

## Worldwide trade in human organs is booming

Some described him as a savior; the man who gave them rebirth by procuring the kidneys that saved their lives.

Others see Levy Izhak Rosenbaum as a greedy man who exploited the desperation of both dying people and the often destitute donors who agreed to sell their organs for cash.

Rosenbaum, 61, was sentenced Wednesday to serve 2½ years in federal prison for brokering three illegal kidney transplants for cash.

The Israeli citizen, who has lived in Brooklyn for many years, pleaded guilty in 2011 to receiving \$410,000 for buying and selling the kidneys, as well as taking \$10,000 from government informant Solomon Dwek.

Dwek, a former Ocean Township resident turned government witness, had approached Rosenbaum with an undercover FBI agent who posed as a Dwek employee seeking a kidney transplant for her sick uncle. Rosenbaum agreed to arrange one, for \$160,000.

The Rosenbaum case illuminates what U.S. District Judge Anne E. Thompson called “the woeful inadequacy” of the existing

voluntary donation system, which relies on live donors willing to give up an organ to a family member or close friend, as well as deceased donors who have agreed to bequeath their body parts to those in need.

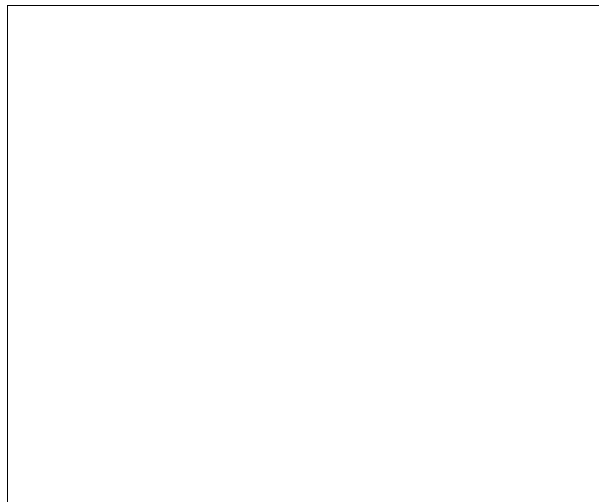
“There are not enough donor kidneys,” said Dr. Radi Zaki, a transplant surgeon at Albert Einstein Medical Center in Philadelphia, where Rosenbaum had brought about a dozen pairs of kidney recipients and donors, starting in 2000. “People dying of kidney disease are desperate for a transplant.”

That desperation can lead people to turn to the black market for organs. The World Health Organization estimates that more than 10,000 organs are sold worldwide annually, or about one an hour.

About 18 people die every day awaiting an organ transplant, according to the National Network of Organ Donors.

Countries such as India, Pakistan and China

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have long been sources of illegal organs, but in recent years, the recession has led to rapid growth in the black market organ trade in Eastern European countries as well, experts say. Some Eastern Europeans have even listed organs for sale on the Internet.

Organ sales have been banned in every country except Iran. Experts argue that the sale of black market organs can lead to the exploitation of the poor by the rich.

It can also undermine the traditional methods of organ donation, which rely on voluntary donations by live donors, as well as deceased people who have signed donation cards that allow their body parts to be used to help others.

“The basis of transplants is altruism,” Dr. Zaki said. “You don’t expect anything in return. That’s the foundation of the transplant process. I don’t believe people should be able to sell organs. It could become predatory.”

Kidneys are the most common organs for transplant, as they can be donated by living people as well as the deceased.

The Organ Procurement and Transplantation Network estimates that nearly 93,000 people are registered on a national waiting list for a kidney transplant. That number includes 3,018 New Jersey residents. The network is part of the federal Department of Health and Human Services.

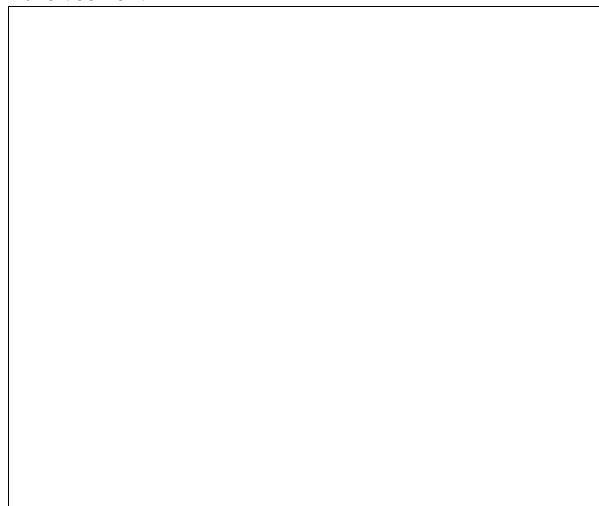
Wait times can be long. Nearly half of those on the list have been waiting more than two years for a kidney. Nearly 300 have been waiting more than five years.

