Organ donation and transplantation: policy actions at EU level

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The European Parliament adopted, by 653 votes to 14 with 16 abstentions, a resolution on organ donation and transplantation: Policy actions at EU level, in response to the Commission Communication on the subject. The own-initiative report had been tabled for consideration in plenary by Adamos **ADAMOU** (GUE/NGL, CY), on behalf of the Committee on the Environment, Public Health and Food Safety. Parliament welcomed the Communication 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, MEPs await an **action plan** from the Commission aiming to strengthen cooperation between Member States in order to: (i) increase organ availability; (ii) strengthen the efficiency and accessibility of transplantation systems; (iii) increase public awareness; and (iv) guarantee quality and safety.

Parliament underlines that the establishment of well-structured operational systems in the Member States or between them is extremely important.

With regard to **increasing the availability of organs**, Parliament invites Member States to adopt legislation enabling the appointment of a legal representative who can decide on donation after a person's death. It calls on Member States to achieve the full potential of post-mortem donations through a series of measures which Parliament recommends. These include financially supporting hospitals in the appointment of in-house transplant coordinators (doctors working inside the intensive care units who are supported by a medical team), whose task would be actively to identify potential donors and approach their families.

Parliament asks Member States to remove, before January 2010, legislation that reserves donor organs for use solely within that Member State. It stresses the importance of financing organ procurement and transplantation under a dedicated budget line, so as not to make transplantation a disincentive for hospitals. Members go on to underline the need to ensure that **organ donations stay strictly non-commercial.** Any payments between donors and recipients must be confined solely to compensation strictly limited to making good the expense associated with the donation. Member States must adopt strict legal provisions, in order to exclude the possibility of illicit organ selling or coercion of donors. Parliament also urges Member States to ensure that living donors are not discriminated against, in particular by insurance systems.

With regard to improving the **efficiency and accessibility of transplantation systems**, Parliament notes that, although several Member States have introduced compulsory registration of transplant activities, there is no comprehensive system for the collection of data on the different types of transplantation and their outcomes. It strongly recommends the creation of national follow-up registers of living donors,

transplanted patients and transplant procedures, and stresses the importance of ensuring the comparability of the data between Member States. Parliament makes a series of recommendations for Commission action, including the creation of a European mechanism to promote coordination activities between Member States regarding organ donation and transplantation. It calls for an EU donor card, complementary to existing national systems.

It underlines the importance of **increasing public awareness** of organ donation and transplantation and calls on the Commission, Member States and civil society to enhance structurally the promotion of organ donation, inter alia among youngsters in schools. Parliament favours the establishment of a transplant hotline with a single telephone number which is managed by a national transplantation organisation, where such an organisation exists, and staffed 24 hours per day by appropriately trained professionals.

Lastly, MEPs highlight that **organ trafficking** undermines the credibility of the system for potential voluntary and unpaid donors. In order to combat the practice of organ selling for money (especially in countries of the developing world), mechanisms of traceability should be put in place so as to prevent those organs from entering the EU. 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 legally procured organs. Those responsible for organ trafficking must be subject to prosecution, including sanctions for medical staff involved in transplantation of organs obtained from trafficking.