



UserID:

Password:



[Register](#)

- [Home](#)
- [First Things](#)
- [Search](#)
- [Subscribe](#)
- [About Us](#)
- [Contact Us](#)
- [Store](#)



## [Egg Donors and Human Trafficking](#)

By **Michele Clark and Jennifer Lahl**

Tuesday, April 1, 2008, 8:39 AM

Whenever most people hear the term “egg donor,” they usually consider this a good thing, as most of us assume that anyone who *donates* is altruistically motivated and thus engaged in something intrinsically good. And besides, it’s for a great cause, so everything is all right, yes?

Nothing could be further from the truth. Sadly, egg donation has less to do with altruism and more to do with the exploitation of women—particularly young women and often poor women who are usually facing large debts or just trying to make ends meet.

In fact, we contend that human egg harvesting is the newest form of human trafficking.

There is a fairly universal consensus that something horrible called human trafficking exists. We watch documentaries of young women and children being forced into the commercial sex industry, or toiling long hours in sweatshops. Our hearts ache at the human misery we see. Slowly, we Americans are beginning to recognize that these abuses of human life and dignity take place in our own backyards. Thankfully, the United States has been a leader in the global war to combat human trafficking. It was one of the first countries to pass comprehensive legislation that recognizes trafficking as a crime and that calls for concrete action, both in this country and overseas, to prevent it, as well as to protect and assist victims of trafficking and bring perpetrators to justice.

So what exactly are the current laws addressing human trafficking, and why do we think that human egg harvesting must be seen through the trafficking lens?

First, there is the Trafficking Victims Protection Act (TVPA), which was signed into law on October 28, 2000, and imposes severe sentences on those who have been convicted of human trafficking. The TVPA demonstrates U.S. commitment to assist those persons trafficked into the United States by providing them with assistance and granting them a three-year residence visa—if they agree to cooperate with law-enforcement efforts.

But is the TVPA enough to keep human trafficking at bay? Unfortunately, no. Turn on the news, pick up a newspaper, and the stories are still there. The TVPA does not go far enough in preventing human trafficking and monitoring new means of abuse, notably those forms that develop as a result of technological and medical advances.

The TVPA also falls short in its definition of trafficking, which only includes sexual exploitation and forced or bonded labor. A more inclusive and comprehensive definition is required to correct newer forms of human-trafficking violations. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime—known as the Trafficking Protocol—provided the anti-trafficking community with the first generally accepted definition of the crime and allows for a broader interpretation of trafficking. The Trafficking Protocol indicates that the purposes of exploitation that it lists are not to be considered exhaustive but rather are a “minimum listing”: “*At a minimum*, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs” constitute human trafficking (emphasis added).

Article 3 of the Trafficking Protocol provides a more comprehensive definition of human trafficking, namely:

- *acts* of trafficking, which include recruitment of persons. Young women are heavily recruited for their eggs. One Google search would confirm this.
- *means* of trafficking, such as forms of coercion, fraud, deception, the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits.
- *purposes* of trafficking: exploitation, which is at the heart of trafficking, for the purpose of forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs.

In March 2005, the European Parliament, taking its cue from the Trafficking Protocol, issued a resolution specifically condemning the trade in human eggs. The resolution, titled the European Parliament Resolution on the Trade in Human Egg Cells, was a direct response to the exploitation of Eastern European young women and condemned “the trade in human egg cells,” stating that “harvesting of egg cells poses a high medical risk to the life and health of women.” And, “despite the possibility of serious effects on women’s life and health, the high price paid for egg cells incites and encourages donation, given the relative poverty of the donors.” The European Union got serious about human trafficking following news stories of several young women who were severely harmed through egg donation in Eastern Europe.

U.S. laws do not currently recognize the trafficking of human organs as part of human trafficking. Yet the United States did recently ratify the U.N. Trafficking Protocol and, consequently, has a commitment to bring its national legislation into harmony with its provisions. The buying and selling of human tissue represents a commodification of the human body that has already been declared an affront to the basic dignity of the human being by international laws. Egg donation *is* a form of trafficking in the human body.

Vulnerable young women, trusting the medical establishment with their well-being, are being heavily recruited by means of deceptive advertisements and coerced with large sums of money in relation to their social-economic status. Advertisements such as Eggdonation.com recruit egg donors by suggesting that they are the “solution to solving female infertility.” Thedonorsource.com says their egg donors create the “pathway to parenthood.” Elitedonors.com, who represents financially well-off clients, offers a maximum compensation of \$100,000 for the “preferred donor” who meets a set profile of physical characteristics. And now, adding to the

competition for eggs, cloning researchers such as Harvard's Kevin Eggan and Advanced Cell Technologies' Robert Lanza say they hope there are women willing to donate their eggs for their cloning research in order to develop patient matched stem-cell lines.

The U.N. Trafficking Protocol places a premium on the crime of taking advantage of vulnerable women—whether young college women who face graduation with the prospect of entry-level wages and large student loans, or migrant workers in Spain who are unlikely to get within a hundred miles of a college education and so succumb to the growing egg trade in their country. Whatever their nationality or class, they are not told the truth about the health risks of egg donation. Medical science does not know the full implications of egg harvesting because there is inadequate tracking, monitoring, and meaningful short- or long-term follow-up of these young women. Prospective donors are told simply that there are “no *known* risks.”

One donor explains her experience: When she had questions about the consent form, she was hurried and encouraged to “just sign it.” After she made repeated calls complaining of side effects, a nurse from the agency finally responded that it was all part of taking the drugs and that she should continue to endure the side effects. Ultimately, the agency's inadequate screening process and neglect led to her suffering a major stroke and paralysis, and finally cost her the ability to conceive children naturally. Another woman was hospitalized with severe ovarian hyperstimulation syndrome. Less than a year later, she was diagnosed with cervical cancer. These are only two examples of scores of similarly poor outcomes that have appeared in the medical literature but that are not systematically reported to any regulatory body. Potential donors have the right to know how common these disastrous outcomes are.

GlobalART USA's website touts its company as “The IVF Physicians' Source for High-Quality Oocytes . . . At Exceptional Prices.” It is a state-of-the-art IVF laboratory maintained in Eastern Europe, in full operation since 1998. Why you might ask would a U.S. company be in full operation in Eastern Europe? So we can traffic human eggs to the world. The United States must extend its definition of human trafficking and realize that a new form of trafficking is occurring in egg harvesting. No matter how great the demand is for the human egg, we must resolve to protect young and vulnerable women.

*Michele Clark is an adjunct professor in the Elliott School of International Affairs at George Washington University and an international expert on combating human trafficking. Jennifer Lahl is national director of the [Center for Bioethics and Culture Network](#) and founding director of [Hands Off Our Ovaries](#), an international awareness campaign on the risks of egg-harvesting practices.*

#### References:

[The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime](#)

[“Lack of Human Eggs Could Hamper US Cloning Efforts,”](#) *Technology Review*, June 15, 2006

---

#### Search First Things

[Advanced Search](#)

## • Archives

- [May 2008](#)
- [April 2008](#)
- [March 2008](#)