

BALKAN TRANSITIONAL JUSTICE

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Kosovo Organ-Trafficking Defendant Claims Transplants Were Legal

The former owner of the Medicus clinic in Kosovo, on trial for alleged involvement in organ-trafficking, read a document in court that he said proved the clinic had a licence to do kidney transplants.

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Former clinic owner Lutfi Dervishi outside court in 2013. Photo: EPA/VALDRIN XHEMAJ.

Lutfi Dervishi, the former owner of the Medicus clinic, one of three men being retried for alleged involvement in organised crime in connection with organ-trafficking, read a document on Thursday at Pristina Basic Court that he said proves that the clinic had a license for kidney transplants.

The document was sent to Dervishi by Ilir Rrecaj who was the head of Kosovo's Board for Licensing of Private Institutions, he said.

"Dear Mr. Dervishi, we inform you that according to your request on 02.06.12, following a review by the Board for Licensing of Private Institutions, in principle the Medicus Hospital has been approved to provide urology services according to the applicable law... which regulates the issue of transplanting organs from living donors," the document read by Dervishi said.

Dervishi said that he saw the document as a valid license.

"I understood this as an answer to my request, I understood it as a work permit for urology and transplantation; based on this document and on the committee's words, I was convinced that this was a work permit," he told the court.

Judge Francesca Fischer also read out an email in court which she said was sent by Dervishi on March 22, 2008 to a doctor called Manfred Beer, telling him that a transplant had already been carried out at Medicus by that point.

“For two weeks I have been discussing with many cardiologists, I hope we start working this week, I want to know what Tefik [Bekteshi, a Medicus employee] said, we can also start with dialysis, I was negotiation with people in Kosovo and Turkey and we started with kidney transplants, the first case was carried out and the next one will take place on the 28th of this month,” the alleged email from Dervishi said.

Dervishi responded that it was strange because at that time it was not possible for kidney transplants to be done at the clinic.

On Wednesday, Dervishi testified that only one transplant took place at the clinic, saying he thought it happened in October 2008 but was not exactly sure.

Police initially raided the Medicus clinic in 2008 after a Turkish man whose kidney had been removed was found seriously ill at Pristina airport.

Donors from Turkey, Russia, Moldova and Kazakhstan were allegedly brought to the clinic after being assured that they would receive up to 15,000 euros for their kidneys.

The prosecutor in the case said then that transplant recipients, mainly Israelis, paid more than 70,000 euros for the kidneys.

Dervishi is being retried along with his son Arban Dervishi and the clinic’s head anaesthetist Sokol Hajdini.

They were initially convicted in 2013 and the verdict said found that “multiple illegal kidney transplants” took place at the clinic in 2008.

Kosovo’s appeals court confirmed their convictions in March 2016, jailing Lutfi Dervishi and his son for eight years and Hajdini for five.

But a Supreme Court ruling overturned the original verdict on the basis of procedural irregularities and their retrial started in July 2017.

Another suspect in the case, Moshe Harel, an Israeli citizen accused of being involved in organ-trafficking at the Medicus clinic, was arrested in Cyprus in January this year after several years of being listed as wanted by Interpol.

Turkish doctor Yusuf Sonmez, who is also a suspect in the case, remains at large.

Investigators closed down the Medicus clinic in 2008, and it has since been sold.

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