

EUROPEAN COMMITTEE ON ORGAN TRANSPLANTATION (CD-P-TO)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Type of committee: **Steering committee**

Terms of reference valid from: **1 January 2022 until 31 December 2025¹**

PILLAR/PROGRAMME/SUB-PROGRAMME ▼

Pillar: Rule of Law

Programme: Action against crime, safety and security of citizens

Sub-programme: Quality of Medicines and Healthcare (EDQM, European Pharmacopoeia)

MAIN TASKS ▼

Under the authority of the Committee of Ministers, in its composition restricted to the representatives of the States Parties to the Convention on the Elaboration of a European Pharmacopoeia, without prejudice to the competences of the other relevant committees, the CD-P-TO will oversee and co-ordinate the Council of Europe's work in the field of transplantation of organs, tissues and cells and advise the Committee of Ministers on all questions within its field of competence. The overall aim is to promote the principle of non-commercialisation of organ, tissue and cell donation, strengthen measures to avoid trafficking of organs, tissues and cells, elaborate high ethical, safety and quality standards in the field of donation and transplantation/human application of organs, tissues and cells and, in general, support member States in the development of ethical, safe and efficient donation and transplantation services.

In particular, the CD-P-TO is instructed to:

- (i) ensure the follow-up of the relevant decisions taken at the 131st Session of the Committee of Ministers (Hamburg, 21 May 2021),² and in particular contribute to the implementation of the key strategic priorities relating to its specific field of expertise as identified in the Strategic Framework of the Council of Europe, and respond to the respective key findings and challenges set out in the Secretary General's 2021 Report on the state of democracy, human rights and rule of law "A democratic renewal for Europe";
- (ii) monitor practices in Europe and identify and study emerging challenges with regard to ethical, quality and safety standards for the donation and transplantation/human application of organs, tissues and cells of human origin;
- (iii) elaborate quality and safety standards in the field and provide guidance for their implementation; in particular, by revising and updating, on a regular basis, the Guide to the quality and safety of organs for transplantation and the Guide to the quality and safety of tissues and cells for human application;
- (iv) assist member States in improving their donation and transplantation services, whilst promoting the principle of voluntary non-remunerated donation;
- (v) examine the organisational structures concerning donation and transplantation/human application of organs, tissues and cells of human origin with a view to addressing the causes of shortage;
- (vi) regularly collect and analyse international data on donation and transplantation/human application of organs, tissues and cells of human origin for publication;
- (vii) draft proposals for recommendations and resolutions for adoption by the Committee of Ministers and elaborate policy guidelines, position papers, technical reports and any other means that may be deemed appropriate;
- (viii) support national initiatives and assist member States in improving their transplantation services, in particular by developing links between national health authorities responsible for the donation and transplantation/human application of organs, tissues and cells of human origin and experts throughout Europe and ensure the transfer of knowledge and expertise;
- (ix) provide, upon request, assistance to States with observer status to the European Pharmacopoeia Commission in developing policies, laws and regulations relating to the donation and transplantation/human application of organs, tissues and cells of human origin, improving their donation and transplantation programmes, combatting organ shortage and improving access to transplant health services;
- (x) actively contribute to the fight against organ trafficking by:
 - a) collecting information on possible illicit transplantation activities in the member States through the network of National Focal Points (NFP) on Travel for Transplantation, in accordance with Committee of Ministers Resolution CM/Res(2013)55 on establishing procedures for the collection and dissemination of data on transplantation activities outside a domestic transplantation system;
 - b) elaborating technical and guidance documents for health authorities and health professionals to prevent, detect and combat organ trafficking and trafficking in human beings for the purpose of organ removal, in accordance with the Council of Europe Convention against Trafficking in Human Organs and the Council of Europe Convention on Action against Trafficking in Human Beings;
 - c) providing training and supporting multidisciplinary co-operation among relevant Authorities and bodies involved in the fight against transplant-related crimes through the network of NFP;
 - d) actively promoting and disseminating the aforementioned conventions, contributing to their broad ratification, acceptance and implementation;
 - e) supporting the Committee of the Parties of the Council of Europe Convention against Trafficking in Human Organs with regard to ethical and technical matters;

¹ These terms of reference are approved for the first biennial period 2022-2023. For the second biennial period 2024-2025, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2024-2025.

² [CM/Del/Dec\(2021\)131/2a](#), [CM/Del/Dec\(2021\)131/2b](#), [CM/Del/Dec\(2021\)131/2c](#) and [CM/Del/Dec\(2021\)131/3](#).

- (xi) support the successful implementation of European Union (EU)/EDQM funded *ad hoc* activities aimed at implementing both EU and Council of Europe standards and harmonising practices in Europe;
- (xii) reinforce co-operation and synergies with other international organisations and professional societies working in the field;
- (xiii) contribute to the training of health professionals on donation and transplantation/human application of organs, tissues and cells of human origin through the identification of needs and the elaboration of tailored support material;
- (xiv) raise awareness among the general public on organ, tissue and cell donation and transplantation/human application and provide information on matters of interest;
- (xv) promote the organisation of the European Day for Organ Donation and Transplantation, hosted by a different Council of Europe member State every year, with the support of local governmental organisations and/or others;
- (xvi) co-operate with the Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO) in the implementation of all aspects of transplantation covered by the Convention on Human Rights and Biomedicine (ETS 164) and its Additional Protocol on transplantation of organs and tissues of human origin (ETS 168);
- (xvii) co-operate with the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of all aspects of the fight against trafficking in human beings for the purpose of organ removal covered by the Convention on Action against Trafficking in Human Beings (ETS 197);
- (xviii) co-operate with the Committee on Crime Problems (CDPC) in the implementation of all aspects of the fight against trafficking in human organs covered by the Convention against Trafficking in Human Organs (ETS 216), including through participation in its Committee of the Parties;
- (xix) hold an exchange of views annually in order to evaluate its activities and advise the Committee of Ministers and the Secretary General on future priorities in its sector, including possible new activities and those that might be discontinued;
- (xx) take due account of the following mainstreamed perspectives in the performance of its tasks: gender, youth, children's rights, rights of persons with disabilities, and Roma and Traveller¹ issues;
- (xxi) where relevant, contribute to building cohesive societies and to strengthening the role and meaningful participation of civil society in its work;
- (xxii) where relevant, in accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind its priorities, an examination of some or all of the conventions for which it has been given responsibility², in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers;
- (xxiii) contribute to the achievement of, and review progress towards, the UN 2030 Agenda for Sustainable Development, in particular with regard to Goal 3: Good health and well-being and Goal 5: Gender Equality.

