

WRITTEN QUESTION E-3671/09
by Marco Cappato (ALDE) and Marco Pannella (ALDE)
to the Commission

Subject: Blood donation by homosexuals

On 27 March Mr Lorenzo Masili went to the polyclinic in Milan to give blood for the first time.

Screening showed Mr Masili's blood sugar level was normal and he told the doctor that he had never had any infectious diseases, his blood had always tested normal, he regularly practised sports, he was in excellent health and he had been in a monogamous relationship with his partner for the last eight years.

The doctor then told Mr Masili that he was an 'at-risk' donor, that homosexual relations were 'typically high-risk' and that he should have realised, on reading the rules about who could give blood, that he would not be suitable donor.

According to a statement by the blood transfusion centre, '[...] excluding blood donation by males who engage in homosexual relations – regardless of how many partners they may have – is in line with the guidance provided by the Commission (Directive 2004/33/EC¹) and Italian law (Ministerial Decree of 13 April 2005, Annex 4), which prohibit the donation of blood by persons who engage in high-risk behaviour'.

1. Does the Commission agree that the case described above obviously involves seriously discriminatory treatment which bears no relation to the medical and scientific parameters designed to establish who is or is not a high-risk potential blood donor, and that the argument used to justify such discrimination has no scientific basis?
2. Does the Commission agree that it is not a person's homosexual or heterosexual orientation which determines whether he or she is a 'high-risk' blood donor, but certain specific aspects of his or her lifestyle?
3. Does the Commission agree that the blood transfusion centre was wrong to refer to European Directive 2004/33/EC and Annex 4 of Italian Ministerial Decree of 13 April 2005, which make no reference to prohibiting the donation of blood by persons who do not engage in high-risk sexual behaviour, or by homosexuals in general?

¹ OJ L 91, 30.3.2004, p. 25.