

Dear members and friends,

The current organ shortage has become the main problem in transplantation today. Despite various attempts to increase the donor pool, the number of organ donors is, in fact, stagnant or decreasing in some countries. One reason for this may be the numerous reports of commercial renal transplants or the use of organs from executed prisoners or kidnapped children.

In order to avoid the slightest abuse in organ donation, the following guiding principles for human organ transplantation have been worked out and endorsed by the Health Assembly of the WHO:

#### **Guiding principles for human organ transplantation**

Organs and tissues (referred to in this text as "organs") may be removed from the bodies of deceased and living persons for the purpose of transplantation only in accordance with the following guiding principles:

##### *Guiding principle number 1*

Organs may be removed from the bodies of deceased persons for the purpose of transplantation if: (a) any consent required by law is obtained; and (b) there is no reason to believe that the deceased would have objected to such removal, in the absence of any formal consent given during the person's lifetime.

##### *Guiding principle number 2*

Physicians determining that the death of a potential donor has occurred should not be directly involved in the organ removal from the donor or any subsequent transplantation procedures, nor

should they be responsible for the care of potential recipients of such organs.

##### *Guiding principle number 3*

Organs for transplantation should be removed preferably from the bodies of deceased persons. Adult living persons may donate organs; however, in general, such donors should be genetically related to the recipients. Exceptions may be made in the case of transplantation of bone marrow or other regenerative tissues.

An organ may be removed from the body of an adult living donor for the purpose of transplantation if the donor gives free consent. The donor should be free of any undue influence and pressure and sufficiently informed to be able to understand the risks, benefits, and consequences of consent.

##### *Guiding principle number 4*

No organs should be removed from the body of a living minor for the purpose of transplantation. Exceptions may be made under national law in the case of regenerative tissues.

##### *Guiding principle number 5*

The human body and its parts cannot be the subject of commercial transactions. Accordingly, giving or receiving payment (including any other transactions or reward) for organs should be prohibited.

##### *Guiding principle number 6*

Advertising the need for, or availability of, organs with a view to offering or seeking payment should be prohibited.

##### *Guiding principle number 7*

It should be prohibited for physicians and other health professionals to engage in organ transplantation procedures if they have reason to believe that the organs concerned have been the subject of commercial transactions.

##### *Guiding principle number 8*

It should be prohibited for any persons for facility involved in organ transplantation procedures to receive any payment that exceeds a justifiable fee for the services rendered.

##### *Guiding principle number 9*

In light of the principles of distributive justice and equity, donated organs should be made available to patients on the basis of medical need and not on the basis of financial or other considerations.

The European Society for Organ Transplantation would now like to publicize these guidelines in the European transplant community, together with their recommendation that they be strictly followed.

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