



Presidenza del Consiglio dei Ministri

NATIONAL BIOETHICS COMMITTEE

THE BIOETHICAL PROBLEM OF THE KIDNEY TRANSPLANT FROM A NON-BLOOD RELATED LIVING DONOR

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abstract

In the sphere of European and Community regulations and Italian legislation the general rule prohibiting the donation of organs between unrelated individuals provides an exception in the case of kidney donation.

The issue is of significant bioethical importance given the nature of the requirements involved and the interests worthy of protection. If, on the one hand, the NBC believes that the donation of an organ, and especially the donation of an organ from a living donor, deserves great ethical and bioethical appreciation, on the other hand, it is aware of the objective risks inevitably connected to this practice. The principle concern expressed by the Committee relates to the risk of commercialisation of organs which could result from the discrepancy between strong demand and weak supply. With regard to this, the NBC considers that priority should be given to all measures which may lead to an increase in organ donation from cadavers; such measures should be above all essentially informative and organisational.

Instead, in the hypothesis of a possible revision of existing regulations, regarding the conditions and limits of donations of organs from living donors, the NBC hopes for the respect of certain guiding criteria. The Committee is in favour of extension – albeit under control – of removal of organs even from living unrelated donors who are only “emotionally related” to the receiver (such as a spouse, a stable partner, or a friend), the actual proven bond of affection acting as justification for the altruistic act. Prudence can be ensured by respecting the following conditions: there must be no derogation regarding the principle of serious appreciation of immunological compatibility, so as to adequately protect the recipient; organ removal from a living donor cannot take place in cases where the donor is exposed to excessive risk; the donor must be clearly and accurately informed of all possible consequences to health; the donor must give valid, free and informed consent. These conditions make it possible to avert the danger that acts, representing apparent altruism or great solidarity, are in fact driven by (economic) interest or induced acts – even if not done fully consciously – (psychological pressure exerted on the donor). Therefore, it is within these limits that the NBC considers ethically acceptable the extension of organ removal even from living unrelated donors.