Organ donation and transplantation: policy actions at EU level

2007/2210(INI) - 26/03/2008

The Committee on the Environment, Public Health and Food Safety adopted the own-initiative report by **Adamos ADAMOU** (GUE/NGL, CY), welcoming the Commission's communication "Organ Donation and Transplantation: Policy Actions at EU level", which proposes an integrated approach, based on three pillars.

Concerned with guaranteeing the quality and safety of organ donation and transplantation, MEPs await a **proposal for a Directive** from the Commission establishing the quality and safety requirements for the donation, procurement, verification, preservation, transport and distribution of organs in the European Union and anticipating the resources to fulfil these requirements. However, they emphasise that the future legal framework must not: place additional administrative responsibility on Member States or on service providers; challenge the use of existing good practice, or include requirements which would lead to a lower number of potential and actual donors.

Expressing their concern regarding the scarcity of human organs available for transplantation compared to the needs of patients, MEPs await an **action plan** from the Commission aiming to strengthen cooperation between Member States in order to: (i) increase the availability of organs; (ii) strengthen the efficiency and accessibility of transplantation systems; (iii) increase public awareness; and (iv) guarantee quality and security.

The report underlines that the establishment of **well-structured operational systems** and the promotion of tested models, in the Member States or between them, or failing that, at international level, are extremely important. In order to increase the availability of organs, MEPs call on Member States to fully invest in the improvement of their organisational system:

- by increasing awareness among medical staff and paramedics and by ensuring their education and training;
- by financially assisting hospitals to hire "internal transplantation coordinators" responsible for actively identifying potential donors and making contact with their family;
- by introducing quality improvement programmes in each hospital or group of hospitals in Europe.

In addition, the parliamentary committee insists that organ donations remain strictly **without commercial gain**. It endorses measures which aim to protect donors and to ensure that organ donation is chosen selflessly and on a voluntary basis, preventing any payment between donor and recipient, other than a compensation payment, which is strictly limited to reimbursing any expenses or inconvenience due to the operation.

Member States are called to adopt strict legislative provisions concerning transplantations to ensure the transparency of the system and that all possibility of selling organs illegally or coercive action towards donors is avoided. Moreover, the Commission is called upon to **promote research in the field of biotechnology**, which could provide researchers with a means of reconstituting organs from tissues or cells of the patients themselves.

In order to improve the efficiency and accessibility of transplantation systems, the report strongly argues for the creation of national registers to monitor living donors, patients with a transplant and transplant procedures. In this context, the Commission is called to:

- facilitate the development of a set of technical and ethical standards relating to the management of security, quality and the efficiency of organ donation, in the case of a donation followed by a transplant, this set of standards could be used by Member States as a model;
- create a European mechanism to promote coordination activities between Member States regarding organ donation and transplantation;
- enable closer association between national transplant organisations of Member States, which necessitates cooperation at legal, ethic, and technical levels.

MEPs call for the creation of a **European organ donor card** to be added to current national systems. They also note that to ensure the rapid identification of organs, it is vital to encourage those who are not suitable donors to be in possession of a card signalling this. Furthermore, MEPs call on Member States to anticipate, in their legislation, the possibility of appointing a legal representative authorised to make a decision in terms of donation after death.

The report also emphasises the importance of **increasing public awareness** regarding organ donation and transplantation, and calls on the Commission, Member States and organisations in civil society, churches and religious or humanist communities, to participate in this endeavour. They also are in favour of the creation of a special transplant telephone line, with a single hotline number, which would be managed by the national transplant organisation, when such an organisation exists, and entrusted to a well trained and experienced team of professionals who could provide accurate and specific information (medical and legal) to all those concerned 24 hours a day.

Lastly, MEPs highlight that organ trafficking undermines the credibility of the system for eventual voluntary unpaid donors. The Commission and Member States are called to take measures to prevent ‘transplant tourism’, notably by enacting guidelines which aim to protect the poorest and most vulnerable donors from becoming victims of organ trafficking, and by adopting measures to increase the availability of organs that have been lawfully obtained. Moreover, Member States are called to take all necessary measures to ensure that those responsible for organ trafficking are subject to legal prosecution, and to prevent healthcare services from encouraging those activities that benefit directly or indirectly from organ trafficking, for example by reimbursing costs to obtain an illegal organ transplant.