While waiting for a transplant, patients with kidney failure must have their blood cleaned of waste and excess fluid through dialysis, a three- to five-hour process that is normally done three times a week. Often it leaves patients fatigued and worn down.

“Dialysis is a very taxing procedure,” said Shlomo Friedman, a Brooklyn man who received a kidney procured by Rosenbaum in December 2001. European relatives paid for his organ but never told him how much it cost, he said. “I was desperate. Rosenbaum was my last hope.”

Rosenbaum was a well-known figure in the international organ trade, according to Nancy Scheper-Hughes, an anthropology professor and director of the medical anthropology program at the University of California at Berkeley.

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In 1999, Scheper-Hughes, who came to Trenton on Wednesday for Rosenbaum's sentencing, co-founded Organs Watch, an organization dedicated to tracking organ trafficking.

"It's all word of mouth, but he is very well known in the larger, organized, organ-trafficking community," Scheper-Hughes said. Rosenbaum worked with Israeli residents to recruit potential donors who had often recently arrived in Israel from places like Kosovo, Bulgaria, Moldavia, Russia and the Ukraine.

With little money and few job prospects, these people were easy targets for recruiters seeking live kidney donors. They would be paid \$25,000 for their organs and coached by Rosenbaum and his assistants about the stories they would tell to hospital authorities.

She said it was important for Rosenbaum to receive prison time to send a message to others in the black market organ business that they, too, could go to jail.

"If there had not been a prison sentence, this would have been a disaster," Scheper-Hughes said.

She said the Rosenbaum case also shines a light on hospitals and transplant surgeons as well. Rosenbaum's patients were seen at some of the nation's finest hospitals, yet the relationship between the donors and recipients was not adequately scrutinized, she said.

In his testimony, Zaki said he had noticed that there appeared to be a lack of "an emotional relationship" between the pairs of donors and recipients that Rosenbaum brought to the hospital. The large majority of kidney donors are relatives or very close friends of recipients, he said.

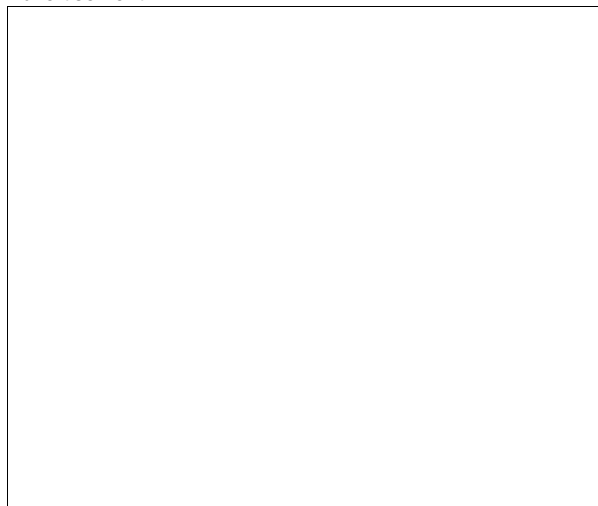
"Sometimes they didn't speak the same language," Zaki said.

A letter sent to the court by the Transplantation Society also urged Judge Thompson to give Rosenbaum a prison sentence.

"When you sentence Mr. Rosenbaum, I hope you will keep in mind that the international community is well aware of his organ-brokering activities," Drs. Francis L. Delmonico, Gabriel Danovitch and Alexander Capron wrote. "Brokers ... claim they are simply helping people. They are exploiting the desperation of both parties."

Rosenbaum's lawyers, Ronald M. Kleinberg and Richard Finkel, argued in court that

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Rosenbaum had become involved in the illegal organ trade because he was a compassionate man whose mission was to help sick people. His activities as a medical good Samaritan have saved lives, they said.

So revered was Rosenbaum in the Orthodox Jewish community in Brooklyn that more than 100 community members packed the courtroom on the day of his sentencing, so many that Judge Thompson allowed some to sit in the jury box.

Community members wrote lengthy letters of support for Rosenbaum, and also raised the \$420,000 forfeiture he was required to pay to the government Wednesday. The forfeiture money is the amount he had received from the three illegal kidney sales he pleaded guilty to brokering, as well as a \$10,000 "down payment" from Dwek.

"He didn't run this as a business. He ran it as a humanistic activity," Finkel said. "There was no manipulation here."

