

Spain signed the International Convention on combating trafficking in organs

Of the Council of Europe

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USPA NEWS - Spain has signed the International Convention on combating trafficking in organs of the Council of Europe, the first international treaty designed to prevent organ trafficking, protect victims and promote national and international cooperation in this area.

The World Health Organization estimates that each year about 10,000 transplants in the world are made under some form of marketing. Spanish Justice Minister, Rafael Catala qualify organ trafficking as a serious violation of the fundamental rights of individuals and human dignity and alerts on these criminal practices that, in its view, pose a serious risk to public health and private.

Spain has played a key role in the creation and development of this agreement, joint action by the Ministries of Justice; Health, Social Services and Equality, through the National Transplant Organization (ONT); and Foreign Affairs and Cooperation. Along with Spain, have also signed this agreement Albania, Austria, Belgium, Czech Republic, Greece, Italy, Luxembourg, Moldova, Norway, Poland, Portugal, the UK and Turkey. The treaty can sign all States, whether or not members of the Council of Europe.

This agreement is the first international treaty to combat such crimes. Is a decisive step in the fight against organ trafficking in the world. It was adopted on July 9, 2014 by the Committee of Ministers of the Council of Europe, which represents all member states. Its aim is preventing and combating trafficking in human organs, protecting victims and promoting national and international cooperation in this field. It also provides an opportunity for concerted global action through harmonization of national laws.

Specifically, the treaty requires signatory states to establish as criminal offenses the illicit removal of human organs from deceased and living donors or their use for transplantation or other purposes, and other related actions. It also contains measures to ensure transparency of national systems of organ transplantation and ensure equitable access to organ transplants. The agreement also provides that signatory governments shall adopt such legislative and other measures necessary to ensure access to information, assistance and the right to compensation for victims.

As for crime prevention, each State shall ensure the existence of a transparent national system for organ transplantation and equitable access to transplantation, as well as for the collection, analysis and exchange of information relating to offenses under the Convention in cooperation with the relevant authorities. In Spain the donation and transplantation activities are regulated by law. It required the free nature must take donations from living or deceased persons. Spanish legislation also establishes the obligation of free, informed and express to proceed with the removal of organs for transplantation from a living person and the requirements of consent and authorization to proceed with the removal of organs from a deceased person.

Spain has been a pioneer in the world to incorporate organ trafficking and transplant tourism to the Criminal Code in 2010. The Spanish Penal Code makes explicit reference to organ trafficking, provides for penalties of up to 12 years in prison and has a number of articles intended to prevent crime and protect its victims. According to the Spanish Government, organ trafficking is a problem of global dimension that violates basic human rights such as human dignity, and pose a serious threat to public health. It is often linked to transnational organized crime that takes advantage of the vulnerability of donors, and arises in the context of the inability of countries to meet the needs of their patients' bodies.

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