Action plan on organ donation and transplantation (2009-2015): strengthened cooperation between Member States

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The European Parliament adopted a resolution on the Commission Communication: Action Plan on Organ Donation and Transplantation (2009-2015): Strengthened Cooperation between Member States.

Parliament recalls that this Action Plan sets out a cooperative approach between Member States in the form of a set of priority actions based on the identification and development of **common objectives** and the **evaluation of donation and transplantation activities** through agreed indicators that might help to identify benchmarks and best practices.

According to the Parliament, the following main principles should be respected:

Organ-donor register: Parliament notes the success of schemes whereby citizens are given the option of directly joining an organ-donor register when completing certain administrative procedures, such as applying for a passport or driving licence. It urges the Member States to look into adopting such schemes and to make it easier for living persons to make explicit **statements of willingness** to donate organs by offering on-line enrolment in a national and/or European donors' register with a view to speeding up procedures for verifying consent to donate organs. It also calls on the Member States to take steps to facilitate the inclusion, on national identity cards or driving licences, of references or symbols which identify the holder as an organ donor. Plenary calls in particular on the Commission, in close cooperation with Member States, the European Parliament and relevant stakeholders, to examine the **possibility of developing a system whereby the wishes expressed by citizens consenting to the donation of organs after they are deceased are taken into account in as many Member States as possible**.

Parliament notes that, although several Member States have introduced compulsory registration of transplant procedures and some voluntary registries also exist, **no comprehensive system exists to collect data on the different types of transplantation** and their outcomes. It strongly supports, in consequence, the creation of national and EU-wide registers as well as the establishment of a methodology to compare the results of existing post-transplant follow-up registers of organ recipients in compliance with the existing European legal framework on the protection of personal data. Plenary supports the creation of special EU-wide protocols to provide procedures for operative and post-operative stages under the responsibility of the respective operating teams, specialist pathologists and specialists in other necessary fields. It calls on the Member States to ensure the accomplishment of systems and **related registers** which are easily accessible for the purposes of recording the wishes of future donors.

Transplant donor coordinators: Parliament emphasises that the identification of potential donors has been considered one of the key steps in the process of deceased donation. It stresses that the appointment of a key donation person at hospital level (transplant donor coordinator), whose main responsibility is to develop a proactive donor detection programme and optimise the entire process of organ donation, is the most important step towards improving donor detection and organ donation rates. Plenary stresses the importance of **donor coordinators**, and the importance to appoint donor coordinators at hospital level. The role of the donor coordinator should be recognised as a key figure for improving, not only the effectiveness of the process of donation and transplantation, but also the quality and safety of the organs to be transplanted.

Exchange of organs between Member States: Parliament takes note of the importance of the cross-border exchange of organs, given the need to match donors with recipients and the consequent importance of a large donor pool to cover the needs of all the patients on the waiting lists. It considers that if there is no exchange of organs between Member States, then recipients that need a rare match will have very low chances of receiving an organ, while at the same time specific donors will not be considered because there is not a suitable recipient on the waiting lists. Members welcome the activities of Eurotransplant and Scanditransplant, but note that exchanges of organs outside these systems and between these systems can be significantly improved, especially for the benefit of patients in small countries.

Towards a legal framework and common binding standards: to ensure that organs available for therapy are not wasted, Parliament considers that a clearly defined legal framework regarding their use and that society trusts the donation and transplantation system should be put in place. The exchanging of information and best practice among Member States will at first help countries with low organ availability to improve their donation rates. Parliament stresses however that the establishment of **common binding standards of quality and safety** will be the only mechanism that can ensure a high level of health protection throughout the EU. It also stresses that the establishment of well-structured operational systems and the promotion of successful models at a national level are of the utmost importance and suggests that operational systems should comprise an adequate legal framework, technical and logistic infrastructure, and organisational support coupled with an effective allocation system.

Improve the quality and safety of donations: Parliament recognises that it is vitally important to improve the quality and safety of organ donation and transplantation. It points out that this will have an impact on reducing transplant risks and will consequently reduce adverse effects. It asks the Commission to help Member States to develop their capacity in creating and developing regulatory frameworks and to promote the development of **quality improvement programmes for organ donation in every hospital** where there is potential for organ donation

Unpaid and voluntary donation: Parliament emphasises that any commercial exploitation of organs that denies equitable access to transplantation is unethical, therefore, it stresses that donation should be **voluntary and unpaid**, and take place in clearly defined legal and ethical contexts. It calls on Member States to ensure that a legal basis for ensuring **valid consent or objection** to organ donation by a deceased person or his/her relatives is clearly defined and to ensure that organs are not removed from a deceased person unless that person has been certified dead in accordance with national law. Parliament endorses measures which aim at protecting living donors and ensuring that organ donation is made altruistically and voluntarily, without any payment other than compensation which is strictly limited to making good the expenses incurred in donating an organ, such as travel expenses, childminding costs, loss of earnings or recovery costs, prohibiting any financial incentives or disadvantages for a potential donor. It urges Member States to define the conditions under which compensation may be granted. Plenary calls on Member States to ensure that organs are allocated to recipients according to transparent, non-discriminatory and scientific criteria.

Donations from living donors: Parliament stresses that living donors should be treated in accordance with the highest medical standards and without any financial burden for themselves when medical problems such as hypertension, renal failure and their consequences occur which are potentially caused by the transplantation process, and any loss of earning as consequence of the transplantation or any medical problem should be avoided. Donors should be protected against discrimination in the social system. The Commission is called upon to evaluate the possibility to ensure that **living donors are legally insured** in all Member States. Parliament also calls on the Commission to analyse the different health care coverage of living donors in all Member States in order to identify best practices across the EU. The resolution stresses that Member States shall ensure that living donors are selected on the basis of their health and medical history, including a psychological evaluation if deemed necessary, by qualified or trained and competent professionals.

Post-transplant and follow-up of patients: Parliament recognises the important role of post-transplantation care, including the appropriate use of anti-rejection therapies, in the success of transplants. It acknowledges that optimum use of anti-rejection therapies can lead to improved long-term health for patients, graft survival and, hence, wider availability of organs owing to the reduced need for retransplantation, and asserts that Member States should ensure that patients have access to the best available therapies.

Educate, raise-awareness and communication: Parliament calls on Member States to improve the knowledge and communication skills of health professionals and patient support groups on organ transplantation. It emphasises that good cooperation between health professionals and national authorities or other legitimised organisations is necessary and provides added value. Parliament calls on the Commission, the Member States and civil society organisations to take part in this effort to raise public awareness of the possibility of organ donation whilst taking into account the cultural particularities of each Member State. It stresses that continuous education should form an essential part of all Member States' communication strategies on the issue. In particular, Members suggest that people should be better informed and encouraged to speak about organ donation and to communicate their wishes about donation to their relatives. They note that only 41% of European citizens seem to have discussed organ donation within their families.

Combat organ trafficking: Parliament underlines that the non-availability of organs is linked to illegal organ trafficking and the trafficking of persons. It repeats the recommendations on the fight against the organ trade made in the Adamou report on organ donation and transplantation and takes the view that these should be taken fully into account by the Commission when drafting the action plan. Member States are urged to establish mechanisms to avoid a situation where healthcare professionals, institutions or insurance companies encourage citizens of the Union to acquire an organ in third countries through practices involving trafficking in organs or in persons for the purpose of the removal of organs. Parliament strongly rejects the behaviour of some health insurance organisations in encouraging patients to participate in **transplant tourism** and asks the Member States to monitor strictly and punish such behaviour intensify their cooperation under the auspices of Interpol and Europol in order to address the problem of trafficking in organs more effectively.