Indeed, two men who received organs with Rosenbaum's help testified Wednesday that he had saved their lives. One, Jonathan Levy, a former Israeli soldier and Israeli resident, said Rosenbaum was recommended to him by the Israeli Defense Forces when he learned he needed a liver transplant in 2000.

"I was in very bad condition. The doctor said I didn't have much time," said Levy, 55, who flew from Israel to appear in court on Rosenbaum's behalf.

He said Rosenbaum was "my angel," taking him to doctor's visits, buying food for him and his wife during his six-month recuperation, and allowing him to stay in an apartment Rosenbaum owned.

"I owe him my life," Levy said.

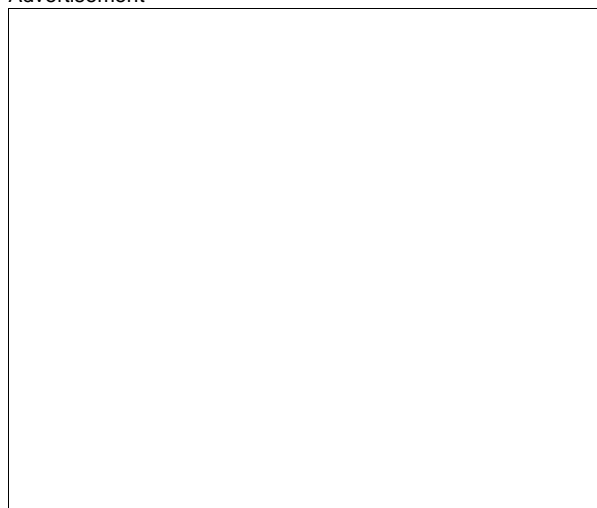
Finkel pointed out that the government became aware of Rosenbaum's activities in 2008, when Dwek first approached Rosenbaum with the undercover FBI agent. But the FBI permitted a transplant to take place in February 2009 involving a kidney purchased for Dwek's father-in-law.

"If what Mr. Rosenbaum did was so horrible, why did the government allow the transplant to go forward?" Finkel asked.

Assistant U.S. Attorney Mark McCarren said stopping the transplant could have jeopardized the massive undercover investigation in which Solomon Dwek was a key witness.

In testimony at Rosenbaum's Wednesday

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sentencing hearing, Elahn Quick, a 31-year-old man who was paid \$25,000 to donate a kidney to Max Cohen in 2008, said he was told what to say about his reasons for donating an organ by Rosenbaum and his assistant, an Israeli man named Ito.

Cohen had been on dialysis for more than four years, according to testimony by his daughter, Becky, a Deal native. Becky Cohen said her father's health was deteriorating rapidly when she decided to get in touch with Rosenbaum, who was well-known in her Orthodox Jewish community.

She had heard that Rosenbaum could procure kidneys from people in Israel. "My father was dying," Becky Cohen said. "I needed to do something to save my father's life." Family members agreed to pay Rosenbaum \$150,000 to get a kidney for their father.

Quick said he decided to donate his kidney, partially for the money, and partially because he wanted to do something positive with his life. He had no savings and was working at his own locksmithing business.

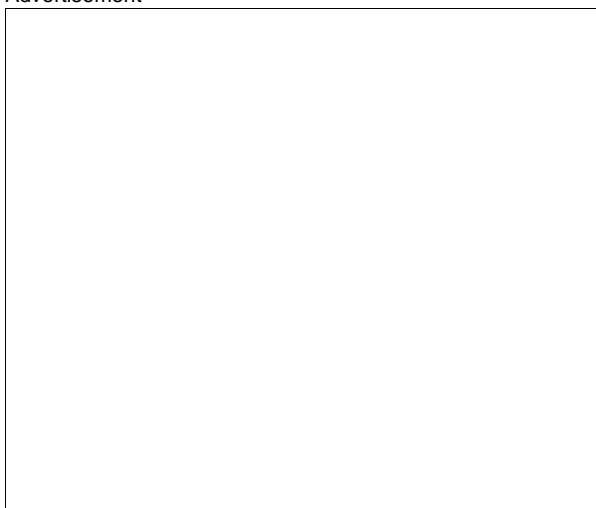
Quick, who responded to an ad in a Hebrew language newspaper seeking kidney donors, said at first he was told that the surgery to remove his kidney would take "10 to 15 minutes." Instead, the operation in September 2008 took more than four hours. Quick said his recuperation was slow and painful, and he

was unable to return to work until January 2009.

Quick said he takes comfort in the fact that by donating his kidney, he saved Max Cohen's life. Cohen is doing well today, his daughter said. But Quick said his view of Rosenbaum has changed.

"After I found out about his arrest, after I read about it, I felt victimized," Quick said.

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