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Towards a Council of Europe Convention to combat trafficking in organs, tissues and cells of human origin

Motion for a recommendation

tabled by Mr Bernard MARQUET and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The report on illicit trafficking in human organs in Kosovo¹ to be debated during the January 2011 part-session of the Parliamentary Assembly has put the spotlight back on the continuing problem of trafficking in human organs in Europe – and worldwide.

In the report, it is pointed out that trafficking in organs contravenes the most basic standards in terms of human rights and dignity. The report welcomes and concurs with the conclusions of the joint study published in 2009 by the Council of Europe and the United Nations.

This joint study concludes that there is a need for an international legal instrument to be prepared which sets out definitions of human organ, tissue and cell trafficking and measures to prevent such trafficking and to protect the victims, as well as the criminal law measures to punish the crime.

The Assembly thus recommends that the Committee of Ministers:

- begin work immediately on the drafting of such a Council of Europe Convention, open to non-member States, and including a strong monitoring mechanism;
- enjoin member states which have not yet done so to sign and ratify the two other Council of Europe Conventions related to combating trafficking in human organs, namely:
- The Convention on Human Rights and Biomedicine (ETS No. 164) and its Additional Protocol concerning Transplantation of Organs and Tissues of Human Origin (ETS no.186);
- The Convention on Action against Trafficking in Human Beings (CETS No. 197).

Signed (see overleaf)

1. All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council [Resolution 1244](#) and without prejudice to the status of Kosovo.



Signed²:

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EDG: European Democrat Group
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SOC: Socialist Group
UEL: Group of the Unified European Left