

# EUROPEAN PARLIAMENT

2004



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*Session document*

9.3.2005

B6-0199/2005 }  
B6-0200/2005 }  
B6-0201/2005 }  
B6-0202/2005 }  
B6-0203/2005 }  
B6-0204/2005 }  
B6-0205/2005 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 103(4) of the Rules of Procedure, by

- Anna Záborská and Maria Martens, on behalf of the PPE-DE Group
- Martine Roure, on behalf of the PSE Group
- Frédérique Ries, on behalf of the ALDE Group
- Hiltrud Breyer, on behalf of the Verts/ALE Group
- Věra Flasarová, Eva-Britt Svensson and Adamos Adamou, on behalf of the GUE/NGL Group
- Johannes Blokland, on behalf of the IND/DEM Group
- Brian Crowley and Marcin Libicki, on behalf of the UEN Group

replacing the motions by the following groups:

- IND/DEM (B6-0199/2005)
- GUE/NGL (B6-0200/2005)
- UEN (B6-0201/2005)
- PPE-DE (B6-0202/2005)
- PSE (B6-0203/2005)
- ALDE (B6-0204/2005)
- Verts/ALE (B6-0205/2005)

on the trade in human egg cells

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## European Parliament resolution on the trade in human egg cells

*The European Parliament,*

- having regard to the Treaty establishing the European Community, in particular Article 152(4)(a) thereof,
  - having regard to the Charter of Fundamental Rights of the European Union, in particular Article 3 thereof,
  - having regard to Directive 2004/23/EC of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells,
  - having regard to its resolution of 23 October 2003 on the prevention and control of trafficking in human organs and tissues,
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas media reports at the end of December 2004 uncovered the existence of a clinic in Romania specialising in the donation of egg cells to European Union nationals, particularly UK citizens, in return for financial compensation,
- B. whereas a team sent from the UK HFEA – Human Fertilisation and Embryology Authority – to Romania to investigate concerns about payments to donors was unable to find any evidence that Romanian donors were being paid more than legitimate expenses,
- C. whereas the harvesting of egg cells constitutes a high medical risk for the life and health of women, resulting inter alia from hyper stimulation of the ovaries,
- D. whereas Article 12 of the Directive on setting standards of quality and safety for human tissues and cells explicitly states that a payment, other than compensation, for cell and tissue donations in Europe is not acceptable and that cells and tissues as such must not be subject to trade,
- E. whereas the procurement of cells may not be subject to any pressure or incentive, and whereas the voluntary and unpaid donation of egg cells must be guaranteed, so that women do not become 'suppliers of raw material',
1. Recalls that the human body should not be a source of financial gain and that particular attention should be paid to vulnerable individuals at risk of becoming victims of trafficking, particularly women;
  2. Condemns any trafficking in the human body and its parts, and stresses that Article 12(1) of

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Directive 2004/23/EC requires Member States to endeavour to ensure voluntary and unpaid donations of tissues and cells;

3. Recalls that this article also leaves responsibility for authorising and setting the level of compensation within the framework of the directive concerned to the Member States;
4. Calls on the Commission fully to investigate the above-mentioned reports;
5. Calls on the Member States to take the necessary measures, before 7 April 2006 when Directive 2004/23/EC enters into force, to put in place a transparent and progressive policy with regard to compensation for the expenditure and inconvenience relating to tissue and cell donations;
6. Calls on the Commission to carry out an assessment as soon as possible of national legislation on egg cell donation and the compensation system for the donation of organs and reproductive cells, and to make this assessment public;
7. Considers that one of the essential issues in practice is the need to provide infertile couples awaiting an egg donation with a real solution, and calls on the Commission to intensify and strengthen alternatives for the prevention and treatment of infertility;
8. Wishes to see egg cell donation, like organ donation as a whole, strictly regulated in order to protect both donors and recipients and to tackle all forms of human exploitation;
9. Stresses that any woman forced to sell part of her body, including reproductive cells, becomes prey to organised crime networks that traffic in people and organs;
10. Calls on the Commission to ascertain whether such cases also occur in other Member States, candidate countries or third countries;
11. Calls on the Member States to take measures to prevent the exploitation of women in the application of life science;
12. Instructs its President to forward this resolution to the Presidency of the European Union, the Council, the Commission and the governments and parliaments of the Member States.