478.

Stammers T. *Organ Trafficking: Why Do Healthcare Workers Engage in It?*. *Cambridge quarterly of healthcare ethics : CQ : the international journal of healthcare ethics committees*, 31(3), 368–378, (2022)

State v. Dr. Fawad Mumtaz & Others (2018).

Transplantation of Human Organs and Tissues Act (THOTA) Case (2017).

Ullah, K., Dogar, A. W., Ochani, S., Shoaib, A., Shah, H. H., & Ur Rehman, M. E. *Obstacles to the deceased donor transplantation in Pakistan*. *BMJ open gastroenterology*, 10(1), (2023)

Wang, Y., Su, Z., Ni, J., Zhang, N., & Shen, X. (2021). Blockchain-empowered space-air-ground integrated networks: Opportunities, challenges, and solutions. *IEEE Communications Surveys & Tutorials*, 24(1), 160-209.

Yousaf, F. N., & Purkayastha, B. (2015). 'I am only half alive': Organ trafficking in Pakistan amid interlocking oppressions. *International Sociology*, 30(6), 637-653.