

Policy and Legal Review of Organ Transplantation in Six Countries

– October 2024

FACTS:

- Each of the six countries has enacted stringent regulations for organ transplantation in relation to the four themes of equity, self-sufficiency, combating crimes, and financial neutrality. However, their implementation falls short due to uneven enforcement mechanisms and conflicts of interest among stakeholders.
- The complexity of the transplantation landscape, its inherent clashes with other regulatory frameworks, and the values of transplant practitioners present additional challenges.

PROJECT CYCLE:

2022 – 2024

PARTNERS:

*Declaration of Istanbul
Custodian Group (DICG)*

The Transplantation Society

*The International Society of
Nephrology*

SUPPORTERS:

*Declaration of Istanbul
Custodian Group (DICG). The
DICG is an initiative of the
Transplantation Society and
the International Society of
Nephrology.*

BACKGROUND:

- Global regulatory frameworks such as the WHO Guiding Principles on Human Organ Transplantation (1991) and the Declaration of Istanbul on Organ Trafficking and Transplant Tourism (2008, 2018), formulated by professional organisations led by The Transplantation Society (TTS) and the International Society of Nephrology (ISN), provide an ethical framework for organ transplantation to combat the universal shortage of organs, organ trafficking, financial inducements, and coercion in donation.
- While these global principles, coupled with domestic regulatory landscapes, have had positive impacts, unethical practices continue to be reported, especially from low- and middle-income countries.

AIM:

- To identify the intersection of international ethics principles and guidelines with the domestic regulatory frameworks of select developing countries.
- To understand the barriers and facilitators to the implementation of international ethics principles and guidelines in the domestic laws and policies of select developing countries.

METHODS:

- This study uses a qualitative case study approach to analyse how organ transplant policies are implemented in six countries: India, Pakistan, the Philippines, Costa Rica, Colombia, and Egypt. The results were examined in light of the global ethics principles outlined in the Declaration of Istanbul, focussing on four main areas: equity, self-sufficiency, combating crimes, and financial neutrality.
- The study involved reviewing international guidelines on organ transplants, local laws and policies, and existing research on how these laws are put into practice. Based on this review, in-depth interviews were conducted online with key informants using a semi-structured interview guide. Throughout the research, a group of 5-6 experts from India, Australia, Philippines, Costa Rica and Pakistan provided guidance at each stage.

IMPACT

- The study aims to assist global organisations such as the Declaration of Istanbul Custodian Group (DICG) in promoting ethical transplant practices that align with international ethical standards.
- The study sheds light on barriers to implementing existing policies and can guide countries to strengthen policy frameworks that promote ethical organ transplantation.

CONTACT:

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