MAIN DELIVERABLES ▼

Under the authority of the Committee of Ministers, the CD-P-TO is instructed to complete the following deliverables, within the following deadlines:

	Deadline ▼
1. Guide to the quality and safety of tissues and cells for human application (5 th edition), appendix to Recommendation CM/Rec(2020)5	31/12/2022
2. Guide to the quality and safety of organs for transplantation (8 th edition), appendix to Recommendation CM/Rec(2020)4	31/12/2024
3. Guide to the quality and safety of tissues and cells for human application (6 th edition), appendix to Recommendation CM/Rec(2020)5	31/12/2025
4. Draft recommendation or resolution on the development of programmes for donation after the determination of death by circulatory criteria	31/12/2025
5. Draft recommendation or resolution on the establishment and maintenance of harmonised transplant registries and international data sharing	31/12/2025
6. Draft recommendation or resolution on establishing harmonised measures for the protection of gamete donors	31/12/2025
7. Draft recommendation or resolution to harmonise cross-border organ retrieval practices	31/12/2025
8. Reflection paper describing the European landscape concerning access of non-residents to deceased donor waiting lists for organ transplantation and summarising the deliberations of the committee on the topic	31/12/2025
9. Guidance document on the reimbursement of organ, tissue and cell donors in the context of Article 21 of the Oviedo Convention (prohibition of financial gain)	31/12/2025
10. Recommendations for professionals and/or relevant health authorities on best practices for deceased organ donor family approach	31/12/2025
11. Guidance document on best practices for physical examination of deceased potential organ and tissue donors	31/12/2025
12. Booklet for the general public on tissue donation	31/12/2025

¹ The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "*Gens du voyage*"; as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

² Cf. relevant decisions of the Committee of Ministers (CM/Del/Dec(2013)1168/10.2) and list of Conventions in document CM(2021)132.

13. Booklet for the general public on add-on treatments during medically assisted reproduction	31/12/2025
14. Annual Newsletter Transplant	31/12 of each year
15. Annual analysis of international travel for transplantation activity elaborated by the network of NFP on Travel for Transplantation	31/12 of each year

COMPOSITION ▼**MEMBERS:**

Governments of the States Parties to the Convention on the Elaboration of a European Pharmacopoeia are invited to designate one representative of the highest possible rank with expertise in the field of organ transplantation and/or one representative of the highest possible rank with expertise in the field of tissues and cells for human application. Each member of the committee shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in voting.

The sending authorities of the member States will bear the travel and subsistence expenses for their representatives' participation in the meetings of the CD-P-TO. The travel and subsistence expenses of the Chair and Vice-Chair for participating in the meetings of the CD-P-TO will be borne by the EDQM budget.

In accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.

PARTICIPANTS:

The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly of the Council of Europe;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO);
- Committees of other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send representatives, without the right to vote and without defrayal of expenses:

- Council of Europe member States other than those mentioned above under "Members" and other States with observer status to the European Pharmacopoeia Commission;
- European Union;
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- World Health Organization (WHO).

OBSERVERS:

The following may send representatives, without the right to vote and without defrayal of expenses:

- Non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities.

Observer status may be requested in accordance with Article 8 of Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

WORKING METHODS ▼

	Plenary meetings ▼			Bureau meetings ▼		
	Members incl. Chair	Meetings per year	Days per meeting	Members	Meetings per year	Days per meeting
2022	39	1	2	-	-	-
2023	39	1	2	-	-	-
2024	39	1	2	-	-	-
2025	39	1	2	-	-	-

Extraordinary meetings of the CD-P-TO may be convened upon request by the Chair or Vice-Chair.

Representatives taking part in the CD-P-TO and its subordinate bodies shall complete a declaration of interests and confidentiality undertaking form.

The rules of procedure of the committee are governed by Committee of Ministers Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods. However, with a view to reaching its objectives and to enable multidisciplinary working methods, the committee may in derogation of Resolution CM/Res(2021)3, within the limit of budgetary attributions, create subordinate bodies.

The CD-P-TO will appoint from amongst its members up to 5 Rapporteurs on mainstreamed perspectives, including a Gender Equality Rapporteur.

BUDGETARY INFORMATION* ▼

	Meetings per year	Days per meeting	Members reimbursed	Plenary in €K	Bureau in €K	Working groups in €K	Secretariat (A, B)
2022	1	2	2	9.0	1.4	-	1A, 1B
2023	1	2	2	9.0	1.4	-	1A, 1B
2024	1	2	2	↔	↔	-	↔
2025	1	2	2	↔	↔	-	↔

* The costs include the per diem and travel costs of the Chair and Vice-Chair for participating in the meetings of the Committee and interpretation. They are calculated on the basis of the 2021 standard costs.